

"But," I enquired, "did not President Cleveland in February, 1887, order all pending proceedings against vessels seized in 1886 to be discontinued, and the release of all persons under arrest, and yet were not seven American and six Canadian vessels afterwards seized in that year?"

"Yes," replied Mr. Webster. "When the British Government protested against the seizures, the President assumed control of the matter and did order the release through the Attorney-General, but Treasury Under-Secretary Fairchild went on seizing Americans as well as Canadians."

From this it appears that, under the peculiar working of American institutions, the President, the Executive of the Nation, may resolve on and promise to carry out one line of action, while another and subordinate officer of the Government may render his pledges and efforts nugatory by ordering and carrying into effect a precisely opposite course.

BUT the most remarkable part of the interview is that in which Mr. Sidney Webster maintains at considerable length that there is "a very simple and obvious way" to an honourable and peaceful solution of the difficulty, namely, "by a judicial trial in the courts of the United States." Mr. Webster, it is true, clearly intimates that, in his opinion, the decision of these courts, or at least that of the Supreme Court would be unfavourable to the contention of the U. S. Government and thus would leave the way open for the recovery of damages by the parties injured. But Mr. Webster does not deny that the question and the only question that could be decided by the American courts would be that of the meaning of a Congressional statute, or, as he puts it, of the phrase in the law of 1868, "the waters thereof." True, he goes on to suggest, that the further question might come up, in case the first should be decided favourably to Mr. Blaine's contention, "Is or is not the municipal statute unconstitutional because forbidden by the law of nations?" Surely one capable of adopting the judicial tone in which Mr. Webster utters his opinions should be able to see that Canadians have nothing to do and want nothing to do with the question of the meaning of the U. S. municipal statute, and that they cannot reasonably be expected to submit the decision of a question of international law to an *ex parte* tribunal, for such would be the courts of one of the contending nations, no matter how high its judicial standing. Throughout, Mr. Webster shows the singular inability which seems characteristic of so many of his countrymen, especially those in official positions, to put himself in his neighbour's place, in an international matter. Suppose the case were one in which American fishing vessels had been captured for fishing several leagues from the Nova Scotia coast and had been either confiscated and sold, or rifled of their cargoes and fishing implements by Canadian cutters. Would Mr. Webster and his fellow countrymen be likely to receive the plea that the seizures were in accordance with a Dominion municipal statute, and the offer to submit the validity of that statute to the Dominion courts? Mr. Webster, it is true, speaks of diplomacy as still available as a last resort. But in the hypothetical case suggested would not his Government at once scout the idea of waiting the slow processes and long delays of the law courts, when it was perfectly clear that the actions complained of were committed on the high seas, outside the jurisdiction of any national Legislature. We fancy they would make short work of such a proposal as well as of such an argument as that of the following paragraph, which we quote, *mutatis mutandis*, from the *Herald* report: "The United States has seventeen vessels in the fishing business in our Atlantic Ocean, worth \$125,000, their outfit costing \$150,000, and their catch worth from \$200,000 to \$400,000, and for that she will fight."

IT would naturally be supposed that of all nations the United States would be one of the slowest to adopt openly a policy of tariff retaliation against any other country. And yet this is just what is proposed to be done in the Meat Inspection Bill, which was recently passed by both Houses of Congress and now awaits the signature of the President. One section of this Bill provides "that whenever the President shall be satisfied that unjust discriminations are made by any foreign State against the importation of any product of the United States, he may direct that such product of such foreign State, as he may deem proper, shall be excluded from importation to the United States." This provision was evidently inserted with special reference to France, whose prohibition of American pork would bring her clearly within the scope of the Bill. It appears from a recent statement in a Paris

paper that negotiations looking to the removal of the obnoxious prohibition in return for the free admission of works of French art are approaching a favourable conclusion, so that it is not probable that the retaliatory clause of the Meat Inspection Bill will be put into operation against the products of France. Fortunately, or possibly unfortunately, for our American neighbours, other countries, Great Britain in particular, are too wise to punish their own subjects for the sake of retaliating upon other nations in such matters. Were it otherwise, some pretty telling blows might be inflicted upon American industries. It is but fair to add that by the insertion of the word "unjust" Congress means, no doubt, to exclude from the operation of the Bill, all cases except those in which, as in the case of the specific prohibition of American pork, the hostile legislation is directed specially against their country. At the same time it is true, as the *Christian Union* observes, that while the Americans practically shut out so many of the products of foreign countries by their tariff, it does not behove them to inaugurate an avowed policy of retaliation.

