

# CONVENTION BETWEEN CANADA AND THE UNITED STATES

RELATING TO

Certain Complaints Arising from the Operation of the  
Smelter at Trail, B.C.

OTTAWA, April 15th, 1935.

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and The President of the United States of America,

Considering that the Government of the United States has complained to the Government of Canada that fumes discharged from the smelter of the Consolidated Mining and Smelting Company at Trail, British Columbia, have been causing damage in the State of Washington, and

Considering further that the International Joint Commission, established pursuant to the Boundary Waters Treaty of 1909, investigated problems arising from the operation of the smelter at Trail and rendered a report and recommendations thereon, dated February 28, 1931, and

Recognizing the desirability and necessity of effecting a permanent settlement,

Have decided to conclude a Convention for the purposes aforesaid, and to that end have named as their respective plenipotentiaries:

His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, for the Dominion of Canada:

The Right Honourable RICHARD BEDFORD BENNETT, Prime Minister, President of the Privy Council and Secretary of State for External Affairs;

The President of the United States of America:

PIERRE DE L. BOAL, Chargé d'Affaires ad interim of the United States of America at Ottawa;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

## ARTICLE I

The Government of Canada will cause to be paid to the Secretary of State of the United States, to be deposited in the United States Treasury, within three months after ratifications of this Convention have been exchanged, the sum of three hundred and fifty thousand dollars, United States currency, in payment of all damage which occurred in the United States, prior to the first day of January, 1932, as a result of the operation of the Trail Smelter.

## ARTICLE II

The Governments of Canada and of the United States, hereinafter referred to as "the Governments," mutually agree to constitute a tribunal hereinafter referred to as "the Tribunal," for the purpose of deciding the Question referred to it under the provisions of Article III. The Tribunal shall consist of a chairman and two national members.