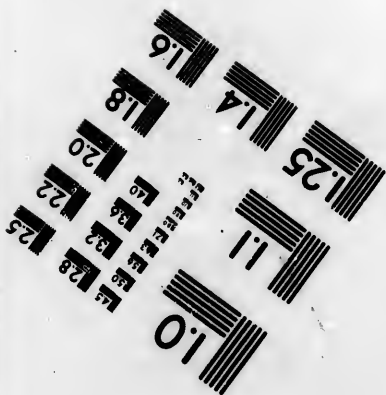
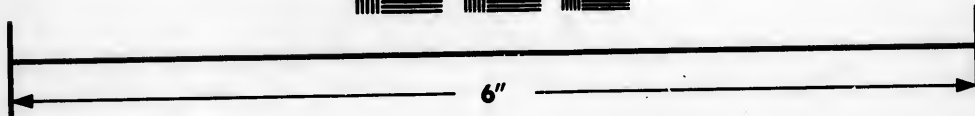
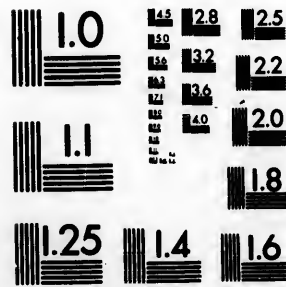


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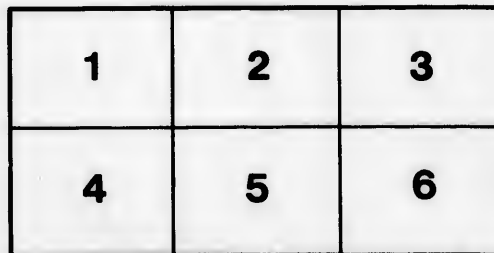
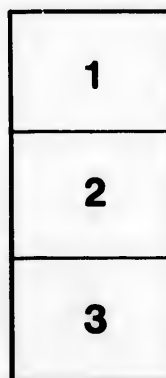
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RECIPROCITY TREATY WITH CANADA.

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SPEECH

OF

HON. JUSTIN S. MORRILL,  
OF VERMONT,

IN THE

SENATE OF THE UNITED STATES,

FEBRUARY 8, 1875.



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SPEECH  
OF  
HON. JUSTIN S. MORRILL.

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Mr. MORRILL, of Vermont, said:

Mr. PRESIDENT: I am quite aware that any one who undertakes to discuss this grave matter of the reciprocity treaty with the Canadas ought to feel some confidence that he can shed some little light upon the subject; but I am ready to confess that I expect the chief interest in the subject will be in the change made from the topic that has so long been under discussion in the Senate. I ask the Secretary to read the two first resolutions of the Legislature of the State of Vermont.

The Chief Clerk read as follows:

*Resolved by the senate and house of representatives.* That, having an intelligent regard for the best interests of Vermont, as well as the whole country, it is the duty of our Senators and Representatives in Congress to use their influence against the consummation of any treaty relating to reciprocity in trade with the Dominion of Canada, and to insist that the subject of trade and commercial intercourse with Canada, as well as with all other foreign countries, is not a proper matter of treaty stipulation, but belongs to Congress, and should be wisely regulated by judicious legislation.

*Resolved.* That in common with the Canadian people we earnestly desire and hope for the early completion of the ship-canal connecting the waters of the Saint Lawrence and Hudson Rivers with Lake Champlain, as forming an important line of communication between the great cities on the Atlantic sea-board and the grain and lumber regions of Canada and the Northwest, and in this work we invite the co-operation respectively of the governments of the Dominion of Canada and the United States.

Mr. MORRILL, of Vermont. These resolutions being public resolutions, and the proposal for the treaty with the Canadian Dominion having been made public, or the injunction of secrecy removed from it and from all the papers in relation thereto, I feel that I shall not transcend the proprieties of the occasion in discussing the proposal for a reciprocity treaty with Canada. I shall in the first part of my remarks refer to the effects that such a treaty would have upon the question of annexation, then to the fact that we have no revenue to spare, to the effect that it will have upon our national power if we should agree to a treaty that would bind us to keep the peace for twenty-four years. Then I shall endeavor to discuss the constitutional question, so far as it relates to the right of Congress "to regulate commerce with foreign nations and among the several States and with the Indian tribes," and the power of the President and Senate to interfere with the prerogative of the House of Representatives to originate revenue bills. I shall then refer to the effect it will have upon the agricultural interests of this country, the fisheries, manufactures, and smuggling; and from all of these points I hope to be able to show that the treaty would be a very bad bargain.



The abrogated reciprocity treaty with Great Britain, relating to her Canadian dominions, having proved profitable to our northern neighbors and unprofitable to us, it is not wonderful that they should seek in some form an early renewal of its advantageous conditions, nor is it wonderful that we should scan fresh proposals from that quarter with distrust.

The Dominion government maintained during the last session of Congress a confidential embassy at Washington to manufacture or to create a public opinion at our Capitol, through diligent diplomacy and diligent use of the public press, in favor of a new reciprocity treaty; and with so much success that the project, with all the features of its Canadian parentage and British baptism, was at length submitted by the President, as the public have been informed, to the Senate for its advice. It was sent, like the first treaty of Washington, not for our consent, but only for our advice, whether favorable or unfavorable.

It was a high gratification to observe, while examining the details of the proposed treaty and its exclusively foreign origin, that the Secretary of State only formally delivered it to the President and left it without a word of official commendation, as though he was glad to be rid of an unprofitable ceremony. The President of the United States, bound as he is by national and diplomatic comity to treat communications from foreign nations with dignified respect, transmitted the proposal to the Senate, manifesting no marked partiality for the measure, but, while earnestly asking for the opinion of the Senate, frankly declared that he was not himself prepared to say anything respecting its merits. For myself, not being able to find merits, I shall say something upon its demerits, and attempt to show that for what we are to grant there is no adequate compensation in any of the provisions tendered, and that their character, though much confused, cannot be hidden by being huddled together in the form of a treaty.

While considering any new reciprocity proposals the effect of the old treaty should be constantly borne in mind. Our exports to Canada in 1855 were \$20,828,676, but in twelve years under the operation of "reciprocity," or in 1866, they had fallen to \$15,243,834—showing a positive decrease of over \$5,000,000. Yet the exports of Canada to the United States during the same time, which were in 1855 only \$12,182,314, had increased in 1866 to \$46,199,470. The gross inequality therefore was enormous. We furnished to them in twelve years under the treaty a free market for Canadian products to the amount of \$239,000,000, but in return the Canadas only gave a free market to American products to the extent of \$124,000,000. When the treaty began the balance of trade was eight millions annually in our favor, and at the end the balance to be paid in specie was thirty millions in one year against us. That was a reciprocity which cannot be dwelt upon with composure, or that we can afford to have repeated.

