

ment of the United States—it being the party who should negotiate proceedings—to communicate at the earliest possible moment with the Government of Canada, in order not only that the whole of the greater question may be discussed but that this particular difficulty may be discussed with a view of making it operative and satisfactory for purposes of the present war and at the earliest moment of time. My learned friend suggests that that means delay. They do not want it. The president of their company does not want it. It takes time and can never be done. If the United States wants it done I have authority to say: Let them apply to Canada and the question of delay in adjusting these matters will not be the fault of Canada.

Mr. KOONCE: Will you please state how that can be brought about?

Mr. GUTHRIE: Let the Secretary of War send a telegraphic communication to Sir Robert Borden, and two men can settle this matter in an hour. We are dealing with the Government of the United States and not with a very weighty private corporation, and that is a very grave distinction. I submit to you that, if this dam were to go in and become the property of this private company, it will never come out and that the river will be blocked. I heard it suggested by counsel, "Suppose it were put in and we rip it out at the end of the war." If it goes in it will never come out. The company is too strong. Three or four years from now they will say, "Look at the money we have spent. Leave it there." We want to be in a position of dealing fairly and squarely with the Government of the United States, because we apprehend that this is an international matter. If the two Governments should refer it to this Commission—and I think probably they would refer the greater question to this Commission—all well and good. Your jurisdiction would then be complete, but, in the meantime, my suggestion—I can only make it as a suggestion—is that my learned friend Mr. Koonce should use the telegraph wires and ask his Government to make an intimation—and I am sure that in a few hours it will receive a reply—and, if a commission will come to Canada, or we go to Washington, this particular matter will be dealt with satisfactorily to both Governments, and the lack of production needed for the war will not lie at the door of Canada. My submission, to be very brief, is that, under the language of the Ashburton treaty, Canada has treaty rights which must not be interfered with.

Mr. TAWNEY: Pardon me for asking you one question with reference to the construction of the Webster-Ashburton Treaty. It may have some bearing upon this matter. Was there any protest by Canada or by Great Britain to the diversion from the South channel of the Long Sault of the water of that channel, or any part of it, through the power canal of the St. Lawrence River Power Company at the time that diversion was authorized by the United States Government?

Mr. GUTHRIE: I am not in a position to answer that question, but I was in the House of Commons, as was also a member of your Commission, at the time this question occupied the attention of the