

EXCHANGE OF NOTES (SEPTEMBER 13, 1954) BETWEEN CANADA AND THE  
UNITED STATES OF AMERICA CONCERNING THE PAYMENT FOR EXPENDI-  
TURES ON CONSTRUCTION OF REMEDIAL WORKS AT NIAGARA FALLS

I

The Secretary of State for External Affairs to the  
Chargé d'Affaires ad interim of the United States of America

DEPARTMENT OF EXTERNAL AFFAIRS

No. X-233

OTTAWA, September 13, 1954

SIR:

I have the honour to refer to recent conversations between representatives of our two Governments with respect to the construction of remedial works at Niagara Falls. As Article II of the Convention between the United States and Canada signed on February 27, 1950, (1) concerning uses of the waters of the Niagara River provides that "the total cost of the works shall be divided equally between the United States of America and Canada", the Government of Canada and the Government of the United States consider it desirable that 50 per cent of the cost of the remedial works at Niagara Falls completed by or on behalf of the other Government shall be paid by or on behalf of such other Government as work progresses.

I have the honour to propose, therefore, that our two Governments agree as follows:

- (a) The Government of Canada and the Government of the United States shall each bear 50 per cent of the cost of the remedial works at Niagara Falls done by or on behalf of the other Government as work progresses. Monthly statements of expenditures and payments to cover them in the funds of the country performing the work shall be exchanged between the agents of the two countries as indicated below. Adjustments will be made from time to time as required.
- (b) In order to facilitate administration, payments by the United States Government shall be made directly to The Hydro-Electric Power Commission of Ontario, through the office of the Project Manager, Sir Adam Beck-Niagara Generating Station No. 2, Niagara Falls, Ontario, acting on behalf of the Government of the Province of Ontario, which, under an Agreement dated March 27, 1950 (1) made between the Government of Canada and the Government of Ontario, has assumed the obligations of the Government of Canada in respect of the Canadian share of the cost of the remedial works to be constructed pursuant to Article II of the Niagara Treaty. Payments to the United States Government by The Hydro-Electric Power Commission of Ontario shall be made to "The Treasurer of the United States" and be forwarded to the District Engineer, Buffalo, New York, District of the Corps of Engineers. In order to comply with the Provisions of Article II of the Niagara Treaty, the receipts to be given for each payment made by The Hydro-Electric Power Commission of Ontario to the United States Corps of Engineers, and vice versa, shall constitute a full and sufficient discharge of the financial obligations of the two Governments under the Treaty in

(1) Treaty Series 1950, No. 3.