THE strike now in progress on the New York Central Railroad is stimulating discussion of the moot question of nationalization of railways. The last number of the *New York Independent* devotes nearly twelve pages to a symposium on the subject, in which seven or eight contributors, some of them well-known as writers on questions of political economy, take part. Nearly all look to ultimate nationalization as the solution of the very serious problem presented by such a state of affairs as that at present existing, or rather as that which would quickly supervene were the strike to become general, instead of being confined mainly, as at present, to the comparatively few employees of the road who are Knights of Labour. Edward Everett Hale points out that in most of the towns and states the maintenance and use of common roads have adjusted themselves on a basis of pure communism, inasmuch that the traveller who suffers injury in consequence of a failure of the public to maintain the road may recover damages from the public for the failure. As a railroad is also a road, what reasons are there why the plan or principle which has been generally approved in practice regarding other roads should not be applied to it? This leads to an enquiry into the principle on which the line is usually drawn between those duties which the State undertakes to perform for the whole body of citizens and those which are left to individuals. Mr. Hale gives the following as a rough statement of the principle: "If the need be a need which every one feels, almost equally, if not quite equally, the State does well to interfere. If, on the other hand, the need is only indirectly felt by some persons or classes, and much more closely felt by other persons or classes, the classes most in need will do best to take care of themselves." The question then is whether the use of the railroads has become a necessity—almost equal to all—of all the people. Considering the extent to which the great majority of the people are in one way or another dependent upon the railroads, he concludes that the time is approaching rapidly in such a State as Massachusetts when the answer must be in the affirmative. Professor Richard T. Ely, of Johns Hopkins University, reaches the same conclusion from another direction. He shows that it has already been decided by the civilized world, without exception, that railways cannot be managed by private owners, like ordinary private business, without Government interference. The non-interference or *laissez-faire* policy will not do, as applied to railway building and management. This conclusion, which is beyond discussion, leaves in the United States but two possible railway policies, viz., the present system of Governmental interference of a radical and far-reaching character, and complete Government ownership and control. The first and existing system leads to various evils and absurdities such as the construction of useless parallel lines; trying to force railways to fight one another, instead of having a harmonious, unified economic management, etc. On the other hand a reform of morals in railway management, a general improvement in railway service, a greater care for human life, and a large diminution of cost are among the advantages which, Professor Ely maintains, would result from State ownership. Cassius M. Clay, ex-Minister to Russia, raises a cry of alarm and urges that the nationalization of the roads is necessary in order to save the nation from the "anarchy and civil war" which are "lowering along the whole horizon," and which under the present system, with the railways in the hands of possible strikers, it would be impossible to suppress.

PERHAPS the cleverest and most striking article in the *Independent's* series is that by "A Railway Manager," whose name is withheld. Conceding that the railroad is a creature of the State, by reason of its charter, its right of eminent domain and its work as a common carrier, this writer yet maintains that the control of railroads has gone quite far enough in those States which have a codified railroad law, or which have railroad commissioners acting as arbitrators. Even the system of an Interstate Commerce Commission, he believes infinitely preferable to any State ownership. Admitting all the faults of the past he yet claims a very high degree of efficiency for the U. S. railroads of to-day, and maintains—after having seen sixteen years of Government service—that the direct management of railroads under the present system of private ownership is carried on by a set of men more devoted to duty than even the army and navy. In reply to the demand for cheaper transportation he says that the people of the United States have now the cheapest in the world. He points out that "it costs more to deliver freight in any city or town than it does to carry it one hundred miles by rail," which is very likely true, and for obvious reasons may continue to be true, without proving anything in regard to the question at issue. In this connection a "A Railway Manager" says: "If you visit the Government railways of Canada, you will see what Government roads have done to stifle enterprise." This thrust must be, we suppose, intended for the Intercolonial, the only Government railroad in Canada. There is certainly room for many exceptions to be taken to the construction and management of that road, but it is not easy to see in what way it has stifled enterprise. Can it be that the writer mistakes the Canadian system of subsidizing railroads for one of Government ownership and control? "A Railway Manager's" chief objection to the nationalization of the railways at present is based upon the slowness, red tape and political intrigue of the Governments of the day. Even he is ready to admit that "the time may come when with a purified Government all corporations may become nationalized." This end will, he thinks, be reached by methods opposite to those favoured by the other writers, by a process of evolution rather than of revolution. "The time will come," he prophesies, "when co-operations shall exist, every employee will be paid for the amount of increase he brings to the coffer of the company, and then the railroad will be an integral part of the State, with its representatives sitting among their peers of other commercial trades and professions." Meanwhile, Prof. Ely tells us, "The number of adherents of Government ownership of railways increases daily. We have the Socialists, and Nationalists, and Knights of Labour among such adherents. Labour organizations generally favour it, and now the farmers are beginning to advocate it; it is a part of the programme of the Farmers' Alliance." If this be so, it seems doubtful if the people will be willing to wait for the slow process of evolution to effect the change. Touching the staple and formidable objection drawn from the favouritism and corruption of civil service systems, there is a good deal of force in the suggestion of the *Independent* "that in Australia the putting of railroads upon the State has compelled a civil service based on merit and not on political favour." The more the everyday interests and convenience of the public are dependent upon the efficiency of the civil service, the more powerful will be the pressure brought to bear to compel the improvement of that service.

TURNING for a moment to the question of the strike itself, as now in progress on the New York Central, we are rather surprised to note that the *Independent* and some other influential religious papers seem to sympathize wholly with the managers against Mr. Powderly and the Knights of Labour. The cause assigned for the strike was the dismissal of a number of men, forty or fifty we think, who belonged to the organization. The *Independent* quotes the statement of Mr. Webb, the manager, that these men were discharged for "drunkenness, incapacity, breach of duty, insubordination, and for lack of sufficient work to employ them," and strongly approves his declaration that the company does not propose to do its business under the dictation of Messrs. Powderly and Co. The conclusion is reasonable, if it be right to accept a one-sided statement as the simple truth in the premises, ignoring entirely the other side. Mr. Powderly and the strikers declare that they have reason to believe that the men were discharged not for the causes assigned but because they had represented their labour organization in bringing grievances to the notice of the officers of the company and in urging upon the Legislature at Albany the passage of the Bill requiring