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## An Imperial Customs Union.

THE FOREIGN TREATIES AND "THE MOST FAVOURED NATION CLAUSE."

(Concluding Article.)

THERE are certain, now celebrated, treaties that have a direct bearing on the position of the United Kingdom in regard to her right to receive preferential treatment in the Colonies, even if they were willing to accord her the privilege. These are known under the designation of Foreign Treaties of Commerce and Navigation, and the object of these treaties has been to afford equal rights to the countries and colonies of each of the contracting parties.

There are two special treaties regulating such reciprocal treatment, namely:—Treaty with Belgium, 23rd July, 1862, Article XV.; Treaty with the Zollverein, 30th May, 1865, Article VII.

Article XV. of the Belgium treaty is as follows:—  
"Articles, the produce or manufacture of Belgium, shall not be subject in the British Colonies to other or higher duties than those which are or may be imposed upon similar articles of British origin."

This treaty is terminable after twelve months' notice.

Article VII. in the treaty with the Zollverein is:—  
"The stipulations of the preceding articles I. to VI. shall also be applied to the Colonies and foreign possessions of Her Britannic Majesty. In those Colonies and possessions the produce of the States of the Zollverein shall not be subject to any higher or other import duties than the produce of the United Kingdom or any other country of the like kind, nor shall the exportations from these Colonies or possessions to the Zollverein be subject to any higher or other duties than the exportation from the United Kingdom."

This treaty is terminable on twelve months' notice.

While these two treaties remain in force the express stipulations above quoted are extended to all countries whose commercial treaties with Great Britain contain a "most-favoured-nation" clause and they apply to the British Colonies.

The advantage of such treaties is that they secure to British subjects "national treatment" in matters of commerce and navigation, including, among other things, payment of taxes, import and export dues, and the right to any reduction that may be made in the existing tariffs.

Clauses also exist in the commercial treaties with Austria, Prussia, Servia and other smaller States to the effect that their ships and cargoes shall be treated in the British Colonies in every respect as national ships and cargoes.

Stipulations also exist with the following countries: Greece, Italy, Russia, Columbia, the Sandwich Islands, and other smaller States to the effect that all goods which may be legally imported into British Colonial ports in British vessels may be likewise imported into such ports in the vessels of those countries without being liable to the payment of other or higher duties than if such goods were imported in British vessels.

Stipulations of this nature also exist in the treaties with France, Portugal, Sweden and Norway, but limited to the vessels of those countries importing in British Colonies directly from their respective ports goods the growth, produce or manufacture of any of those countries or of their respective dominions.

It will be seen from the foregoing clauses that the Colonies are given exactly the same rights as Great Britain in their trade with the contracting powers and their Colonies. We might mention in passing that the Colonies of France have the right to impose Import duties, subject to the approval of the Council d'Etat, and some of our Colonies might, in time, negotiate treaties with them for reciprocal treatment direct. A multiplication of treaties in this way would be liable to lead to entanglement, and the question might arise at any time as to whose duty it would be to enforce a treaty contracted between two Colonies in which neither of the parent countries were directly interested. If the Empire acted as a unit in negotiating treaties this difficulty would be avoided.

It has been decided by the authorities in England that there is nothing in the above treaties that precludes the United Kingdom from making any preferential arrangements giving special advantageous terms to the Colonies. So that if Great Britain is willing to give Colonial produce a preference in her markets the way is clear for any legislation that might be agreed on.

We also find from the report of the Earl of Jersey, made after the Ottawa conference, and which we can doubtless consider given under the authority of the law advisers of the Crown, that these treaties do not preclude the Colonial Governments from making preferential arrangements among themselves. He considers, however, that the United Kingdom has bargained away her power to receive better terms in the Colonies than would be given to Belgium and Germany. That is, as it stands at present, should Canada give a rebate on her tariff to any goods from Great Britain direct, then others could claim the same favour under the most-favoured-nation-clause. The Colonies can give each other any preference they may wish.

The description of the goods to be affected by the treaties varies in some particulars.

In the treaty with Belgium it is:—

Articles the produce or manufacture of Belgium.

With the Zollverein the terms are:—

The produce of the States of the Zollverein.