

contained in the memorandum furnished to me.

Mr. CONMEE. Is it not a fact that that company had a contract with the Ontario Niagara Park Commission which is an international commission, and which might give them some authority which no other company could obtain except at Niagara Falls?

Mr. LENNOX. I do not know as to that. I understand that under the powers obtained from the local legislature they are exporting power. I have no instructions as to the statement made by the hon. gentleman. Now, there is objection entered to this company being granted expropriation powers over lands which the Ontario government have reserved along the Nipigon river. The Prime Minister will remember that the Bill has been cut down in its scope so that so far as the Nipigon river is concerned they only ask expropriation powers for the purpose of erecting transmission wires. They have abandoned as I understand the provision enabling them to generate power along the river.

Mr. CONMEE. In so far as this Bill is concerned they have abandoned any power of expropriation with regard to the Nipigon river or with respect to any of the lands to which reference is made. The transmission lines would not touch the reserve; the company do not mean a transmission line in that sense. If they submitted plans for any such line they would not be approved and there is no danger of a clash between the company and the provincial authorities in that respect.

Mr. LENNOX. It would seem as if there was necessity for guarding against the granting of the power asked, and subsection 5 of section 15 it is suggested should be in this form:

The expropriation powers hereby conferred upon the company shall not be exercised by it until the plans mentioned in section 18 of this Act shall have received the approval therein provided for, and with respect to any lands upon the Nipigon river shall not be exercised except as to such land as may be required for the purpose of these transmission lines.

The section of the Bill as now proposed does not exclude the lands reserved by the government of Ontario, and so, if it is thought advisable to pass this Bill at all—and I am going to leave the responsibility for its passage upon the Prime Minister—it will be necessary to word that section in such a way as to place it beyond doubt that we do not intend in this parliament to grant power by which one government shall vest in a private individual the right to expropriate the lands of another government in

the Dominion of Canada. If my hon. friend (Mr. Conmee) is content now to have it worded in such a way as to remove this objection there will be no necessity for referring to that point further.

Mr. CONMEE. I would be quite prepared to exclude the chain reserve to which the hon. gentleman makes reference. The clause was drawn up by Mr. Ritchie of this city who I believe to be a very careful lawyer, and I also spoke to the Minister of Justice about that point, and there is no power in the Bill to take land along the river. At all events that is not the intention. The provision is that the transmission wires may come to the Nipigon river but there is no intention of going on to the chain reserve.

Mr. LENNOX. If my hon. friend does not want to consent we will have to argue it. To my mind this clause, without question, allows expropriation for the purpose of erecting poles anywhere along the Nipigon river. The expression 'lands upon the Nipigon river' means land adjoining that river, and the right would be exercisable upon that chain, or two chains in some cases, which the government has reserved. We will strenuously oppose anything which will give the right of expropriating on the reserve of the Ontario government.

Mr. CONMEE. Will it satisfy the hon. gentleman to state:

But not within the one-chain or two-chain reserve along the said river.

Mr. LENNOX. What will satisfy us is anything that will make it clear that we are not interfering in any way with the lands owned or reserved by the province.

Mr. CONMEE. My hon. friend is speaking of the chain reserve only.

Mr. LENNOX. I am not speaking of anything technical. What we contend is, that it will be very unwise and very unfair to grant to a private speculative company the right to take by force land belonging to or reserved by a province. The province of Ontario or the province of Manitoba or any other province represents the Crown just as effectually and fully in its sphere as the Dominion parliament, and it would surely be a most unseemly thing if this parliament should, at the instance of a private speculative company, wrest the rights of a province from it against the will of that province. This is the right of eminent domain, which rests in the Crown. For the purposes of this parliament it rests in this parliament. For matters under the jurisdiction of the province of Ontario it rests in the Ontario government. Should it happen that the federal head will, at the instance of an individual, grant to that