

*Beauharnois Power Project*

willing to accept the view of my hon. friend that possibly this case should be sent to the privy council in order that a final adjudication should be made on it. Perhaps so. But surely my hon. friends have no right to consider this property as being owned by the Dominion of Canada, in view of the decision given by the supreme court in that instance.

Mr. WOODSWORTH: But surely the case is arguable.

Mr. LAPOINTE: My hon. friends make another mistake; that is to consider the St. Lawrence as in a different position from that of other navigable rivers. There is nothing either in the British North America Act or in any law of the land that makes a special case with regard to the St. Lawrence river. It is a navigable river. As I told my hon. friend in the course of his speech, if his argument is good in regard to the St. Lawrence it would be just as good in regard to the Niagara river, which is also a navigable water. But no one ever claimed that the dominion had any ownership of the water power in that case.

Mr. CHAPLIN: Exactly the same as on the Niagara.

Mr. LAPOINTE: Exactly as on the Niagara. The banks of the St. Lawrence river are the property of the province of Quebec. My hon. friends should take that into consideration when they discuss the matter of rates. One of them said that no care had been taken as to rates which should be charged there. The Beauharnois company or the Montreal Light, Heat and Power or whatever company is in control of that property is a provincial company, subject to the laws of the province of Quebec. Their rates have to be controlled by that province. There is a public utilities commission there. Perhaps I do not like some of the decisions of that commission, but if the tribunal is not what it should be it is for the Quebec legislature to change it or strengthen it; it is not a question to be settled by this parliament. In spite of the good intentions and good will and kindness of my hon. friends I appeal to them to let the people of the province of Quebec settle their own business.

Mr. GARLAND (Bow River): May I ask the hon. gentleman a question before he sits down? Is it not true that this government did expropriate the private property of the Beauharnois company in the case of the canal? If they had the power to do that in the case of the land and appurtenances of the canal, have they not the same authority in regard to power?

[Mr. Lapointe.]

Mr. LAPOINTE: They had the power in regard to the canal because it relates to navigation, there is no doubt that this government have control of navigation and have the right to take over any necessary property for that purpose. But that would not justify them taking over the property for the purpose of generating electricity.

Hon. W. D. EULER (North Waterloo): Since our friends from the west and others from the province of Quebec have taken part in this debate, perhaps it might be fair for one from the province of Ontario to say a few words, although I will say at the outset that I am speaking for myself alone and not for the province of Ontario. I speak because I have some sympathy with the thought that it is regrettable that a great natural resource such as this, capable of developing some 2,000,000 horse-power, should pass into the hands of private interests.

Some hon. MEMBERS: Hear, hear.

Mr. EULER: I had that thought at the time when I happened to be a member of the government which had to pass upon the question of giving permission for the diversion of 50,000 cubic feet of water from the St. Lawrence river. As far as I was concerned I had some hesitation—I am betraying no confidence in saying so—in giving the permission as long as there was any hope that that water power belonged to the Dominion of Canada. But not being a lawyer or an expert in these matters, and having before me, as other members of the government had, the definite opinion of those supposed to know, that the power belonged to the province of Quebec, it seemed to me that there was no other course to take than that which was taken.

Later on the Beauharnois company got into difficulties as we all know—

Mr. LAVERGNE: It belongs to Quebec because Quebec took it.

Mr. EULER: Before I leave that point I would like to make a reference to a suggestion of the hon. member for Bow River (Mr. Garland). He seems to think it is competent for the government of Canada merely by a declaration of this house to acquire water powers which otherwise belong to the province of Quebec. If it were possible without prejudicing the vested rights of the province of Quebec, I think I would be inclined to vote for such a declaration. But I do not believe it is possible for us to acquire the power in that way. I said before that I felt it was regrettable that this great natural resource should pass into the hands of private interests,