#### ANNEXATION.

One of the collateral questions that will at the outset obtrude itself in the discussion of this treaty is that of the future annexation of the entire country on our northern border. That it would be in many of its aspects—civil, military, and financial—convenient, is not to be doubted. The large sums now mutually expended for defense against future possible border collisions and for parallel lines of revenue offices would be wholly saved and serve to augment the amount which each and every man of the respective countries could retain

from the products of his own labor. Rogues would find no sanctuary by fleeing across a boundary line. There would be little risk in trusting a people, where branches of our own race and language are dominant, to mingle and co-operate in our system of self-government, and we are by no means "so near of kin that we can never be united." Local liberty and local organization would be preserved. But the advantages to them would be infinitely superior to all that would ever accrue to us. The constable would take the place of their standing army. The fear of becoming the American cock-pit in case of a war with Great Britain would be dispelled, and the Canadas would not only enjoy complete reciprocity, but would be our latest and youngest pets, to whom the most liberal national appropriations for all needful improvements would not be refused. Their forests and unoccupied fields, their mines and vacant mill privileges, would attract the captains of industry and tempt the capital of our whole people. Even the smallest of our States would furnish effective re-enforcements. The deposits in the savings-banks of Rhode Island alone are nearly equal to the entire banking capital of the whole Canadian dominion.

Our own territory, however, is sufficiently large to hold all the population of a first-rate power among nations, including the accretions of future centuries, and we have a soil and climate so broad and various as to furnish all the chief products required by the most advanced civilization. Any future territorial additions would add little to our felicity and nothing to our prosperity or security; and yet no one can be entirely deaf to the voice of political prophets or deny that manifest destiny persists in pointing out with an unmoving finger that one flag must ultimately cover and protect all Americans who speak the same language, and whose highest development possibly awaits that crowning event. The remote and varied interests of the different parts of the British possessions, sundered as they are by magnificent distances, by unexplored wildernesses, by mountains, and by oceans, lakes, and rivers, or in winter by seas of ice, will forever prompt a closer American combination. But American statesmen, unlike those of the European continent, should do nothing to force or unduly hasten such a combination, and certainly should do nothing to absolutely bar or retard it by a losing and paltry substitute for it in the form of a reciprocity treaty. Patriotism requires that we should study the most exalted interests of our own people, and these interests would be jeopardized, as it seems to me, and certainly the collateral question of annexation indefinitely postponed, by treating the Canadian dominion with more favor than we treat any other foreign dominion. Nor does it belong to us to allay the discontents of any outlying provinces of Great Britain by remitting duties which they now rightfully pay and by throwing both the burden and discontent upon our own people.

It is now said, as it was in 1844, "make the reciprocity treaty, and Canadian annexation is only a question of time." That might be proclaimed with equal fluency, and with the added force of some possible grains of truth, in the negative form, by saying "no treaty, and annexation is only a question of time;" but our Republic, having the vantage-ground of absolute independence, should stand on its own self-respect and yield nothing in advance to vague hints of a doubtful future nuptial ceremony. The idea that annexation would be the logical sequence of reciprocity is not only absurd, but has been thoroughly exploded by our past experience as a weak dominion, and as flickering as the *aurora borealis*, which vanishes with the first streak of morning light. Canadians are not yet republicans, and

very feebly yearn for their own national independence. Their devotion to royalty—of which we do not complain—is strong, because it is afar off, and is only less than their loyalty to the pursuit of gain. What more do they desire, now having a cheap market from which to buy, than a dear market in which to sell, or than such relations with the United States as will secure greater commercial prosperity without any of the incidents and responsibilities of annexation? It is clearly the greed of trade which now prompts our neighbors, who evidently are not inspired by the ambition which makes men dare to be masters of their own fate.

Good farming lands within the boundaries of the United States sell now for more than twice as much per acre as land of equal fertility not half a mile distant in the Canadian dominion. If the chief industries of the Canadas could be made more profitable, real estate there, improved and unimproved, would quickly advance in value, and the Canadas would not only escape the danger of depopulation from the emigration now going on of their own people, but a much larger proportion of the foreign immigrants landing at Quebec would be retained instead of swiftly crossing to the United States.

These results they might secure, and all at our cost, by the proposed treaty; the loftier their flight the more humble our own. But our experience under the abrogated treaty, confessedly too favorable to the Canadians and most onerous to the people of the United States, shows that, so far as they are concerned, such a treaty does not warm the affections nor increase the respect of the colder regions of the north, where it was only a gainful bargain adroitly interpreted, and had neither power to create nor to perpetuate an era of good-will as the precursor of annexation. It was rather like the feast of Barmecide in the Arabian Nights, where the visitor was put off with calling for exquisite viands that never appeared, and with the solitary honor of the company of the host. Annexation may have been on the bill of fare and called for, but it did not appear, and we had the cool and hungry honor of treating with a distinguished host.

From 1861 to 1865, notwithstanding the supposed genial influence generated by reciprocity in the hour of its supremest strength and fruition, Canadian amity was truly "a peace which passeth all understanding;" and there was hardly any greater malevolence exhibited toward the United States than that so offensively displayed by the ruling spirits of the Canadian dominion.

They coldly calculated the profit and loss of planting thorns in our bleeding sides, and saw with exultation both the South and the North each grow weaker by loss of blood. They vainly hoped our growth and greatness would be curbed and our glories dimmed. Not that they most hated the North, but that they hated the Union, and would love us better in smaller and broken parcels.

Let us not be deceived by the present commercial caresses of our Canadian friends. They seek to extinguish the memory of former injuries, not by benefits they are to confer, but possibly by the favors they are to receive. They seem to think we ought to discover that annexation is but a little way off from reciprocity; but this bait is growing stale and has strongly scented the old trap. The ass, we are told, did not overtake the bundle of hay fastened to the end of the pole in his front, though with longing eyes he tugged and toiled for speedy "annexation." Reciprocity, formerly a word of deceitful sweetness, has turned out a bitter-sweet, the smart from which leaves no relish for a second taste. The song of the siren may have betrayed us once, but there is no power to charm in its "damnable iteration."

## THE TREATY TO BIND US TWENTY-FOUR YEARS.

The proposed treaty, if made, is to endure for twenty-one years, and then can only be terminated after three years' notice. It is therefore to endure solidly, happen what may, peace or war, twenty-four years as the very shortest time of irrevocable validity. Sudden and wholly unforeseen events have more than once within the last decade brought us to the very brink of war with nations of formidable power, and who can guarantee twenty-four years of uninterrupted peace? In the dullest and most quiet quarter of the globe such a guarantee would be reckoned a hazardous risk, and cannot be otherwise in our own fast-going and many-sided country. Our neighbors, the governments of Mexico and of South America, seem to be based upon volcanic foundations, and are subject to the explosions and periodical disturbances of war and revolutions. China and Japan, as the first step in a higher civilization, seek scientific instruction in the most destructive art of war. Russia, with oriental ambition, is pushing, ever pushing eastward across the plains of Asia, and also impatiently waiting for a golden opportunity to seize the Golden Horn of the Bosphorus; and the Sultan, that sick man of the East, is watching his alert and suspiciously independent Khedive of Egypt. In France the empire, the monarchy, and the republic by turns throttle each other, and the army, as in the days of the Cæsars, may ultimately fling the sword into the balance. Bismarck is dodging the bulls of the Pope and the balls of assassins, but ready at a moment's notice to snatch any tempting provinces left out overnight in the cold, and equally ready to summon Germany to play the rubber game with France. The new republic of Spain, after bravely fighting for freedom, readily accepts a monarchy, if it be Alfonso with an "g," while Cuba wages a cruel war under any flag that covers slavery. The Pope is trying to extend his spiritual dictatorship as some compensation for the loss of temporal power. Denmark, Belgium, Holland, and Luxembourg, stand trembling as they behold their natural enemies hovering above them and only waiting a fit occasion to swoop them up as hawks clutch their frightened prey.

