

treaties which recognize the St. Lawrence as an international waterway from the Great Lakes to the sea.

In the working out of many of the questions that came before the Commission it soon became evident that boundary waters should be more explicitly defined, and it was thought best to place this definition, and other matters relating to boundary waters, in the form of a treaty between Great Britain and the United States.

Accordingly, such a treaty was negotiated and the result was the signing of the Waterways Treaty, on January 11th, 1909.

This treaty was made with the desire to prevent disputes regarding the use of boundary waters, and to settle all questions now pending between the two countries involving the rights, obligations, or interests of either in relation to the other, or to the inhabitants of the other, along their common frontier.

This treaty in no way cancels or limits the application of the principles in the previous treaties, but was intended to more specifically define boundary waters. It agrees that the navigation of all navigable boundary water shall forever continue free and open for the purpose of commerce to both countries equally, subject, however, to any laws and regulations of either country within its own territory not inconsistent with such privilege of free navigation, and applying equally and without discrimination to both countries. These rights also extend to Lake Michigan and to all canals connecting boundary waters and now existing, or which may hereafter be constructed, on either side of the line. Articles 3 and 4 read as follows:

"It is agreed that, in addition to the uses, obstructions, and diversions heretofore permitted or hereafter provided for by special agreement between the parties hereto, no further or other uses or obstructions or diversions, whether temporary or permanent, of boundary waters on either side of the line, affecting the natural level or flow of boundary waters on the other side of the line, shall be made except by authority of the United States or the Dominion of Canada within their respective jurisdiction and with the approval, as hereinafter provided, of a joint commission, to be known as the International Waterways Commission.

"The foregoing provisions are not intended to limit or interfere with the existing rights of the Government of the United States on the one side and the Government of the Dominion of Canada on the other, to undertake and carry on governmental works in boundary waters for the deepening of channels, the construction of breakwaters, the improvement of harbours, and other governmental works for the benefit of commerce and navigation, provided that such works are wholly on its own side of the line, and do not materially affect the level or flow