

Attorney General of the United States, says that the diversion is illegal. He says that for 319 pages, and there are 321 pages in the book. He spoils his argument in the last two pages. This is a very interesting case. I spoke in the Senate about it fifteen or sixteen years ago. It started away back more than a century ago. The idea of taking water from Lake Michigan and the first legislation in the United States regarding it originated in 1822; and in 1827—I suppose the State of Illinois was not established then—the United States actually authorized a canal of unlimited width and undefined depth, with 90 feet on each side of the canal, to take water from Lake Michigan to the Illinois river. It was in 1845 that the works were started, and this canal has been built. Now we have the word of the Attorney General of the United States, who says that ten times more water is being used to-day than is necessary for navigation purposes.

The story of this case is a long one. The case was before the Court for sixteen years. It first went before Judge Landis, who, I am told, is very well known and is now the authority governing the baseball teams in the United States.

Hon. Mr. DANDURAND: He was from Chicago?

Hon. Mr. CASGRAIN: He was from Chicago and is still. He took the case and started hearing witnesses. How long do you think he took to hear the witnesses, honourable gentlemen? He took six years; and after the sixth year he commenced to deliberate upon the case. And there is where it seems very strange, because, as you will find in this book from the United States, it was not necessary to go to law about it. The Attorney General says that the strong arm of the United States of America could have been used; that the army and the militia could have been called in to stop action at once; but that was never done. However, Judge Landis deliberated for six years more, or a total of twelve years, and then brought down what they call a decree, or what we in Canada call a judgment; but he hinted that he might amend that decree, and in order to make up his mind whether to amend it or not he took three years more, making fifteen years, and he never amended it at all, but left it just as it was. The decree, of course, was to the effect that the thing was illegal. Anybody who has ever had anything to do with water courses knows that a stream cannot be diverted for the benefit of one person to the detriment of another. That is not only international law, but it is

common law. However, Judge Landis at last declared that he would not amend the decree, and the Sanitary District of Chicago carried the case before the Supreme Court of the United States, in Washington. Here is the brief of the Sanitary District, and this is the brief of the United States.

Early in January the Supreme Court of the United States naturally confirmed the decree of Judge Landis, but they could not help qualifying as "unprecedented" the delay that had taken place. They did not absolutely censure him, but referred in polite judicial language, which the lawyers whom I see around me would understand, to the remarkable delay, for which there was absolutely no excuse. During all this time the work was going on, and then you would have what we call a "fait accompli"—you would have the thing done and it could not be undone. The sum of \$100,000,000 had been spent. Is it likely, honourable gentlemen, that that sum of money is going to be scrapped to-day?

The water that should flow down the St. Lawrence is going first into La Rivière des Plaines, then into the Illinois, then into the Mississippi and right down to the Gulf. This is an old, old story, but what we do not all realize is the immense quantity of water that is being taken away. When you read in the newspapers about 4,167 cubic feet per second it looks very small. Even that figure is a camouflage. There was a sort of treaty made between Canada and the United States by which they were entitled to take 250,000 cubic feet per minute; and if you divide that by 60 you get the odd figure that I have just mentioned. This supposed treaty was entered into and signed on the 11th of January, 1909, and was ratified by the Senate of the United States in May of the same year, and they were entitled to this 250,000 cubic feet until lately. What is almost incredible, those three British Commissioners actually agreed to sign that treaty though the Chicago Sanitary District were absolutely violating every condition of it at the very time the treaty was being made. It is very easy to keep a record of the amount of water going through a canal; but when they asked to see the records they were absolutely denied access to any documents for five years previous to the time they signed the treaty. I do not know who those British Commissioners were, but they signed that treaty without knowing what they were signing, and at a time when the other party in the case absolutely denied them access to any documents or any data in its possession. However, the treaty has been signed and I