Surely the outlook is one of disquietude, and it is highly improbable that an era of perpetual peace has yet dawned. All of our experience, early and late, shows that in time of war an increased revenue is a vital measure of success. The embarrassments of 1861, in consequence of the then existing reciprocity treaty of 1854, were of an aggravated character. Large sources of revenue were placed beyond our reach, the hands of legislators were partially palsied, and no American statesman should again consent to impose such an evil-engendering treaty upon Congress and the American people. The recent upheavals and the present unsatisfactory condition of affairs in Europe indicate, as some of their most astute statesmen have announced, further national struggles of a grave character, and if they come, we shall not want to be shackled and bound by any such entangling alliances as are most absurdly called reciprocity treaties. Intending nothing but peace, we should yet scorn to give bonds that under no provocations shall there be war. Our position should be strong enough to maintain peace and neutrality, and so strong as to defy aggression. We cannot afford to be accounted as a useless friend or a contemptible enemy.

Hampered by the proposed treaty, should any great emergency suddenly confront us, we could only escape from impotency by its violent abrogation, even at the hazard of a war with whomsoever it might concern, and thus force at great cost by conquest a possible

destiny, which, if it is to come, had better come spontaneously with good-will and without price. Independent, the Canadian dominion would not be any cause of distrust; it would have no foreign quarrels to espouse; but as a dependency of Great Britain it becomes the seat of a cordon of military outposts, a bristling perpetual menace.

Should we accept of this reciprocity treaty, while it might insure the aggrandizement of others, our own power as a nation, whether for peace or war, for defense or offense, would become less effective, less formidable. Our sinews of war would be cut in advance. The treaty, like the first approach of disease, may not easily be fully-comprehended, although the remedy is plainly in our own hands; but at the next stage everybody will practically comprehend the evil, while the remedy will be out of our reach for twenty-four years. I frankly own that I could not willingly consent to see my country embarrassed by such engagements for twenty-four hours, and much less for twenty-four years.

Compacts between nations, like bargains between individuals, are made upon no other principles than that of sharp-sighted and fully-enlightened self-interest. When they are supposed to be advantageous they are made, or, if otherwise, they are avoided. Circumstances place it out of the power of the Canadas to offer equivalents for the privileges they seek. They can offer nothing better and will accept of nothing worse. Reciprocal privileges in the markets of the respective countries would be as unequal as are the capabilities of New York and Quebec, or as unequal as would be a reciprocity of pasturage by which the fields and prairies of the United States should be turned into common with those of Canada. The authors of such husbandry, or of such a bargain, would most appropriately be fed on thistles—Canada thistles.

#### CONSTITUTIONAL OBJECTIONS.

But if the commercial and political considerations were in our favor instead of being stubbornly otherwise, the paramount and determinate objection to the proposed reciprocity treaty is imbedded in the constitution of our country, and if a barrier is found there even to a good treaty, it certainly should be all sufficient against a bad one.

My colleague [Mr. EDMUNDS] upon a former occasion referred to the treaty of 1794 with Great Britain, commonly called the Jay treaty, as though that was a precedent for reciprocity treaties; but I deny that that treaty bears even the remotest relation to reciprocity treaties. It required the legislative action of the House, as have many other treaties, and the House very properly conceded it, but only after a very serious and prolonged struggle. Does any one believe that the House would have consented to the treaty if it had gone so far as to trench upon the power of the House to originate revenue bills and the power of Congress to regulate commerce or to prescribe the articles upon which duties should or should not be levied? Where the treaty-making power has jurisdiction the House must assent, but where it has not, such assent should not be asked.

No, Mr. President, the Senate of the United States has never advised and consented to but one reciprocity treaty, and that was the quickly terminated treaty of 1854.

The proposed treaty assumes the principle of regulating commerce and of radically changing our tariff system of raising revenue, so far as it respects the imports from a foreign nation, and what may be properly done by treaty with one nation may be done with all. The first article of section 8 of the Constitution provides that Congress shall have power "to regulate commerce with foreign nations,

and among the several States, and with the Indian tribes." This certainly takes the subject of regulating commerce away from the treaty-making power and lodges it exclusively with Congress, where it is to be controlled without let or hindrance forever. This power of Congress cannot be suspended for one day, and certainly not for twenty-four years. Even if this provision of the Constitution had been omitted, it would be an inexpedient, if not dangerous, exercise of power, under a republican form of government, for the President and the Senate alone to undertake to regulate the collection or non-collection of revenue by treaty. The consent for the time of a placable House of Representatives would be a cunning expedient, but it would neither change nor blot out a single sentence of the Constitution; and such consent, if obtained, so far from having any binding force upon a succeeding House, would have no more value than would the consent of our Chief Justice, or of the man in the moon. To such treaties as are lawful the advice and consent of the House is unnecessary, and to such as are unlawful its consent lends nothing but impotency. It might be as fairly contended that the States may participate in the power of Congress to regulate commerce as to claim that the treaty-making power may participate. The power is exclusive. Story, in his great work on the Constitution, declares:

Full power to regulate a particular subject implies the whole power, and leaves no residuum; and a grant of the whole to one is incompatible with a grant to another of a part. (Volume 2, page 8.)

And again he says:

A power given by the Constitution cannot be construed to authorize a destruction of other powers given in the same instrument. It must be construed therefore in subordination to it; and cannot supersede or interfere with any other of its fundamental provisions. Each is equally obligatory and of paramount authority within its scope; and no one embraces a right to annihilate any other. (Volume 2, page 376.)

Another authoritative commentator (Mr. Duer) on the Constitution, in relation to the treaty-making power says it "must be construed in subordination to the Constitution, and however in its operation it may qualify, it cannot supersede, or interfere, with any of its fundamental provisions, nor can it ever be so interpreted as to destroy other powers granted by that instrument." This is no new doctrine, but it seems as clearly stated as it is decisive of the question.

Treaties made under the authority of the United States are the supreme law of the land, anything in the constitution or laws of any State notwithstanding; but mark, it is not written notwithstanding the Constitution or laws of the United States. It was foreseen that conflicts might arise with State constitutions and laws in force prior to 1789, but it was not intended to make the treaty-making power supreme over Congress and above the Constitution itself. There was no unlimited or despotic power given to the President—two-thirds of the Senate present concurring. The authority to make treaties is general but necessarily limited by exceptions or by all parts of the Constitution which disposes of power elsewhere. The treaty-making power cannot exercise legislative power any more than judicial or executive. These powers have been all committed to other and different hands. The power to make treaties with foreign nations does not include the power to lay taxes or to borrow money, which no more fully and distinctively belong to Congress than the power to regulate commerce. If the treaty-making power cannot lay taxes or duties, it cannot repeal or modify taxes or duties, nor make a treaty by which it may ever become unlawful for Congress to lay taxes or duties at any time and in any form sanctioned by the Constitution. Reciprocity treaties

pretending to regulate commerce can no more be the supreme law of the land than were the ship-money proclamations of Charles I, because there is no authority given to make them. The power of Congress is paramount and exclusive, and cannot be set aside by any claim in behalf of the omnipotence of a treaty.

