

tion of business and pleasure. Until the railway came in there, it was more or less common. It was navigable and it is navigable to-day. But the evidence seems pretty clear that there was very little traffic on it; perhaps none except the motor boats and launches. There were the docks. One of the witnesses said, "There is a wharf at my place; there is another at Dodge shoal, and there is another a little higher up." He also said, "Freight used to come down, but the railways changed all that."

Mr. MAGRATH: Do you think it would be necessary to go both ways to cause it to be navigable?

Mr. GUTHRIE: We can go both ways.

We have in the South Sault an alternate route. I do not say it is the best route. Let us have an ice jam in the North Sault; let us have a gate on one of our locks thrown out of commission; we have the alternative channel, and we do not want it blocked. But there is a larger view of it even than that and the larger view is this: Some day—and I trust soon—there will be a power development and a dam across the North Sault. It has to be an international work, I assume. Then it becomes all the more important to have the South Sault as a navigable channel.

Mr. POWELL: That is an argument addressed to our discretion.

Mr. GUTHRIE: Yes; I am only pointing out the importance of it in this. I am not yielding a point in regard to our rights under the treaty. Now, my information is that the Government has in contemplation the construction of a dam across that North Branch. It will have to be undertaken internationally, I assume, with the concurrence of the United States. Probably it may be referred to your Commission for settlement. But, if such a work is undertaken, and the North channel is closed, the South channel becomes all the more important. You may say that the Richelieu and Ontario boats are too large to come down it now, but all that is required there is a lock to make navigation good. My point, however, is that the water is navigable, and that is so abundantly proved that I do not think I need labour the question.

Mr. POWELL: There is one thing that bothers me, and I think the case is stronger in your favour than you are putting it, because the two High Contracting Parties in their language in the Ashburton Treaty have recognized this very division of the water as navigable and provided for it.

Mr. GUTHRIE: I would not expect for a moment that I could put it in language as strong as the treaty. I am relying on the treaty but I am trying to point out some of the reasons for the great importance of this question to the Government of Canada. The thing that is also important and should not be lost sight of is this: That this very concern, this Aluminum Company of America, with one of its subsidiary companies, known as the Long Sault Development Company, attempted the very thing that the Government wants to do. They tried to get the right to build a dam across there and they did get the right from the State of New York, but, subsequently, that right was taken away by the State of New York and the matter got to the courts and to the Supreme Court of the United States.