

Article VI of the Treaty of January 11th, 1909, between the United States and Great Britain, I have the honour to transmit, herewith, duplicate original of an order adopted by the Commission on October 2nd, 1923, amending its order of October 6th, 1921. A copy of the order has been transmitted to the Acting Director of the Reclamation Service of Canada.

I am, etc.,

LAWRENCE BURPEE,
Secretary.

The Right Honourable
The Secretary of State for External Affairs,
Ottawa.

ENCLOSURE IN No. 176

INTERNATIONAL JOINT COMMISSION

ORDER

In the Matter of the Measurement and Apportionment of the Waters of the St. Mary and Milk Rivers and their Tributaries in the State of Montana and the Provinces of Alberta and Saskatchewan.

Upon the application of the Director of the United States Reclamation Service and the Acting Director of the Reclamation Service of the Department of the Interior of Canada, and upon reading the recommendation of said Director of the United States Reclamation Service bearing date the 2nd day of June, 1923, and the recommendation of said Acting Director of the Reclamation Service of the Department of the Interior of Canada dated the 8th day of June, 1923.

It is ordered and directed that winter hydrometric observations at the international gauging stations on the north branch and the south branch of the Milk River near International Boundary, and on the Milk River at Eastern Crossing be and the same are hereby dispensed with, and that the Order of the Commission herein dated the 4th day of October, 1921, be amended accordingly.

Dated at Ottawa, Canada, this 2nd day of October, 1923.

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

FRANCIS KING.

No. 177.

From the International Joint Commission to External Affairs

INTERNATIONAL JOINT COMMISSION,
OTTAWA, Canada, October 3, 1923.

Sir,—In the matter of the Application of the Commissioner of Inland Fisheries and Game for the State of Maine for the erection and repair of fishways in the St. Croix River, I have the honour to transmit

herewith duplicate original of an Order adopted by the International Joint Commission on October 3rd, 1923.

I am, etc.,

LAWRENCE BURPEE,

The Right Honourable
The Secretary of State for External Affairs,
Ottawa.

ENCLOSURE IN No. 177

In re the Application of the Commissioner of Inland Fisheries and Game for the State of Maine for the Erection and Repair of Fishways in the St. Croix River.

ORDER

Whereas, the Commissioner of Inland Fisheries and Game for the State of Maine, filed with the International Joint Commission an application to "grant consent and authority to all dam owners on the St. Croix River, including the owners of the dams of the St. Croix Gas Light Company and Canadian Cottons, Limited, to erect and repair fishways in the said dams as might be approved by the said Commissioner of Inland Fisheries and Game for the State of Maine, and the authorized representatives of the Government of Canada," and

Whereas the Government of the United States has referred said application to the International Joint Commission for appropriate action in respect of the two dams designated as the St. Croix Gas Light dam and the Canadian Cottons, Limited, dam, and

Whereas by Order in Council dated the 24th day of July, A.D. 1923, the Commission was informed that the Government of Canada has no objection to approval being given to the application and plans for permission to construct and maintain fishways in the two dams specifically enumerated, namely, those of the St. Croix Gas Light Company and of the Canadian Cottons, Limited.

And whereas, the said Application so referred as aforesaid came on for hearing at the town of St. Andrews, in the Province of New Brunswick, in the Dominion of Canada, on the 3rd day of August, A.D. 1923, and notice of the filing of the said Application and of the time and place of the said hearing having been given to all parties interested in both countries, and the Commission having heard the evidence adduced by all parties interested with respect thereto, and also having heard counsel on behalf of all parties concerned, and having taken time to consider its judgment in the matter;

And whereas, it has been made to appear to the Commission that a certain dam for power purposes was constructed across the St. Croix River, a boundary stream between the Province of New Brunswick in the Dominion of Canada, and the State of Maine in the United States of America, at a point above the town of St. Stephen by the St. Croix Gas Light Company known as the St. Croix Gas Light Company's dam, and that at a point above the town of St. Stephen on said river, a dam was constructed for power purposes, which said dam is now owned and operated by the Canadian Cottons, Limited, and that in the construction of said dams practicable and efficient fishways were provided for the passage of fish up the said stream; and that by disuse and reconstruction of said dams the said fishways have become inefficient or totally obliterated.

Now therefore it is hereby ordered that the Commission approves of the construction and repair of the said two mentioned fishways in accordance with the plans heretofore agreed upon between the Commissioner of Inland Fisheries and Game for the State of Maine and the