

Supply—Public Works

supplementary estimates. I believe these two items on page 15 should not be under the Department of Public Works but under the Department of Northern Affairs as on page 13.

Mr. Benson: The explanation I was reading will cover this matter. Prior to the take-over of the North-west highway system by the Department of Public Works, capital contributions were made by Citizenship and Immigration, Northern Affairs and National Resources and the Department of National Defence. As a result of taking over the highway system the Department of Public Works became responsible for the commitment made by the Department of National Defence. Specifically the grants are to be made with respect to these particular schools, but it became a matter for the Department of Public Works following the take-over. These were commitments by the Department of National Defence with respect to the highway system and when the highway system was turned over to the Department of Public Works it assumed these responsibilities.

Mr. Herridge: Mr. Chairman, I have listened on several occasions with a great deal of interest to the complaints of the hon. member for York-Humber regarding buildings on waterlots and I think there is a lot of merit in the case he has made. I believe he has told the committee an amazing tale.

In British Columbia the riparian owner or the person who has title to the land owns the land to the mean high water level or to the edge of vegetation. Then there can be waterlots from that point into a lake, which are used for mooring grounds, launching ramps and so on. In my experience I never remember the government of B.C. giving permission for the building of any structure on such lots without the prior approval of owners adjacent to it or without a properly drawn agreement. I can give an illustration.

● (4:10 p.m.)

On one occasion a lumber company in my constituency had applied for the right to erect certain piles or booming grounds and to do other work on such a lot. It became impatient waiting for a decision from Ottawa so it went ahead and erected the pilings, docks and things of that sort. Later they were ordered by Ottawa to take the pilings and booms down because they had no right to interfere with the riparian rights of the owners adjacent to the lake in question. In my opinion, Mr. Chairman, the Minister of Public

[Mr. Nielsen.]

Works should allow this item to stand and obtain a legal opinion in respect of this matter. I can speak from my personal and quite lengthy experience with the development of foreshore property and water lots on rivers and lakes and on an international river in British Columbia. It seems to me that the minister should allow this item to stand so he can obtain a legal opinion before the item is carried by the house.

Mr. Benson: If I might interject, as I said, I heard the case put forward by the hon. member for York-Humber and I said I would see that the case was brought to the attention of the Minister of Public Works. However, I think we should remember we are not here considering the estimates of the department for the whole year but rather what we are considering at this particular time is permission for the government to complete the expenditures for the fiscal year 1965-66 which comes to an end tomorrow.

The money required in these supplementary estimates is to clear up these bills. There will be other supply motions and there will be a full consideration of the estimates for the whole of the coming year. I believe that the hon. member for York-Humber will have every opportunity to bring up this particular matter when the estimates are being considered by the house and, indeed, he could bring the matter up on a supply motion or on interim supply.

Mr. Herridge: In view of the circumstances, would the minister take action with regard to the holding up of this development at this point until the committee has an opportunity to examine the circumstances?

Mr. Benson: Mr. Chairman, I cannot give such an undertaking because I really do not know what the circumstances are. I am not the Minister of Public Works and therefore do not know what the circumstances are in connection with the particular matter raised by the hon. member for York-Humber. All I know is what the hon. member for York-Humber has said. He certainly has every right to bring up this matter and pursue it to the fullest. All I am questioning is whether this is the point at which to do it when what we are trying to do is to get the final supplementary estimates through in order to pay our bills for the year.

Mr. Peters: Mr. Chairman, I have listened very carefully to the minister and I sympathize with him with relation to this matter.