Section 7 of the same article of the Constitution, already referred to, declares that "all bills for raising revenue shall originate in the House of Representatives." This is a privilege of the people older than Hampden, and a privilege made prominent in our Constitution, but reciprocity treaties would abridge and curtail this fundamental privilege of the Representatives of the people. In all of our history duties on imports have been our chief source of revenue—except in extraordinary exigencies our sole reliance; and if tariffs by a treaty can be established, modified, or repealed, or fixed and made unchangeable for a generation, they can be so fixed forever, and the power of the House to originate revenue bills would be practically reduced to a mere shadow. If *dutiable* articles can be made free, the same power can make *free* articles dutiable. One of the dearest principles of republican government, cherished as a bulwark of liberty, should not thus be fatally undermined. The power belongs not to one House only, but to every House of Representatives in perpetuity—to the present and also to the future; and the treaty-making power should not attempt to take it away by usurpation nor by absorption. Though the present House should give its consent to such a treaty, it could not even bind itself, and far less any succeeding House. The power lives in the Constitution, far above the reach of any suicidal assault, and can neither be abdicated by the House nor subverted by any other branch of the Government, but must remain forever as potential as any other vital part of the Constitution.

True, the reciprocity treaty of 1854, pitilessly terminated as it was by congressional direction at the earliest practicable day, is still preserved, in spite of its repulsive memories, as a precedent; but a bad precedent, solitary and alone, does not expunge a single line of the Constitution, and the precedent stands only as a scarecrow in the field to prevent, one of the gravest blunders in our diplomacy from being repeated. An unlawful act cannot be legalized by an old precedent nor by a new repetition. There are much better precedents against such treaties, and notably that made by the Senate from its own enlightened self-prompted action in 1844 and 1845, against the Zoll-Verein treaty negotiated by Mr. Wheaton, which, upon the report made by Mr. Choate, of Massachusetts, whose high authority no one in this body will be likely to dispute, and reiterated by Mr. Archer, of Virginia, (who after fifteen years of distinguished service in the House was made chairman of the Committee on Foreign Relations of the Senate upon his first entrance here,) was rejected by a very large majority of the Senate, and not by a party vote, but for such cogent reasons as the following, and I quote from this report:

That the committee, then, are not prepared to sanction so large an innovation on the ancient and uniform practice in respect of the department of Government by which duties on imports shall be imposed; that the Constitution in express terms delegates the power to Congress to regulate commerce and impose duties, and to no others; and that the control of trade and the functions of taxing belong without abridgment or participation to Congress.

If these were sound doctrines of the ablest of American statesmen thirty years ago in a fertile era of illustrious men, they have not become obsolete, but are equally sound and worthy of all acceptance to-day. There has been no change in any portion of the Constitution affecting this question, and any change of the oldest and best

interpretation of the Constitution cannot, as it seems to me, be logically attempted, or if attempted, cannot fail to be fraught with mischief to the spirit as well as to the machinery of our form of government.

The paramount object aimed at in the Zoll-Verien treaty was to obtain the admission into Germany of American tobacco at a duty of not over two and a half cents per pound; and it is a significant commentary upon so-called reciprocity treaties that the laboriously obtained stipulations of Mr. Wheaton, at the price of numberless concessions to be made by us, were secured through our minister, Mr. Mann, in less than two years, or in 1846, without any equivalent whatever on the part of the United States. If reciprocity with a nation of Europe was wholly inadmissible, it must be equally inadmissible with the Canadas.

There is a further inextricable complication involved in a treaty of reciprocity. "The most favored nation clause," so called, has been inserted in nearly all of our treaties, and this clause is singularly enough repeated in article 4 of the present proposals, as follows:

For the term mentioned in article 13 no other or higher duty shall be imposed in the United States upon other articles not enumerated in said schedules the growth, produce, or manufacture of Canada, or in Canada upon such other articles the growth, produce, or manufacture of the United States, than are respectively imposed upon like articles the growth, produce, or manufacture of Great Britain or of any other country.

This certainly would interdict any more reciprocity treaties; but the same provision, in a form to include everything, exists in our treaties with other nations, and forbids the grant of any favors to one that are not at once freely granted to every other nation. It is not merely what the soundest American policy requires us to do, but our honor is pledged not to treat one nation in time of peace with more favor than any other. This provision having long existed in our treaties with Great Britain, Lord Aberdeen, at the first rumor of Wheaton's negotiation of the Zoll-Verien treaty in 1844, notified our minister in London, Mr. Everett, that Great Britain would claim an equal relaxation of duties in their favor, and Mr. Everett admitted the propriety of the claim, provided it was accompanied by the same equivalents. To this Lord Aberdeen responded that he conceived that, by the convention of July 3, 1815, we should be bound to admit British fabrics, on paying the same duties as the German, without any such conditions on their part.

An examination will show that Lord Aberdeen was not wrong in his construction of the terms referred to, which are nothing less than a positive negation of the right to impose higher or other duties upon British fabrics than upon any other, without any reservations as to conditions or equivalents. We have pledged the good faith of the nation in numerous treaties with foreign nations not to grant any exclusive favors of this character. Great Britain, having herself objected to such a German treaty, should be the last to propose one, and is it likely that Bismarck would be less exacting than Lord Aberdeen, or that other nations would quietly slumber over what they might fairly regard as an infraction of treaty stipulations? Surely our State and Treasury Departments, if the proposed treaty should be consummated, would have a lively time in shielding themselves from the reclamations of Russia for all duties paid on iron and hemp, and of Buenos Ayres for any duties paid on wool, as well as similar reclamations of many other governments.

In the interpretation of the Constitution and of treaties I regret



that I bring no technical skill, and have only that confidence in my argument which is derived from an honest purpose to give to our language its plain and obvious meaning and which appears to me most in harmony with free institutions.

But there are other considerations involved, such as the fisheries, canals, and reciprocal free-trade, which merely raise the questions of equivalents or of trade; and when it comes to these, any one of us may be presumed to be enough of a Yankee to know whether he is offered a good or bad bargain.

#### THE FISHERIES.

There is an ancient and fish-like smell about the new propositions which play an important part, and if accepted they are to supersede those agreed upon in 1871, which are to run ten years and then only to terminate after two years' notice. The question of the fisheries has long been a useful factor to Great Britain in many of their negotiations with us. By the 1783 treaty of peace we were to have all the fishing privileges we had enjoyed as colonies. In the treaty of peace in 1815 nothing was said to change the old compact; but as an after thought, in 1818 it was claimed that the treaty of 1783 was extinguished by the war of 1812, and we then appeared to have yielded our right to the fisheries within three miles of the provincial shores. This line has been the fruitful cause of irritation as well as of many petty collisions, sometimes threatening collisions of greater magnitude, and has been the spouting fountain of annoyances and preposterous pretensions.

