

of any river which might be made navigable, that would be a jurisdiction of a very extensive character.

Mr. Mackenzie said he could not understand what the member for Argenteuil meant by laws in the abstract. There would be no sense in this Parliament having power to legislate on navigation in the abstract; they must have power to regulate the navigation of lakes and particular rivers, or they had no power at all. He was rather suspicious of the view taken of this matter by gentlemen from Montreal, when he found them attempting by local powers to obstruct our principal river with a dam. If there was one duty more incumbent than another on this legislature, he thought it was to guard the free navigation of our rivers.

Mr. Blake said there was attached to the Union Act a schedule which provided that public harbours, rivers, and lakes' improvements should be the property of Canada. If these were the property of Canada, Canada should clearly have the power of regulating them.

Hon. J. S. Macdonald said the Legislature of Ontario had passed a Bill establishing a Board of Trade in one of its towns, in other words, enabling the parties interested to put their trade affair under a Corporation. They did this with the risk of this Government disallowing the Bill. He hoped this Parliament would not rise without an expression of opinion on the part of this House at all events, about the extent of jurisdiction of the Canadian Parliament in such matters—where it began and where it stopped. There was a difficulty also as to the pardoning power. It would be a strange state of things if after the Local Legislature imposed a fine and imprisonment for violation of its laws, the Government could not remit such penalties without reference to the General Government. Doubts of this sort, as to the extent of the powers of the two bodies ought to be removed.

Sir John A. Macdonald said at the inauguration of a new system like ours, it was to be expected that many questions might arise as to what belonged to the general and what to the local bodies. It was to him matter of surprise that so few difficulties had arisen. The question however was—what was the law? and he did not see how they could alter this by any resolution of this House. If it was found that they could not put a construction

on the law under which a satisfactory conclusion could be arrived at, they would have to go to the Imperial Parliament and get an amended Act. The Parliament of the Dominion had power to legislate on every subject not expressly included in the clause conferring powers on the Local Parliaments. This was entirely different from the American system, under which all powers belonged to the States as sovereign powers, except those specially conferred on Congress. Under the power of this Parliament to legislate on all subjects affecting the welfare and good Government of the Dominion, except those specially conferred on the Local Legislatures, it might perhaps by special enactments confer certain powers on the Local Legislatures in the same way as the old Province of Canada had the right to confer on municipalities certain powers of taxation, etc.

Hon. J. S. Macdonald—The Provincial Parliament created the municipalities, but it is not the Dominion Parliament which has created the Local Parliaments; that is an important distinction.

Sir John A. Macdonald admitted that it was, and said that this consideration might perhaps make it impossible for this Parliament to confer additional powers on the local bodies beyond those conferred by the Union Act.

Hon. Mr. Chauveau made some remarks in French, to the effect that the local bodies were independent of the General Parliament, and could amend their constitutions, while the Dominion Parliament could not amend its constitution.

Hon. Mr. Smith pointed out that the final responsibility rested with the General Government, since they had the veto power over all Acts of the Local Legislature.

Mr. Johnson thought it clear that under the Constitution the Dominion Parliament had full control of all matters relating to navigation, and that if the Local Legislatures passed laws on any such matters they would be inoperative.

Hon. Mr. Holton, with reference to the power of amending their constitution claimed for the Local Legislature by Mr. Chauveau, remarked that, practically, a Local Legislature could not touch its constitution without consent of this Parliament, because the power of disallowance and of veto resting with the Governor-General, was practically exercised