

OUR CUSTOM HOUSE.

BY THE EDITOR.

AN assurance of international citizenship and a certificate of good character, such as the Hon. C. C. Bonney suggested in his article in *The Open Court* for April of 1901 (page 218), would be a great convenience to American travellers for protection against imposition in foreign countries, but what shall be done to protect us against unfairness and encroachment upon our personal rights when we return to our own country? I am sorry to say that protection at home is much more needed than abroad. There is much that is strange to an American in the custom houses of Europe. Everywhere, even in free-trade England, the custom house officers search for spirits and tobacco, and on the continent also for food stuffs in every form and even in small quantities. On the German frontier one is liable to have trouble on account of half a box of chocolate, or a few biscuits, or even a quarter of a loaf of bread. The duty is only a few cents, but there are heavy penalties for the assumed dishonesty of not declaring the contraband goods. It is pedantic and troublesome, but upon the whole harmless. It almost seems that the machinery instituted for inconveniencing the public must cost the government more than the returns warrant.

On my last trip abroad, I was obliged in Germany to declare an article as dutiable and was detained for a long time which was spent in looking the questionable piece all over and weighing it, small and light though it was, on a big scales. The facts of the case were taken to protocol and registered in ledgers nigh a foot in size, and at last I had to lay down five German pennies (i. e., one and one-fourth cents in American money), the payment of which was duly receipted by the custom house officer with a visible consciousness of his official dignity.

On another occasion I remember the case of a young lady travelling first class in company with an elderly companion, apparently her grandmother, who for the sake of a tin box half filled with crackers was so rudely handled by the German custom house officers that she burst into tears. When my turn came for inspection, I suggested to the custom house officer that he might have dealt more tenderly with the young lady. But he felt indignant; "She ought to be glad that I did not report her, for the concealment of dutiable goods is a penitentiary offence." Giving another look at the sobbing young lady and her distinguished aged companion at her side, I could not help shuddering at the threat of the officer, and the thought occurred to me which since then comes back whenever I see the custom house officers at work, that this most modern method of protecting the various countries against the competition of their more skilled neighbors, *confessedly instituted to reduce and minimise commerce and trade*, is nothing but a relic of mediæval barbarism when the nobility and the princes believed that to play the highwayman was their inalienable, God-given right. German history still keeps on record the watchword and war-cry of the robber knights, which ran as follows:

*"Reiten und rauben ist keine Schande,
Es thun's die Edelsten im Lande."*

The nature of the hold-ups which one has to endure at the various frontiers in passing from one country to another has become less virulent than in the chivalrous days of mediæval knighthood, but remains after all the same in kind. They are regular hold-ups. No protest avails; the traveller must open his valises and allow his luggage to be mercilessly searched; and there is no redress if property is destroyed by the careless packing which is the inevitable result of the hurry in which it must be done.

The German custom house regulations appear pedantic to us and are great in small things. How much different is the American custom house about which there is nothing small. We have the advantage here that our officials do not bother with trifles for which the fee to be collected does not pay the trouble of collecting it. But when they begin to collect, they have rates which render the taxes not protective but prohibitive, going up to sixty per cent, on the value of goods and more.

Knowing that we are blessed with a high protective tariff, I decided, while abroad, to buy as little as possible. But I happened to return shortly before Christmas, and knowing that there would

be no time left for shopping after my arrival, I could not help buying abroad a few Christmas gifts for the children. To comply with the laws, I noted down the average sum of my expenses and made my declaration accordingly.

Under present circumstances it is probable that we cannot do without a custom house. It seems that a custom house is one of the most indispensable emblems of a government. In the Middle Ages, the gallows was the proud symbol of an independent jurisdiction, and so in modern times the custom house indicates a separate sphere of national industry. It stands there as a challenge and seems to proclaim: "We can live without any communication with the rest of the world, but we are full of magnanimity and will tolerate commerce as a kindness to foreigners, on the condition, however, that every one who imports anything from the outside will pay a penalty."

We are a free people, or at least believe we are free; and we take pride in teaching to our children the famous story of the English tea tax which was imposed upon the colonies and, after being gloriously resisted, finally led to the Declaration of Independence. What is that tea tax in comparison to the taxes imposed upon the country by Congress in the interest of a small but powerful fraction of the people!

Well, be that as it may, the custom house is perhaps indispensable for our present national patriotism, but we ought to demand at least that those coming from foreign countries who have to submit to the official hold-up at the frontier should have a printed statement handed to them for their information as to what is and what is not dutiable and at what rate. As matters stand at present, the conscientious man is at a great disadvantage, for what he declares he must pay whether it be fair or no. The statement that is handed to the passengers on the steamer is simply a threat but affords no information. It reads as follows:

UNITED STATES CUSTOMS NOTICE.