By the treaty of 1871 we not only gave a consideration of much greater value for the right to fish within this magical line, but we agreed to pay any additional difference in money which a board of fish commissioners should decide, as referees, to be equitable. It was not enough that we gave them our inshore fishing-grounds for theirs, although the quantity of fish caught on our shores might be equal and the value double; it was not enough that they might catch their mackerel with our bait—not elsewhere to be had; it was not enough that we opened our markets free to their fish and thus surrendered duties upon \$2,503,934, (upon which they paid duties in 1871,) amounting to a half million dollars; but we are to be frightened out of our wits and concede reciprocity lest the fish commissioners should make an extravagant award against us. The case has been from time to time adroitly managed and greatly magnified. The menace of the naval squadron was tried prior to the treaty of 1854—the armed police of the seas was tried in 1866—and now softer diplomacy is resorted to as more politic; but we should not forget that whenever appealed to in all the issues of the past, the God of battles and the goddess of justice have most often shown favor to the American contestants. The value of our fish markets alone, including the markets for fresh fish, being worth five times more than all the profit we receive in return, the fact cannot be concealed from the referees, and I would not damage our side of the case by an unwarranted doubt as to its merits or as to the tribunal.

The admission of American fishing vessels to all the privileges accorded to British vessels was beneficial to the people of the Provinces, who largely profited by furnishing supplies, and was not injurious to their fisheries, which steadily increased in value. When the former treaty was terminated, the Canadian government resorted to a system of licenses charging fifty cents per ton upon our vessels engaged in the inshore fisheries. The small value of the privilege was soon disclosed when only 354 of our 1,400 fishing vessels were found to take

out a license on these terms. The next year the license was raised to one dollar per ton, and the number licensed fell off to 281. The license was again doubled, when at two dollars in 1863 only 56 were taken out, and but 25 in 1869. No more than one-fourth of our vessels wanted the privilege at any price, and at two dollars per ton it was hardly accepted by any. This shows that the actual value of the inshore fisheries, when estimated by our fishermen in dollars and cents, was the merest trifle, and its great importance appears to be almost wholly in its being ever present as the old sore of former treaties for which some new plaster is always demanded.

As a nursery for bold and hardy seamen the fisheries were long appreciated by us, and they have lost nothing yet in the estimation of British or French statesmen. At the time we repealed our bounty system the French were paying and still pay four dollars per ton bounty for all the tonnage engaged in their fisheries, and the Canadas at once put on the armor we threw off by offering a bounty to all the provincial tonnage so employed. They are ambitious to increase their commercial marine and they could do much in that direction—so cheap is their labor and ship-timber—if we should only consent to furnish employment or purchasers for their shipping when built. According to the Canadian Mercantile Annual, as a maritime nation Canada already holds the fourth rank among the nations of the world, having a tonnage almost equal to France, and only ranking decidedly below Great Britain and the United States. They are not only ready to invade our canals, rivers, and lakes, but they would extend and clinch the compact for a reciprocity in the fisheries for the longest possible term, as that will diminish the number of our vessels employed and increase those of Canada. Under the former reciprocity treaty their exports to the United States of fish very largely increased, or nearly doubled, while our tonnage engaged in the cod-fisheries in 1854, amounting to 102,194 tons, dwindled at the close of 1866 down to 42,796 tons, or a loss of over one-half, uncompensated for by any considerable improvement in the distant mackerel fisheries. From this low state, in consequence of harassing and perpetual annoyances, equal in olden time to provocations of actual war, our fishermen have not even yet been able to recover. I am very clearly of the opinion that strict equity would require the payment to us of a large balance by the Dominion government on the question of the fisheries; and so long as they have our markets free, so long will the vocation of our fishermen be imperiled and their numbers year by year be diminished.

#### CANALS.

It might be expected that some one of the inducements offered by the Dominion government in their proposals for a reciprocity treaty would at least include privileges of equal value with those they demand in return, but it will be difficult to find any of this character; and among the enormously one-sided stipulations which challenge notice is that of the navigation of lakes, rivers, and canals. They offer to us the navigation of the Saint Lawrence River, the Welland and other Saint Lawrence canals, and also to build the Caughnawaga Canal, twenty-nine and a half miles long, in the course of six years; all of which we are to have the use of—for that portion of the year of course when they are not ice-bound—by paying such tolls as they choose to impose.

But in return, and always as a mere equivalent, they demand the unrestricted use of Lake Champlain and of the much larger Lake Michigan, together with the right to navigate the Red River. That

such privileges on the lakes, especially on Lake Michigan, would prove unfortunate concessions and detrimental to our shipping interests is quite apparent. Beyond all this they expect the States of Michigan and New York to accord to them, in like manner, the use of the Sault Saint Marie, Saint Clair Flats, Whitehall, and the Erie Canals, over five hundred miles in length, in exchange for less than one hundred miles.

Again, unless the Whitehall Canal shall be enlarged and deepened, and its use granted to the lower waters of the Hudson—a most important concession of itself—Canada reserves the right to suspend the use of the Caughnawaga Canal. Whether the State of New York would assume this burden, and build up a formidable rival to their own canals and railroads, at an expense possibly of more than the whole cost of all the Canadian canals, is at least problematical. To us the Caughnawaga Canal would be convenient, but to the Canadas it is almost indispensable as a means of getting their timber and agricultural products to our markets. The transparent cheapness of the offer appears when it is remembered that the construction of the Caughnawaga was a settled question of their domestic policy at the time of the union of the provinces. Their canals are now kept in repair mainly by tolls received from us. The transportation of American property through the Welland Canal in 1869 was nearly three times greater than of Canadian property, as follows:

	Tons.
From American to American ports.....	688,700
From American to Canadian ports.....	313,837
	<hr/> 904,537
From Canadian to Canadian ports.....	195,407
From Canadian to American ports.....	134,935

330,332

It would be wonderful indeed were they to reject the income thus derived from us upon their canals, and it is probable they will be open forever to all who will pay as they go. "The law is open to every one;" "so," said Horne Tooke, "is the London tavern." In the absence of any treaty, why should the Canadas exclude from their canals the through business from American to American ports, touching no interests which it does not promote, and the business from whence has come and always must come the bulk of the tolls required for their support? The London tavern is not supported in that way.

It is possible at the end of six years that the Dominion may find it inconvenient or impracticable to deepen the Saint Lawrence Canals or to build the Caughnawaga, or that they may require twice six years for their completion. The treaty meanwhile is operative; and will they not all the time have enjoyed its fruits? True, we may then exclude them from the Erie and Whitehall Canals and the Hudson River, but would not that be a lame conclusion? They now levy an export duty on logs, and there is nothing in the new proposals which prevents its continuance or even an increase on logs or any other articles. Export duties may be resorted to by the Canadas at any time, but to us they are forbidden. They run no risk of export duties, but we do. Are we not likely to be checkmated?

It is not, however, discreditable to us as a nation of forty-two millions of people, with railroads nearly equal in extent to those of all the rest of the world, that we should look to dependencies of Great Britain for such improvements in the artificial courses of water trans-

portations as the obvious necessities of our country require? Our safest policy is to build, not to borrow, nor to pay rentals or tolls to foreigners, subject to be turned adrift at any moment. The revenue that we must surrender in a single year by the admission of Canadian products as proposed free of duties, or the profits we should transfer from our own people to the pockets of our neighbors, would enlarge or build adequate canals, and make us, as to inland water communications, independent forever. Able as we are to stand alone, let us decline to lean upon weaker neighbors, who lean themselves upon somebody else. We willingly allow them to use our railroads and cars for the transit of their foreign exports and imports to and from New York, Boston, Portland, and other places, and the business is not unprofitable to our thoroughfares. We might refuse this, but have no such intention unless the suspicion proves true that it is the great thoroughfare of illicit trade. We envy the prosperity of no other country, and are content with our own.

