

Department of Marine and Fisheries of Canada, or in accordance with such modifications of the said plans, or in accordance with such other plans as may be agreed upon between the said Commissioner of Inland Fisheries and Game and the said Department of Marine and Fisheries and submitted to and approved by the Commission; such amended plans or other plans to be filed with the Commission within sixty days of the date hereof.

It is recommended that the said fishways should be operated under an International Board of Control.

Dated at Ottawa, Canada, this 3rd day of October, 1923.

C. A. MAGRATH.
C. D. CLARK.
HENRY A. POWELL.
M. A. SMITH.
W. H. HEARST.
CHAS. E. TOWNSEND.

No. 178.

From His Majesty's Chargé d'Affaires, Washington, to the Governor General.

No. 383.

BRITISH EMBASSY,
WASHINGTON, D.C., October 17, 1923.

My Lord,—With reference to Your Excellency's despatch No. 114 of August 11th last,¹ respecting the pollution of the St. Clair River in the vicinity of Sarnia by oily waste discharged from the gas refinery situated on the Black River flowing into the St. Clair River, I have the honour to transmit to Your Excellency herewith copy of a note which I have received from the Secretary of State relative to this matter.

Mr. Hughes states that every effort will be made to prevent the further discharge of wastes from the plant of the Detroit Edison Gas Company, and adds that if this be agreeable to the Dominion Government the United States Government will be glad to authorize an investigation of the complaints regarding the alleged pollution of the river to be made by a committee composed of the Sanitary Engineer of the Province of Ontario and representatives of the International Joint Commission and Health Department of the State of Michigan.

I have, etc.,

H. G. CHILTON.

His Excellency

The Lord Byng of Vimy, G.C.B.,

etc., etc., etc.,

Governor General of Canada,

Ottawa.

ENCLOSURE 1 IN No. 178

From the United States Secretary of State to His Majesty's Chargé d'Affaires at Washington

No.

DEPARTMENT OF STATE,
WASHINGTON, October 16, 1923.

Sir,—With further reference to your note No. 687 of August 14, 1923, in regard to the alleged pollution of the St. Clair River in the vicinity of Sarnia by oily waste discharged into the Black River which flows into the St. Clair River, I beg to transmit herewith copies of a letter

from the Governor of Michigan, dated September 28, 1923, and its enclosure, a report of the investigation of the alleged pollution made by the Health Department of the State of Michigan.

It is stated in the report that the inspection resulted in finding that no appreciable amount of oily waste was being discharged into the Black River except from the plant of the Detroit Edison Gas Company and that while the oily waste from that plant made a clearly defined path in the Black River until it reached the St. Clair River no trace of oil could be distinguished in the St. Clair River beyond a distance of about two hundred feet from the American shore although at the time the inspection was made there was a fair current in the Black River going out to the St. Clair River and the wind was favourable for carrying floating substances toward the Canadian shore. The report also shows that no oily refuse of the character discharged from the plant of the Detroit Edison Gas Company was seen upon the Canadian shore although oil of a different character was seen on the St. Clair River near the Imperial Oil Company's refinery near Sarnia in Canada.

It is further stated that every effort will be made to prevent the further discharge of wastes from the plant of the Detroit Edison Gas Company and a recommendation is made that an investigation of the complaints regarding the alleged pollution of the river be made by a committee composed of the Sanitary Engineer of the Province of Ontario and representatives of the International Joint Commission and the Health Department of the State of Michigan. This Government is willing, if the Canadian Government so desires, that an investigation shall be made in the manner suggested by the authorities of the State of Michigan.

As the matter appears to be one in regard to which the International Joint Commission would have authority to make an investigation and report under Article IX of the Boundary Waters Treaty of 1909, the United States would be glad to join the Canadian Government in a reference to the Commission, if the Canadian Government should prefer that the investigation be made in this way.

Accept, etc.,

CHARLES E. HUGHES.

Mr. HENRY GETTY CHILTON,

Chargé d'Affaires ad interim of Great Britain.

ENCLOSURE 2 IN No. 178

From the Governor of Michigan to the United States Acting Secretary of State

STATE OF MICHIGAN EXECUTIVE OFFICE,
LANSING, September 28, 1923.

ALEXANDER J. GROESBECK,
Governor.

DEAR SIR,—Since the receipt of your letter of August 31 concerning the pollution of the St. Clair River, I have had the matter investigated by the Health Department of this State. They have submitted to me a report, together with their recommendations, a copy of which I enclose herewith for your perusal.

If there is anything further you wish me to do in the premises, kindly advise me.

Very sincerely,

HON. WILLIAM PHILLIPS, ALEX. J. GROESBECK,
Acting Secretary of State,
Washington, D.C.

Enclosure: Report.