To Passengers Arriving from Foreign Countries.

It will be necessary for you to make a declaration before the United States Customs Officer in the saloon of this vessel, stating the number of your trunks and other packages and their contents; and residents of the United States, returning from abroad, should provide a detailed list of articles purchased abroad and the prices paid therefor.

A failure to declare all dutiable goods in your possession will render the same liable to seizure and confiscation, and yourself to fine and imprisonment.

Section 26 of the Customs Administrative Act of June 10, 1890, provides a fine of not exceeding \$2,000, or imprisonment at hard labor not more than a year, or both, in the discretion of the court, for giving or offering to give a gratuity to an officer of the customs in consideration of any illegal act in connexion with the examination of baggage, or for attempting by threats or demands to improperly influence or control any such officer.

Passengers will facilitate the work of Customs Officers and contribute to their own comfort and speedy departure from the wharf, by noting on the back of a copy of this circular, which may be obtained from the officers of the vessel, their purchases abroad, with prices paid therefor.

We all were glad to come home again, but the very sight of this paper startled the passengers, who spoke about it in very different terms. Some hinted at former experiences and admired the ingenuity of some officers in forcing the passengers to pay bribes. One gentleman said, the best way to pass your baggage through the custom house was to put a five or ten dollar bill within reach of the custom house officer, for, said he, some goods are spoiled by handling, delicate things are broken, and even if they remain whole, they cannot, on the dock, be repacked as they ought to be and consequently will suffer in their further transportation.

My late friend, Gen. M. M. Trumbull, used to admire the smartness with which a certain class of American politicians (who all the while live in the hope of some time having an opportunity to receive bribes) succeed in protecting the bribe-taker. They simply had a law passed which holds the bribe-giver equally responsible. It is an excellent plan and serves the purpose splendidly. The law takes the high moral ground that if there were no bribe-offering, there could be no bribe-taking, and if the poor bribe-taker were spared the temptation of the wealthy bribe-giver he would remain an honest man. Thus it found the support of all moral enthusiasts and was passed without difficulty through the tacit consent of the truly righteous and those who in their hearts stood before their own conscience as convicted rascals. The result of the law is that he who has been forced to bribe an officer is for strong and good reasons forced to keep quiet ever afterwards. It is said that the footpads in the street would be glad to have this ingenious law extended to their profession. If the man that walks about laden with a purse or a gold watch would not give up his pelf, how could a highwayman take it? *Ergo*, hold the person that is robbed equally responsible with the robber, and it will follow as the night the day that our courts will no longer be molested with complaints of robberies.

The custom house officer on the steamer took my declaration

in a perfunctory manner ; but in an other case he made further inquiries. There was a man, apparently of the second cabin, whom he asked : "Now, is that all you have to declare?"

The sturdy passenger to whom the question was addressed seemed to wince under the question. Apparently he had something to conceal. The officer repeated the question and, I believe, added : "Remember, you are under oath." The eyes of all present hung on the flushed face of the poor victim of the custom house. He began to consider the gravity of the situation and the seriousness of the results. He relented and began slowly : "Well, I have in my trunk four pounds of honey."

The smile all around was audible. The crime was confessed, but the trouble of collecting the tax did not pay. So the custom house officer said : "Never mind the honey, take it along !"

When I had my baggage on shore, the inspector came round to look at the things which I had declared. "Pshaw!" he said, in looking at the different items, "that is not worth declaring ; where are the rest of the things you bought?" and not recollecting all the places where the most valuable presents lay hidden, I tried to unearth something that would justify my declaration. The inspector seemed to be sorry for my having made any declaration at all and said : "Now that you have made the declaration, I must make you pay." So I paid on a pair of gloves and some other sundries a tax of I don't know how many per cent. of the value,—a total of about thirty-five dollars for a declaration of fifty dollars. I was glad at not having bought more, for the duty comes very near to the original price, and this almost doubles the expense.

When the Bey of Tunis demanded a tribute from the ships that sailed on his seas, we called it piracy and sent our men of war to enforce free trading on the waters round the north coasts of Africa. We can enforce protection abroad, but we would not do it at home.

If we were Russians we might, whenever we have reasons to complain about the U. S. custom house, go to the Russian ambassador who would threaten the U. S. government with retaliation ; but being Americans we have no redress, for we ourselves elected the men that made the laws of the land, and our present officers can do nothing but enforce them.

Mr. Bonney's idea of international citizenship is a beautiful dream, but the best way of its realisation would be by having the the rights of citizenship respected first at home.