

can be quite certain, as a result of our long and friendly association, that no one in either country will interfere in their use to the detriment of the other party.

However, where new projects of great magnitude are under arrangement, and particularly in the case of those in which some outmoded facility or vested interest has to be displaced, it is seldom easy, even in one country, to effect progress, but where, as in the regions along the St. Lawrence, the resources to be developed are shared by separate communities, the difficulties presented to the inhabitants on either side in coming together and making effective arrangements for the development of their joint interests are almost insuperable if they have to proceed separately through the ordinary national, economic, legal and legislative systems of their respective countries.

At the turn of the century, with the invention of the electric generator, which could be set in motion by the power of falling water, and with the evolution of the means of transmitting electric power over considerable distances, those limitations became particularly apparent to the leaders of the two nations which share the St. Lawrence, where immense resources had thereby become potentially available to be turned to useful account. Under the stimulus of this interest and necessity a system was in fact evolved through which the difficulties of separate and distinct communities in working together could be overcome. This system is set forth in the Treaty of 1909, usually referred to as the Boundary Waters Treaty; but its usefulness is by no means confined to questions concerning the use of waters.

The fundamental conception of this treaty is both to dispel trouble arising or threatening to arise between the two countries or their peoples and also to provide a means through which their joint aspirations, particularly as regards the useful development of the vast resources of their boundary waters can be fulfilled. The methods adopted are, in many instances, quite novel in character, and nowhere else, between any other two countries, have they ever been brought into effective use, either before or since.

The Treaty of 1909 established the International Joint Commission, a body composed of six Commissioners, three on the part of the United States and a like number on the part of Canada. The members on either side are equal, so that, if the Commission is to proceed at all in the matters which have been referred to it, it must proceed by agreement and this principle has also been followed by the Commission itself in the establishment of the many international engineering boards and committees which it has had occasion to set up to assist it in the discharge of its duties during the 40 years which it has been in existence. In order to discharge these responsibilities effectively, the Commission has been armed with authority which, in certain precisely defined spheres, has been placed above that of national law.

For example, unless there has first been a special agreement between the Governments of Canada and the United States, "no further or other use or obstructions or diversions, whether temporary or permanent of boundary