#### LOSS OF REVENUE.

If we waive the all-controlling constitutional, as well as other manifold objections, to this embryotic reciprocity treaty, it is of some consequence to consider whether or not we have a surplus revenue of twenty million dollars which we can annually forego for the next twenty-four years, or whether we can afford to supply its place by an increase of other taxes, direct or indirect, or by a re-enactment of the income tax, or by a renewal of the duties on tea and coffee. It is unlikely that we hanker after either alternative, and either would be a melancholy equivalent for what seems to be a reciprocity with the tracks all pointing one way. Instead of a surplus to be carelessly extinguished, we have in 1874 a deficiency in the sinking fund of \$26,960,217.16, not to be provided for except by a further sweeping reduction of national expenditures. It is altogether improbable that Congress or the people will forget what is due to a solemn pledge of the public faith which requires the absolute annual payment of 1 per cent. of the public debt.

Of course the amount of imports from the Canadas at present being largely subject to duties, affords no basis for an estimate of the amount which would come in if wholly free, and the statement scattered last year broadcast over the country by the British negotiators of the trade between the respective countries was based upon very unreliable public documents. By our account the exports of lard in 1873 were 4,057,280 pounds, but by the Canadian count only 1,257,280 pounds had been received. By our account our exports of tea were 454,579 pounds, but by the Canadian account they had received 5,183,499 pounds. The value of arguments based upon such data is not great. If the proposed treaty could be regarded in any of its various aspects as beneficial to our whole country, it is too apparent that now we are not in any condition to abandon annually the millions of revenue which would be lost by its adoption; but I shall attempt to show that it deserves to be rejected, not only for the reason that it cannot be beneficial, but because it would be an insufferably bad bargain as a whole or in any of its complicated parts.

The Canadian Dominion, under their reciprocity proposals, will be called upon to surrender very little revenue, or, according to their own estimate, not more than \$4,000,000. Is it possible that this can be considered an equal bargain for the surrender on our part, when the treaty gets into full working order, of twenty millions? Curiously enough most of the articles in schedule A of the new proposition, embracing the great bulk of agricultural productions, are now

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free under the Canadian tariff. But if they were not free the Canadas would lose no more revenue by making them free than the maritime provinces lose by making fish free, as they do not buy these productions, but always have a surplus to sell. The Canadas might have some difficulty even in making up their small loss of revenue, but our deficiency can only be supplied in the inconvenient way already indicated, or by the severe imposition of heavier taxation. Canada may well afford to give up four millions of revenue on imports if her people are to gain many times that amount in the increased price of their exports. For what they gain they could afford to bear additional taxation, but we could not, as our Government would not only lose much revenue, but our people would suffer still greater losses.

The proposed reciprocity treaty offers nothing new or no attractions to our Southern States. The staple products of the South which are to be admitted into the Canadian dominion free of duty, if the treaty should be ratified, are already free under their present tariff laws, and will from their nature so remain. The products referred to are hemp, cotton, tobacco unmanufactured, rosin, tar, turpentine.

The direct interests of the Southern States therefore will remain practically in the same relative condition, treaty or no treaty, and these products have been nominally included in the proposition as so much padding costing nothing. This cheap stuffing obtained from the existing free list of the dominion, and used with the profuseness of French milliners, forms no inconsiderable portion of the offer tendered to us, and might be very well offset by a kindred tender of a selection from our own existing free list with equal generosity and just as little sacrifice.

The manufactures enumerated, however, are chiefly of the same class with those springing up all through the Southern States and would seriously interfere there with new and profitable branches of industry of the highest merit which ought not to encounter any such discouragements. Moreover, the Southern States have more interest in the general prosperity of the country than any other section. When the nation moves onward with health and vigor, it never fails to embrace all its members in its arms. But the proposed treaty is not only remarkable for what it includes but for what it excludes. It may not be difficult to discover why some articles were left out. Undoubtedly some Canadian products require protection, and these are of course shielded from reciprocity.

The proposed treaty contains all the articles included in the treaty of 1854, and also many articles of manufactures. They are described as "of the growth, produce, or manufacture of the respective countries," and among them will be found agricultural implements, boots and shoes of leather, cotton grain-bags, denims, jeans, drillings, plaids, and cottonades, cabinet furniture, carriages, coal, iron, (bar, hoop, pig, puddled, rod, sheet, or scrap,) nails, spikes, leather, rags of all kind, salt, tweeds of wool, manufactures of wood.

#### AGRICULTURAL COMPETITION.

Then we have a long list of the products of the farm, among which are the following: Animals of all kinds, breadstuffs of all kinds, broom-corn, butter, cheese, flour, flax, (unmanufactured,) fruits, (green or dried,) grain of all kinds, hay, hemp, hides, horns, lard, lime, malt, meats, (fresh, smoked, or salted,) pelts, pease, plants, petroleum, poultry, rice, shrubs, seeds, straw, tallow, tobacco, vegetables, wool.

The interesting question to farmers is what they would have to

meet and how much. I have only authentic data as to the products of the Canadian dominion as late as 1860, and these I derive from Mr. Derby's report, made in 1867. Of course in ten or fifteen years their population and products have increased. I give the following table:

	United States.	Canada.	Nova Scotia.
Population.....	31, 738, 821	2, 501, 869	230, 699
Horses.....	7, 237, 000	725, 744	25, 789
Cattle.....	24, 751, 315	2, 375, 957	156, 357
Sheep.....	23, 296, 807	2, 517, 781	222, 180
Swine.....	35, 960, 601	1, 278, 699	51, 533
Corn, bushels.....	297, 624, 528	2, 624, 100	37, 475
Wheat, bushels.....	170, 176, 027	22, 213, 760	297, 157
Oats, bushels.....	172, 069, 665	45, 634, 808	1, 324, 437
Barley, bushels.....	15, 825, 286	3, 692, 021	106, 097
Potatoes, bushels.....	157, 650, 000	39, 528, 359	1, 226, 729
Butter, pounds.....	459, 672, 052	52, 705, 854	3, 613, 660

From this table it will be seen that the Canadas, representing 8 per cent. of the population of the United States, produce more than their proportion of horses, cattle, and sheep; twice its proportion of wheat; three times its proportion of oats and barley; an average of butter, but less of swine and corn. It is plain that agriculture has engaged the major part of their activities, and, if they cannot be said to be our rivals, their products are so large as to offer considerable and constantly increasing competition.

When the former treaty of 1854 was made, our whole country was comparatively free of debt; we were doing business on a sound currency, and were ready for any race with equals; but now, although the national debt is so adjusted as to be carried with but little inconvenience, the States, counties, cities, and towns are still heavily burdened by indebtedness incurred during the late war as well as by the continuance of the war made paper legal-tender; and therefore for some years to come the cost of production will be, as it has been, so exceptionally increased as to place us at an obvious disadvantage with neighbors who have yet had no such untoward incidents in their history. We cannot at present afford to produce horses, cattle, and sheep, wheat, peas, oats, butter, and potatoes at the bottom prices of Canadian markets; nor can we at present venture to accept of the unrestricted competition to which we are invited, even in the manufactures of iron, wood, wool, cotton, and leather, with neighbors where all the labor and most of the raw materials are to be had at far less cost than in the United States, and with neighbors, too, as exempt from taxation as they are from many of the costly improvements and institutions demanded by the people of a large republic and by an enterprising and enlightened age.

