

The United States Government, by its Note of August 17, 1954, agreed to this modification of the earlier exchange of Notes.

The following points should be noted:

(1) The Canadian Government - as stated in its Note - will construct forthwith a canal and lock in the international section at Iroquois.

The Canadian Government was informed by the United States Delegation that the United States Government is committed by Congressional legislation to the construction of a canal and lock on the United States side at this point. Nevertheless, the Canadian Government hopes that the United States may subsequently decide not to proceed with this work at this time.

(2) While Canada has been relieved of its immediate obligation, it has lost none of its rights to build navigation facilities in the vicinity of Barnhart Island on Canadian territory.

The Canadian Government has been informed that the United States will provide navigation works in the vicinity of Barnhart Island and do the dredging in the Thousand Islands section, in accordance with Public Law 358.

The Canadian Government in its turn has stated its intention of constructing a canal and locks on the Canadian side of Barnhart Island, if and when it considers that parallel facilities are required to accommodate existing or potential traffic. This would complete the 27-foot works required for uninterrupted navigation between Lake Erie and Montreal on the Canadian side.

(3) An important factor bearing on the requirement for parallel facilities on the Canadian side, near Barnhart Island, would be increasing volume of traffic. Another factor, which however we hope and expect would not materialize, would be unreasonable or unwarranted interference with, or delays to, Canadian shipping.

In the new exchange of Notes the two countries recognized that it was of great importance to both that the St. Lawrence Seaway be used to the maximum extent, and they therefore agreed to use their best endeavours to avoid placing unreasonable restrictions on the transit of passengers, shipping or trade in the international section of the Seaway. They also agreed to consult before the enactment of any new law, or the promulgation of any new regulation, applicable on either side of the international section which might affect Canadian, United States or third-country registry shipping.

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