

dified in such a way as to protect themselves. I am not afraid of that. This parliament does not abandon control. It is a protection in the right direction to the province. Lately we have expressed our opinion about provincial rights, and unanimously expressed ourselves in favour of the protection of provincial rights whenever anything invading them appears in any Bill. The question seems to have arisen again, and there seem to be all kinds of objections.

Hon. Mr. POWER—Inasmuch as a sort of personal question has arisen between the hon. gentleman from De Salaberry and myself, perhaps the House will allow me to say a very few words. I did not say that the hon. gentleman's statement with respect to the promoters of the Bill was incorrect. I had very little to do with the promoters of the Bill. The hon. gentleman from De Salaberry has such a persuasive way that I can imagine him, in dealing with the promoter of the Bill, persuading that gentleman to adopt almost any view he chose to inculcate. My statement is simply this; and I feel I have a perfect right to make it: in my hearing the counsel of the promoter expressed a strong objection to this clause, and, if my memory does not fail me altogether, he intimated that if this clause remained in the Bill, the Bill would be of no use to the company. That is my remembrance of what this learned counsel said. Whether he stated something altogether different to the hon. senator from De Salaberry, or not, I do not say. I assume that he did say something different to the hon. gentleman.

Hon. Mr. ROSS (Middlesex)—The object of the hon. senator who has moved this amendment is to protect provincial rights, a very laudable object. The object of the fifth clause of the Bill, as stated by its promoter is to protect provincial rights. On opposite sides then of this Bill, the motive is the same. If clause 5 be stricken out, then the jurisdiction of the province, if any, is at large. It will be subject to such argument as might arise under the British North America Act. I think it would probably remain. I do not know that this House can oust the jurisdiction

of the province except by declaring this work to be a work for the general advantage of Canada. In that case the jurisdiction of the province is ousted. There is no such provision in this Bill, and, therefore, I assume that any jurisdiction of the province would remain. The promoter of the Bill says: 'I am most anxious to protect the rights of the province and the provisions of the fifth clause, so far as a clause can, does protect the jurisdiction of the province.' Would it not be safer for us to accept this Bill with some degree of certainty that the jurisdiction of the province would be preserved, and leave the question at large. That is the form in which the argument seems to crystallize itself to my mind. By all means let this House do its duty as it declared it would last session, and let us see that provincial rights are protected. If at any time there is doubt, let us remove the doubt as far as we can by inserting a clause similar to this, stronger if necessary; but at all events show the country that, so far as we could, in a Bill in regard to which there was any doubt, the Senate would stand by the resolution of last year, and declare in the form of the clause or some other way, that it had the interest and the rights of the province in view and so stated them. For that reason, I am disposed to vote against the amendment, believing that this declaration of provincial rights, leaving the Bill at large, is better than it would be if the amendment were adopted.

Hon. Mr. DAVIS—I am sorry I cannot agree with the hon. gentleman from Middlesex. It appears to me that this question of provincial rights has been made a football of.

Hon. Sir MACKENZIE BOWELL—Oh, no.

Hon. Mr. DAVIS—Well, to a certain extent. It all depends on whose ox is being gored. If it is proper that we should protect the rights of the province, I would suggest that some hon. gentleman who has this question at heart should introduce a Bill, calling it the Provincial Rights Act, or some other suitable name, on the lines of clause 5 of this Bill. If