Our markets are sustained by forty-two millions of people, beyond all question the largest consumers *per capita* in the world, and the Canadian markets are sustained by less than four millions of people, loosely strung across a broad continent in an elongated and disjointed belt, scarcely more than fifty miles wide, and like our own frontiersmen of early times having limited wants and no luxurious habits. Their markets are few and relatively inferior—offering no advantages to us, while our markets are so many, extensive, and accessible, that they may be always reckoned for nearly all commodities at least.

25 per cent. better than those across the border. According to the report of J. N. Larned in 1871, made in compliance with a resolution of Congress, the difference is much greater. From numerous details as to the prices of provisions, groceries, &c., he gives the following results:

Mean ratio of prices in Ontario to prices in New York, 1 to 1.53.  
 Mean ratio of prices in New Brunswick to prices in Maine, 1 to 1.42.  
 Mean ratio of prices in the city of Quebec to prices in New York, 1 to 1.43.

The same authority gives the results as to wages of mechanics and farm-laborers, as follows:

Mean ratio of wages in Ontario to wages in New York, 1 to 1.65.  
 Mean ratio of wages in New Brunswick to wages in Maine, 1 to 1.78.  
 Mean ratio of wages in the city of Quebec to wages in New York, 1 to 2.38.

These indisputable facts disclose the reason why our markets are so eagerly sought after. Few droves or ear-loads of American horses, cattle, sheep, hogs, or poultry seek purchasers at Kingston, Toronto, Montreal or Quebec, or at any other of their military posts; but though subject to moderate duties, they come—not standing upon the order of their coming—from every quarter of the Canadas, by land and by water, to the United States, all clamorous for higher prices. The difference in wages is the widest difference of all.

The magnitude of the stake they are striving for may be understood from the fact that the year after the termination of the former reciprocity treaty the assessed value of the property of the province of Ontario alone fell off \$23,000,000. That deficiency they want restored.

The territory of British American possessions, encircling almost one-fourth of the globe, and extending from the latitude of forty-five degrees north to the open polar sea, is superficially greater than even that of the United States. Much of it, however, must remain *terra incognita*, or only frequented by the hunter and trapper, and here and there by that hardy class known as frontiersmen, but it nevertheless offers immense facilities for expansion in grain-growing and stock-raising, for which it greatly needs an outlet less remote than the markets of the Old World.

Geographical barriers must forever compel the people of British Columbia, Manitoba, Saskatchewan, New Brunswick, Nova Scotia, Newfoundland, and even Labrador, to seek and to prefer commercial relations with the United States, with or without reciprocity, and it is plain that an unrestricted access to our markets by the people of these provinces, as well as by those within the fertile Canadian basin drained by the great lakes, would rapidly augment their agricultural productions for export, stimulate their labor, and immensely increase the value of their landed estates, which, with all their personal property included, is now less than the aggregate wealth of Massachusetts. They would, however, all grow fat and "lard the lean earth" at our expense. For this result the equivalents offered to us, instead of being very large and very solid, are very thin, disputable, and wholly unsatisfactory.

The effect of all this upon our own land and its products would be reversed, as may be readily foreseen, and would be equal in the aggregate, but, being more widely distributed than their gain, the percentage of individual loss would be less than their individual gain. The price of beef or of wheat might rise in Montreal 10, 15, or 20 per cent., but the fall would be somewhat less in Chicago or Milwaukee or New York. The surplus products of the Canadian dominion flung upon our markets by shorter and cheaper transports

tion than from the Western States could not fail to sensibly diminish the values and products of agricultural industries throughout the United States. When no more than ten thousand beeves are wanted, thrust an additional thousand upon the market and the whole will sell for no more than would the ten thousand, leaving but nine parts of the sum received to the owners of the ten thousand. Of course it could not be supposed that any influx here of Canadian products would bring down prices squarely to the present Canadian level, because equal freedom of markets would tend to raise prices there, to create an equilibrium, and that is what Canadians are for: they know when our markets are united with theirs and all are open and free, that prices, like liquids, will rise to the same height in the nozzle as in the pot itself; but consumers here would be only benefited by just the amount of injury inflicted upon our agricultural producers. Agriculturists have been wont to encourage manufactures because that policy adds to the number of consumers of their products and correspondingly diminishes competitors among themselves. But how long could farmers be expected to sustain a tariff upon manufactures if all their own products are to be exceptionally exposed to a northern blast of free trade? After such an exposure, any harmonious policy as to a tariff even for revenue would be indefinitely foreclosed. Protection that does not protect farmers will not long be likely to protect anybody.

But it would degrade the issue to suppose that only a question of tariffs is involved. Immigrants to the United States number annually over three hundred thousand, but the Canadas receive only a much smaller number, and of these the largest share barely pass through the Canadas and eventually find their way into the United States. Beyond this there is a constant stream of their native population flowing from all the provinces into our territory. Less profit in wages here or more profit there would reverse the current. It would not be wise for us to favor any policy that would diminish the present advantages of our country in the general estimation of mankind, or that would turn the stream of immigrants away from our shores. We want America for those who mean to be Americans and not for those who think they are somebody else.

#### GREAT BRITAIN STANDS IN THE WAY.

Great Britain could not be expected to make such a treaty without receiving from her colonies the same privileges granted to us. Whatever is made free of duty to us must also be made duty free to Great Britain. Ostensibly the Canadian colonists are to be nursed, but the nourishment will most likely add solely to the bulk of paternal Englishmen. A wolf, it is said, suckled Romulus and Remus, but there is no such a fable concerning the British lion. We got no exclusive favors by the reciprocity treaty of 1854, and we are promised none now. Colonies were once planted to get gold or to get rid of convicts, but they are now only maintained to secure a monopoly of trade. Russia once claimed a monopoly of all the trade of the Northern Pacific; Portugal that of Asia, and England now expects every man in her colonies to do his duty by increasing British home trade. All colonies are perpetual minors, from whom it is regarded as no robbery for imperial mothers to intercept their earnings, if only a frugal subsistence remains. The British restrictive navigation laws as to colonies were rigidly enforced down to 1846, and it will be found that this proposed treaty was fore-ordained to enable Canada to buy more of Great Britain and to sell more to the United States, or to buy cheap and sell dear.



If, therefore, we accept of such a treaty, it must be borne in mind that we should enter the race for the markets of Canada as much with Great Britain as with Canada herself. This part of the arrangement does not appear on the face of the treaty, but crops out in the declaration made by the British commissioners to our Secretary of State. Mr. Brown makes no secret of the fact that our Secretary was at once formally notified "that any articles made free in Canada under agreement with any foreign country must be made free to Great Britain."

The net result of what we are to get by making Canadian products and manufactures free in our ports is to have an opportunity to compete with Great Britain and dislodge her foot-hold, if we can, in Canadian markets. The products of agriculture under the Canadian tariff are already mainly free to all nations and will so remain. All such products Canada has to sell, and really buys of nobody. The question, therefore, as to our exports to Canada would be practically limited to manufactures. Of these our imports from Great Britain, though necessarily charged with heavy duties, are larger than those she sends to any other country, and it is not likely that she much dreads to meet any rival, or that she would be in much danger of being supplanted by us in the markets of her own colonies. British statesmen, speaking through a late speech of the Queen, it is very certain feel no apprehension on that point.

