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Notes on the Payne Tariff Bill, 1909

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NOTES ON THE PAYNE TARIFF BILL.

- 1. Preferential treatment between colony and mother country does not deprive either of the minimum.
- 2. As the law now stands, preferential treatment between sister colonies deprives the colony giving preference from receiving the minimum.
- 3. The Department of State is left no latitude or flexibility for negotiating commercial treaties. It is complete maximum or minimum - i.e. only one penalty for all offences.

The general and conventional tariff system fixes a maximum for the general, and a minimum through diplomatic negotiation for quid pro quo. In Europe the "favored nation" clause is considered to affect these conventions; not so by the American view. In Germany the minimum is not fixed except as to grains. This system is the joint product of legislation and diplomacy.

In France the minimum is extended by convention or by decree.

In both these systems the minimum may be extended in part or in whole. Under the Payne Bill the minimum is extended ^{or not,} without negotiation, and simply upon official cognizance of the fact of favored nation treatment or less, which will determine.

Countervailing duty on goods on which export duty is collected, is merely to coerce the removal of such duty.

Section 6 of the Payne Bill provides that nothing in the bill shall impair or affect the Cuban reciprocity treaty.

Section 7 provides that within ten days after the passage of the act, the President shall give notice of the termination to the several foreign Governments with which we have commercial agreements under section three, and those agreements shall come to an end at the expiration of the periods named in them. Conventions naming no period would terminate on the operation of the maximum and minimum provision of the act.

It is provided that there be free trade between the United States and the Philippines, with a limitation on the amount of Philippine sugar and tobacco which shall enjoy the ~~limitation~~. *Benefit*.

A countervailing duty equivalent thereto is imposed on goods receiving bounty or grant in the country of exportation.

We give drawback of 99 per cent on duties collected on raw materials put into articles manufactured here, upon the exportation of such articles, and allow certain leeway for substitution of other raw materials. It does not have to be the identical raw material as under the present law.

Inheritance tax.

Panama bonds.

Retaliatory provisions against foreign discriminatory patent legislation. Patents applied for by citizens of any countries where American patents are only protected if articles were manufactured there, will be treated same ~~same~~ here.

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