

[PIÈCE JOINTE / ENCLOSURE]

*Le secrétaire d'État des États-Unis à l'ambassadeur aux États-Unis*  
*Secretary of State of United States to Ambassador in United States*

Washington, March 17, 1925

Excellency,

This Government is pleased to learn from your note No. 119 of February 4, 1925, in regard to the instructions to be given to the Joint Board of Engineers which has been appointed to make a further investigation respecting the St. Lawrence Waterway, that the supplementary report made by the technical officers on December 4, 1924, and the proposed instructions as a whole as revised thereby, have been approved and adopted by the Government of Canada.

This Government is pleased to note also that the Government of Canada made no objection to the understanding reserved by the United States in connection with its approval of the recommendations, as amended, namely, that consideration at a future time of the unequal diversions of water at Niagara as bearing on the diversion from Lake Michigan is in no wise prejudiced by the omission of that question from those which will at this time be referred to the Joint Board of Engineers.

This Government notes that the Canadian Government gave its approval to the proposed instructions, as revised, subject to two understandings, namely, (1) that the words 'by either Canada or the United States' as appearing in Section 6 (a) mean the Federal authority in each case, and (2) that the consideration by the engineers of the effect of the diversion of water at Chicago on the St. Lawrence project is not to be taken as admitting that any license to take water from the St. Lawrence basin which may be granted by the Government of the United States is binding upon Canada.

While the Government of the United States is not advised of the reason of the Canadian Government for desiring to restrict the scope of the investigation to be made under Section 6 (a) to diversions authorized by the Federal authorities of the United States or of Canada, and believes that the investigation would be more satisfactory if it were not thus restricted, it will nevertheless, with a view to avoiding delay in the consideration of the major questions involved, and without prejudice to any of its legal rights in the premises, not interpose any objection to the first of the understandings stated by the Dominion Government. Likewise, this Government will make no objection to the second of those understandings.

In addition to the observation above that the acquiescence of this Government in the first of the foregoing understandings is without prejudice to its legal rights, this Government considers that it is appropriate to remark that as the work of the Joint Board of Engineers will be limited to the investigation and determination of facts and the preparation of plans and estimates, the legal rights of the United States and of Canada in relation to any question