

The Canadian Engineer

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Canada Protests Against Weir in St. Lawrence

Dominion Government Wants Direct Assurance From the United States Government That It Will Be Removed After the War—To Compensate for Dredging or Merely To Remedy Ice Conditions?—International Joint Commission's Session at Montreal

APPROVAL of the application of the St. Lawrence River Power Company to construct a submerged weir in the South Sault Channel of the St. Lawrence River, near the entrance of the company's power canal leading to the Grass River, was strongly opposed by the Canadian Government at the meeting of the International Joint Commission held last Thursday and Friday at Montreal. The Canadian Government presented its reply to the company's application in printed form, setting forth the following objections:—

"Both the channels at the Long Sault stand in different positions to the others in the St. Lawrence River, in that, by Article VII. of the treaty commonly known as 'The Webster-Ashburton Treaty of 1842,' it is stipulated 'that the channels of the River St. Lawrence on both sides of Long Sault Island and of Barshart Island shall be equally free and open to the ships, vessels and boats of both parties.'

"Any interference with the free and open navigation of the South Sault channel specifically mentioned in, and covered by, said treaty is not within the jurisdiction of the International Joint Commission, but should be dealt with by direct negotiations between the high contracting parties to the said treaty.

"Furthermore, the treaty between the United States and Great Britain, relating to boundary waters, treaty series No. 548, is the foundation of the jurisdiction of your commission.

"In article 10 thereof it was agreed that 'the navigation of all navigable boundary waters shall forever continue free and open for the purpose of commerce to the inhabitants and to the ships, vessels and boats of both countries equally. Subject, however, to any laws or regulations of either country within its own territory not inconsistent with such privilege of free navigation, and applying equally and without discrimination to the inhabitants, ships, vessels and boats of both countries.'

"It is respectfully submitted that all boundary waters of the two countries are to continue free and open, and that your commission has no jurisdiction to alter the treaties subsisting between the high contracting parties relating to same.

Entire Traffic in Canadian Bottoms

"Any attempt to close this channel of the St. Lawrence River, specifically agreed to be kept open for navigation, is of much more importance to the Dominion of Canada than to the United States, in that the St. Lawrence River is the main artery for navigation to the sea by Canada, and almost the entire traffic of this river is carried in Canadian bottoms.

"The South Sault channel of the St. Lawrence River has been used by a number of boats, and freight has been

transported down such stream, and if it is alleged by the applicants that it is not now used for navigation, it can only be that the said applicants have diverted about half the natural flow of waters that should go down this channel into their power canal, thereby interfering with navigation to that extent, and now seek to entirely close the navigation thereof.

"That even now it is the only channel that can be used for the carrying of logs in rafts, and previous to the outbreak of the present great European war was so used extensively, and when this class of business revives the proposed weir would compel the passing of rafts through the canal at Cornwall, which would be to the detriment of the rafting, the general freight and passenger business.

Will Alter River Level

"That the closing of this channel, as proposed, will alter the level of the river above, but to what extent the engineers of the Canadian Government have not had an opportunity to definitely satisfy themselves.

"That the closing of this channel will throw the burden of caring for the ice entirely upon the Long Sault Rapids, and possibly create worse conditions than at present in the river above.

"That, whilst the company asks for permission to construct this weir for the alleged purpose of improving ice conditions in the South Sault channel and at their power plant, evidence shows that it is practicable to handle ice in a manner so as to render the proposed weir unnecessary for ice protection purposes.

"That, if the applicants desire more electrical energy during the months of January, February and March, as is represented to your commission, that the blocking of this channel is not the only way by which such additional power may be obtained.

"That whilst the increased output is alleged to be necessary to meet an emergency, the works proposed will close the channel for all time.

"At present there is only developed at this part of the St. Lawrence River about 85,000 horse-power, and that by private interests, whereas there is capable of international development by the two countries some 700,000 horse-power.

"The present applicants, without the concurrence of Canada or without the order of this commission (which it is respectfully submitted should be first obtained), are dredging a channel through Dodger Shoal, and it may be that this proposed dam, instead of being solely for ice protection, is rather a part of the entire scheme to obtain more power at Massena.

"If the Dodger Shoal be dredged, as the applicants seek to do, it will materially affect the level of Canadian waters above the Dodger Shoal and the canal system of Canada at this point on the north shore.