

velopment, as a joint project, of the power resources available at Niagara Falls, where, over the Falls alone, 160 feet of drop is available for the production of power. Since there was little prospect by 1949 that the Agreement would be approved, a separate treaty was signed and ratified in 1950 setting forth the principles under which the water in the Niagara River could be turned into power by Canada and the United States.

At more or less the same time the Canadian Government let it be known that Canada was prepared to proceed with an "all-Canadian" Seaway as far west as Lake Erie, once the means had been found to have the power works constructed concurrently in the International Rapids Section of the St. Lawrence River. By December of 1951 the St. Lawrence Seaway Authority Act and the International Rapids Power Development Act were approved by the Canadian Parliament, the first authorizing the construction of navigation works on the Canadian side of the river from Montreal to Lake Ontario as well as in the Welland Ship Canal, the second authorizing the Hydro-Electric Power Commission of Ontario (HEPCO) to join a United States power generating entity in constructing the necessary power works in the International Rapids Section of the St. Lawrence River.

In 1952, in order to get the power project under way, the Canadian and United States Governments submitted joint applications for the approval of the International Joint Commission to the proposed power development, on the understanding that the Canadian Government would undertake to construct, more or less concurrently, and to operate all the works necessary to insure uninterrupted twenty-seven-foot navigation between Montreal and Lake Erie. Approval of this proposal was given by the Inter-

national Joint Commission in an Order of Approval dated October 29, 1952.

In 1953, the U.S. Federal Power Commission granted a fifty-year license to the Power Authority of the State of New York (PASNY) for the development of the United States half of this power project. Because the Order granting this license to PASNY was contested in U.S. courts, it was not until June of 1954 that PASNY had clear authority to join HEPCO in making a start on these works.

In the meantime, however, the United States Congress had enacted the Wiley-Dondero Bill (P.L. 83-358) which authorized and directed the St. Lawrence Seaway Development Corporation to construct, on United States territory, all the twenty-seven-foot navigation facilities required to get shipping around the navigational barriers in the International Rapids Section. The situation thereby created required close consultation between the Canadian and the United States Governments in order to avoid a duplication of locks and canals. The number of compromises and accommodations were eventually worked out and embodied in a series of exchanges of Notes according to which the United States agreed to build a canal and two locks on United States territory to bypass the Barnhart-Cornwall generating dam at the foot of the Long Sault Rapids and, in addition, to do some essential dredging elsewhere, while Canada agreed to build a lock and canal around the Iroquois Control Dam some 30 miles upstream and, in addition, to complete to a common standard all the necessary navigation facilities in Canadian territory, i.e. between Montreal and Cornwall and in the Welland Ship Canal. The estimated cost to the United States of these works was of the order of \$100 million while the estimated cost to Canada was to amount to about \$200 million.