

going to interfere with the rights of parties and expropriate their property, this power was struck out. There are other instances; there is no use in multiplying them, and the cases in which the power has been granted cannot be considered as forming a binding precedent. As the hon. gentleman from Kingston says, if we have done wrong in the past, that is no reason why we should repeat it now. There is no reason shown why that clause should be inserted in the Bill, declaring the work to be one for the general advantage of Canada. It is a distinct interference with the present use of the waters of the Grand river, which are within the control of the province of Ontario, and dependent upon which are great rights in the town of Dunnville, both public and private, where Dunnville may, by the raising of these waters, be flooded or where it may be, as was explained to the committee, that if the waters are drawn off to too great an extent, private interests might be seriously interfered with and the whole community affected. Under these circumstances I do not think any case has been made out for this power being included in the Bill.

Hon. Mr. FERGUSON—I did not think when my hon. friend from Rockland (Hon. Mr. Edwards) made his motion that it would be regarded serious as to call for very much of an argument. I thought the proposition was so simple at this time of day that it did not call for very much discussion. However, some hon. gentlemen seem to think that it does, and, therefore, it becomes necessary to put the case as it appears to me. Great stress is laid on the fact that this is a private company. It is no more a private company than a company seeking a railway charter. They are precisely in the same position. Neither of them come to the parliament of Canada as philanthropists. They come for the purpose of making money for themselves, but their proposition is of so public a nature, and so much to the public advantage, that parliament sees good to the public arising from the building of the railway or the construction of the works, and they are therefore prepared to do what is necessary to facilitate their operation. It is a fact which need not be argued, that we

could not have railways without the power of expropriation, and I am inclined to think we could not in many cases have power works without the power of expropriation. What is the difference between the two? The railway company proposes to build a railway to sell transportation and to make money out of it. The power company seeks incorporation in order to sell power to propel railways as well as for other purposes. The public advantage comes in equally well in both cases. Then take the case of irrigation. Farmers own land, or it is a part of the public domain, it is not blessed with a copious rainfall. Irrigation becomes an essential matter, and irrigation cannot be had in a great many cases without the power of expropriation, and parliament steps in and gives the power of expropriation. Therefore I have thought that the matter was so simple that it scarcely required to be discussed. Of course it is a serious matter to exercise the power of expropriation. We know that. Private interests have to succumb to what are the broader public interests. I remember two or three years ago when the government introduced a Bill in this House for the purpose of extending the power of expropriation as far as the government was concerned, I tried very hard to impress the hon. gentlemen—I do not know whether my hon. friend from Russell (Hon. Mr. Edwards) was one of my audience or not—but I tried strongly to impress the hon. gentlemen sitting on the opposite side of the House with the danger of the proposition that was then submitted to us, and which has been made law.

Hon. Mr. EDWARDS—What proposition?

Hon. Mr. FERGUSON—To enlarge the power of expropriation, so that the government could take private property, and if they found afterwards that they did not want it they could throw it back on the hands of the owners. They could take a limited interest in it or an interest for a limited time. It was extending the power of expropriation in what I conceded to be a dangerous manner, and I have very little doubt that already hardships have arisen under it. At all events, great hardships will arise under it, if it is not administered with great caution and care. However, parlia-