#### MANUFACTURES.

Canada has only recently adopted the policy of protection, and her manufactures, though growing rapidly, are in their infancy. It is reasonable to suppose that some of the articles enumerated in the proposed treaty might be profitably exported from the United States to the dominion, if it were not for the back-door to be left open for the entrance of the same articles on the same terms from Great Britain. If we can manufacture cheaper than the country with which they claim to be so happily connected, then the treaty might be of some advantage to us, but not otherwise. It is sufficiently apparent that with a removal of all duties we could not now compete with Great Britain here at home, and, if not, how could we drive her out of the Canadas? The lower priced labor, cheaper raw materials, and lighter taxation might soon even force the removal of the capital and industry of many American establishments to the other side of Canada line, if they should not be deterred by the cheaper capital and still poorer paid labor of Great Britain herself. The chance with Canada alone would not be very inviting, but with Great Britain in reserve it would be the baldest mockery. The manufacturers of Great Britain have the discipline of a regular army, while those of America are but militia, superb in material and only deficient in the drill which must be acquired by long experience.

But while the Canadas would in the end be ground between the upper and nether millstone, or between American and British manufactures, they might easily increase their exports in many directions. Slate they send to us in considerable quantities, though we require 35 per cent. duty to be paid. Remove this duty, as proposed by the new treaty, and few of our slate quarries could be worked without a heavy reduction of the price of labor. The admission of timber and lumber wrought and unwrought means that by the cheaper labor of Canada, and their system of export duties, no more would come in unwrought; and how broad the definition would be as to what might be included, who shall tell? Granite, marble, and building-stone form another group to come in wrought or unwrought. In building the practice is to send orders to quarries for dimension

blocks hewn and fitted, ready to be placed at once into any structure. Is it not likely that all the different quarries of the dominion would at once be set at work? Red sandstone, grindstones, marble, and even granite could not here be cut and wrought, except by convict labor, as cheaply as it is now done by common Canadian and Nova Scotia stone-cutters. Coarse cotton goods and tweeds of wool, and iron and steel, and boots and shoes would soon find a new Lowell, a new Pittsburgh, and a new Lynn far away from the stars and stripes. In Canada what we term fancy cassimeres are quite as often known and described as tweeds. The phrase "tweeds of wool" includes a wide class of goods, hitherto yielding little profit to further and uncertain competition. Boots and shoes are now almost wholly made by machinery which, marvellous in all its parts as it is, can be cheaply transferred to Canada and soon worked even by unskilled and alien hands. Machinery knows no allegiance, and works as cheerfully in one place as another. Is it not manifest that the proposed treaty should not receive any favor? Is it not in fact a hook baited with a red rag?

There will be a lurking ambiguity in the practical interpretation of such a treaty, and our experience teaches us to beware of ambiguities in any treaties, especially with Great Britain or with the Canadas. The articles proposed in the schedules to be admitted free are to be the growth, produce, or manufacture of the Dominion of Canada. The question will arise, to what and how far does this apply? Raw materials, if sent to us, must be of Canadian growth or produce; but may not manufactures be wholly or in part of foreign materials? If so, boots and shoes may be made of foreign leather, and yet be called manufactures of Canada. English yarns might be woven into cloth, either of cotton or wool, and thus become Canadian manufactures. They might first send all of their wool here to market, and then send whatever they choose to call tweeds, wholly made of foreign low-priced wools, and would they not pass for Canadian manufactures? Would ready-made clothing need to be made of any other than British cloth? English, Russia, or Swedes iron and steel could hardly be distinguished from Canadian iron; and if it could be, when made into rails, nails, spikes, axes, scythes, plows, hoes, shovels, or spades, they would all be called Canadian manufactures. Screws made of English wire, and nails of English nail-plate, would claim reciprocity privileges. Marble, in blocks or slabs, from Italy as well as from Canada, when wrought into monuments, mantels, or anything else, could not be denied the claim as Canadian manufactures. Castings made of Scotch pig-iron, or any other, in the form of stoves, ranges, hollow-ware, or machinery, would be held to be thoroughly Canadian. Manufactures advanced a single stage, receiving the last finishing touch, might thereby obtain the guild of Canada. Suppose any of these articles to have the proper Canadian stamp and label upon them, how would any fraud be detected or punished? The frauds will be perpetrated, if perpetrated at all, as they are very likely to be, by Canadians. Can we send there to detect or punish them?

Our revenue laws, sitting too lightly upon the consciences of our own people, have never bound the consciences of Canadians, and their reverence would not be much intensified by a reciprocity treaty. Thin partitions would divide free from dutiable merchandise. Custom-house oaths are elastic the world over; and who could tell, except the men who swear, whether agricultural tools, grain-bags, tweeds, and locomotives were manufactured wholly or in part in the Canadian dominion or elsewhere? The Canadian field of smugglers,

always prolific and abounding in skillful artists, would be made to bring forth a hundred-fold of its present ill-gotten profits. The distributing points of illicit trade in the Canadas would no longer be confined to their present legally-established ports of free trade, Gaspe and Sault Sainte Marie, nor to places on the boundary line where such practices have long been winked at; but the smuggler's art would be studied by everybody and everywhere gratefully patronized.

In all the diversified complications of this proposed treaty, a careful scrutiny will show that not one of the provisions standing stark alone could be accepted on its merits. Some would prove disastrous to our interests, and the best are palpably unequal; but it is certain that the character of the whole is not improved by the multiplicity of its parts, and equally certain that if any one of its parts would prove disastrous, that fact should turn the scale against the treaty.

Treaties are merely bargains between sovereignties, where the people for the most part are unrepresented, and the only legitimate mode of changing tariff laws is for the legislative authority to decide from time to time what articles of commerce shall or shall not be subject to duties, without the restraint of any side bargains with foreign powers.

After a full examination of the proposed treaty, the conclusion would seem to be unavoidable that, so long as the Canadas are bound to consent the interests and supremacy of the imperial government, it is and will be impossible for them to offer any terms of reciprocity which can be to the advantage of the United States to accept. Doing the best that can be done, yet the reciprocity with the Canadas which suits Great Britain would not suit us, or, if it suited us, could not suit Great Britain. It is an unequal commercial triangle which cannot be squared. We can do nothing for the Canadas that we are not ready to do for the world at large.

The proposals now offered, whether relating to our future commercial thrift or to the problems of higher concern to statesmen, are delusive and wholly inadmissible. We have no revenue to part with, and if we had, could not afford to squander gifts of vastly greater magnitude than all we are to receive in return. Our farmers feel a profound interest in the Government they support, and they expect the Government to reciprocate that interest by more regard than is to be extended to the farmers of any other country, who have nothing at stake but the profits and loss of trade; and our manufacturers do not wish to meet Great Britain when they are nominally invited to meet the Canadas, or to live with Leah for twenty-four years when they only love Rachel. Our national patrimony should not be shared with the Canadas so long as they cling to greater expectations from other foreign relations. The sternest dictates of prudence require us to stand by the ancient usage of the Senate—denying all authority to make reciprocity treaties, whether favorable or unfavorable, and especially to decline all diplomatic arrangements by which our own people are to be despoiled for the benefit of British subjects and at the expense of the Constitution.

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