

The A, B, C's of the Canal Controversy

Q. What is the controversy between the United States and England respecting the Panama Canal?

A. England objects to the exemption by Congress of American coastwise vessels from the payment of canal tolls.

Q. On what ground?

A. On the ground that the Hay-Pauncefote treaty provides that the canal shall be open to the vessels of all nations upon equal terms.

Q. What is the Hay-Pauncefote treaty?

A. The agreement between the United States and England by which the former country extinguished England's canal rights in Central America.

Q. Was the stipulation that the canal should be open to all nations one of the considerations under which England relinquished those rights?

A. Yes. The Clayton-Bulwer treaty negotiated in 1850 between the United States and England, mutually bound the contracting rights over any canal that either might build.

Q. Does the United States now deny that obligation as part of the Hay-Pauncefote treaty?

A. The Taft administration denied England's interpretation of it.

Q. What is the language of the disputed clause?

A. "The canal shall be free and open to the vessels of commerce and of war of all nations on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects in respect of the conditions of charges of traffic, or otherwise."

Q. Wherein do the two governments differ as to the interpretation of that language?

A. England holds that the words "all nations" include the United States. When President Taft, in August, 1912, signed the bill fixing the canal tolls he adopted the view in Congress that the United States was bound merely not to discriminate as to the vessels of foreign nations. In exempting American coastwise commerce Congress held, moreover, that such exemption was in the nature of shipping subsidy, the right of any government to pay which was unquestioned, and that in fact foreign governments do pay such subsidies and that such payments will have the effect of equalizing the tolls remitted to American ships.

Q. Does the Wilson administration uphold this view?

A. Opinion in Congress is divided, but President Wilson believes the exemption clause should be repealed and the vessels of all nations, including those of the United States, placed upon entire equality.

Q. Are there any other contentions, aside from those involving treaty rights, bearing upon the controversy?

A. The charge has been made that the transcontinental railroads want the coastwise shipping to pay tolls so that they can raise their own rates correspondingly, as they would be entitled to do to maintain the recognized relation between rail and water carriage.

Q. Why should not the railroads prefer free tolls and operate steamship lines of their own through the canal?

A. They cannot. Congress prohibited the use of the canal to railroad owned vessels.

Q. What tolls are to be charged by the canal?

A. The rate is to be \$1.20 a ton for vessels carrying a cargo of passengers or both; seventy-two cents a ton for vessels in ballast, fifty cents for each displacement ton of warships and \$1.20 a ton for army or navy transports, colliers, hospital ships and supply ships. No per capita charge is to be made for passengers in vessels.

Q. What revenue will be produced by these rates and what is its relation to the cost of the canal?

A. These rates are estimated to produce about \$12,000,000 the first year of operation. The canal will have cost when completed, about \$3,000,000 and will require a revenue of \$20,000,000 a year to be self supporting. It is not expected to meet expenses before 1925.

Q. Is it contended by England that these rates are exorbitant?

A. No. The rates, in fact, are the same as those charged by the Suez Canal and are much lower than the Suez rates were up to a few years ago.

Q. Then cannot English vessels, rates being non-restrictive, and enjoying besides government subsidies to offset American exceptions, compete in coastwise shipping?

A. No. The American coastwise trade is open only to American ships.

Q. Does the exemption apply to any other trade than that?

A. No. American vessels in foreign trade will pay the same tolls as the vessels of other nations.

Q. What is meant by coastwise shipping?

A. Commerce originating on the seaboard of the United States including Porto Rico, Hawaii and Alaska, but excluding the Philippine Islands.

Q. Are there any avenues of settlement open to the dispute?

A. The question could be submitted to The Hague tribunal or to a special arbitration commission appointed by the two countries.

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