

construction is perfectly consistent with the view of the subject I take. These two treaties were with independent Powers; they were with continental Powers in Europe almost bordering on each other; and a general stipulation in respect to equality of duties necessarily required an express reservation to authorize us to make the duties on any of their products unequal. This, however, is a totally different thing from a commercial arrangement between us and a European colony adjoining us.

But in coming to the conclusion that our commercial relations with Russia, Prussia, and other Powers, under the reciprocity treaties we have formed with them, will not be affected by this bill, I put it on other grounds.

These treaties relate to commerce and navigation, and are intended to regulate the commercial intercourse carried on by those countries with the United States on the ocean. They have certainly not been understood as referring to inland trade and exchange between countries bordering on each other. The right to regulate their interior intercourse with adjoining States has not been supposed to be at all impaired by these commercial engagements. If it were otherwise, if these treaties restrained the States which are parties to them from admitting articles free of duty from a neighboring country, except upon condition of extending the same privilege to the other contracting parties, we should at this very moment be entitled, in our intercourse with Prussia, to all the benefits of the custom-house exemptions of the Zoll-Verein, of which that kingdom is a leading member. Prussia borders on a number of the Zoll-Verein States. These States interchange with her their common products free of duty under the Zoll-Verein compact, or Customs Union. They have stood to each other in the same relation in which we stand to Canada. They had duties on their respective products as we have. They have abolished them, as we propose to do in respect to Canada on a part of ours.

Now, will it be contended that we are entitled to the same freedom of intercourse with Prussia which she shares with those States, because she has stipulated to impose no higher duties on our products than on those of other countries? Surely not; and for the very reason that the stipulations of our treaty with her are intended to apply to external intercourse by sea, and not to inland arrangements between bordering States. The intention of our treaties of reciprocity is stamped upon them in characters not to be misunderstood. The first stipulation (for those of latter years are much of the same import) limits the reciprocal liberty of

commerce and navigation which the treaties were formed to secure to "the ports, places, waters, and rivers of the territories of each party, wherein foreign commerce is permitted." The second stipulation regulates the duties to be imposed on the vessels of the contracting parties engaged in that commerce. The third regulates the duties to be paid on the importation or exportation of their respective products. I admit that, by the letter of these treaties, this bill might affect our commercial relations under them. But I insist that all compacts are to be construed according to their manifest intention, not by one stipulation alone, but by all which relate to the same subject-matter; and I might apply these observations with great force to my first position, and say that those treaties did not contemplate commercial relations with colonial dependencies like Canada. But the whole tenor of their stipulations shows them to have been designed to regulate commerce on the sea, and not the interior traffic carried on by the inhabitants of countries separated from each other by a mercantile boundary or an astronomical line. They are treaties of commerce and navigation—not of one alone, but of both combined.

When this measure was first proposed, I inquired of the State and Treasury Departments whether it would affect our commercial relations with foreign States under reciprocity treaties, and a decided answer was given by both in the negative. My own examination of the subject has brought me to the same conclusion, whether upon the same grounds I do not know.

If this construction be erroneous, if the privileges proposed to be conferred on Canada will be extended to the foreign States referred to, then, I repeat, we shall, on the same principle, become entitled to the privileges of the Zoll-Verein, in Prussia, and perhaps gain access for our products, through her, to all the other States of that political association, comprehending, I believe, twenty-eight out of the thirty-seven States of the Germanic Confederation. This would, *prima facie*, be an immense advantage, though it is not clear that it would be of any practical benefit. But no one dreamt, when our reciprocity treaties were formed, that they conferred any such privileges on us; and I venture to say it will never occur to any of the States which are parties to those treaties, that the proposed arrangement with Canada will confer any new privileges on them.

But if it were otherwise, the privileges the bill confers are reciprocal. We concede nothing which we do not gain in return. If Hanover, Prussia, and Mecklenburg-Schwerin should acquire the privileges conferred on Canada by this bill, we