

mander Hubbard, of the United States cruiser Nashville, sent to the Colombian prefect of Colon a letter declaring that the United States would not permit the transportation of Colombian troops across the Isthmus for the purpose of putting down the uprising against the Colombian government. At that time, the insurgents had no international standing whatever, even as belligerents. In the eyes of international law, they were then mere disturbers of the peace, or "bandits," as such people are sometimes called. Had they sent a cruiser to sea, it would have been technically a pirate. The authority under which Commander Hubbard acted, in behalf of his government—notwithstanding that the Panama Railroad company is obliged by its charter, or contracts, to transport the troops of the Colombian government—is drawn entirely from article 35 of the treaty, which merits a somewhat closer analysis than has yet been given to it.

A clause of article 35 which is seldom quoted, comes first, in these words:—

The government of New Granada [Colombia] guarantees to the government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may hereafter be constructed, shall be open and free to the government and citizens of the United States.

This clause cannot be ignored, especially as it must be assumed that Colombia may properly claim the right and the opportunity to make good the guarantee she offered in the treaty. When the Isthmus, therefore, is threatened with disorder, menacing free and uninterrupted commercial traffic between the oceans, Colombia, under the clause quoted, must at least be granted a chance to fulfil her own obligations. This treaty right was positively and absolutely denied to her when Commander Hubbard sent his note to the prefect of Colon. Colombia was forbidden to suppress the disorder which was reported from Panama city, and at a time when the rebels had no conceivable standing even as belligerents. Legally, our government might as well have prevented Colombia from arresting a band of robbers in the canal zone. Yet Colombia was the sovereign, and anxious to fulfil her treaty obligations in this respect.

The natural working of the clause above quoted having been paralyzed by the action of the United States navy, we are bound to consider immediately the bearing of the fifth section of article 35, which declares:—

If, unfortunately, any of the articles contained in this treaty should be violated or infringed in any way whatever, it is expressly stipulated that neither of the two contracting parties shall ordain or authorize any acts of reprisal, nor shall declare war against the other, on complaints of injuries or damages, until the said party considering itself offended shall have laid before the other a statement of such injuries or damages, verified by competent

proofs, demanding justice and satisfaction, and the same shall have been denied, in violation of the laws and of international right.

Surely this section has been utterly ignored, in spirit at least, by our government. It first infringed upon Colombia's obvious treaty right to maintain, or seek to maintain, order on the Isthmus, as the sovereign power; and then it recognized the initial disturbers of the peace and traffic as a republic, thus dismembering a friendly nation, without so much as deferring its eminently hostile action until news of the uprising could reach the capital of the Colombian government. . . . The first guarantee, which was obviously to be enforced by Colombia, if possible, was followed by a compensating guarantee from the United States—"as an especial compensation for the said advantages and for the favors they (the United States) have acquired by the fourth, fifth and sixth articles of this treaty," so runs the clause. Clearly, if the United States were offering a guarantee of "the perfect neutrality" of the Isthmus, in return for "favors" from Colombia, it would be absurd to urge that the American guarantee was designed to empower the United States ever, under any conceivable conditions, to prevent Colombia from maintaining her sovereignty on the Isthmus against either foreign foe or domestic brigands, or even revolutionists. Yet that is exactly the power which our government now claims and asserts against the much weaker nation with which it covenanted.

It is now argued that there is no vitality, as against domestic revolutionists, in the third guarantee, which reads: "The United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory." Our government's interpretation is that this guarantee applies only to an invasion of the Isthmus by a foreign power. Very well. We may accept that view. Yet let us also be consistent. If this third guarantee applies only to foreign powers, why does not the second guarantee of "the perfect neutrality" of the Isthmus apply only to foreign powers? How can we shuffle off our obligation to maintain Colombia's sovereignty against rebels, in the one case, and at the same time, in the other case, stretch our power so far as to deny to Colombia the bare opportunity to maintain order or put down rebellion in the Isthmus? Are we promoting, by such legerdemain, the true national interests of the United States? Is it something to be proud of that the results we contemplate are justified by such amazing distortions of a treaty as these?

The truth is that this interpretation is entirely new, and an outgrowth of recent policy. Secretary Seward wrote to the United States minister at Bogota, in 1866: "The United States have al-

ways abstained from any connection with questions of international revolution in the state of Panama, . . . and will continue to maintain a perfect neutrality in such domestic controversies." Perfect neutrality has not been maintained; nor even an imperfect neutrality. Our government's acts have been warlike acts, which would never have been committed against a second-rate power. The alleged necessity of preventing the transportation of the troops of the sovereign government across the Isthmus is in itself a humbug, for in times past traffic on the railroad has been easily guarded, in a period of civil war, by merely stationing marines, if needed, along the line. In other cases of insurrection, the Colombian government has used the railroad freely for its troops without the slightest protest by our government. In the quick growth of the new interpretation, our naval officers, a year or two ago, decided to allow Colombian troops to be transported without arms, and now they have denied them all transportation whatever.

So we find the United States in the disgraceful position of having done' with reference to Panama in 1903, what we successfully protested against with reference to South Carolina in 1861; of having violated a treaty in doing so; and of excusing their turpitude by placing upon that treaty an interpretation at variance with all our previous interpretations of it. Nor is that the worst. By executing with Panama, so hurriedly that the new nation was obliged to borrow a seal from our secretary of state in default of one of her own, a treaty which is stuffed with present plunder and future benevolent assimilation, we have given the whole affair an aroma of interestedness which it is not easy to distinguish from a stench.

EDITORIAL CORRESPONDENCE.

New York, Nov. 23.—The political situation here, as I view it, is this:

Grout is slated for the gubernatorial nomination. This was talked of when the comptrollership nomination was offered him. The Republicans may have heard of it, and that may be part of the reason why they ordered Grout to get off one ticket or the other. At any rate, Grout is now grooming for the race. He believes he will have a good chance, as the feud between Odell and Platt is strengthening. Odell wants to succeed himself, but the belief is that Platt will oppose his nomination. I don't know who Platt has in mind for a substitute. With this friction between Republican leaders, Grout hopes

to slip in. Roosevelt, I need hardly say, is behind Odell.

Grout, meanwhile, is in a difficult position. It is the general expectation that the Murphy-McClellan combination will provide a respectable administration. There will be no smell of the barroom and none of the manners of ward-heelerism. Some people who think they speak with authority say that even "Tim" Sullivan will be ordered to the rear, or at least will be ignored. But that, I believe, is impossible. Sullivan is a power in the organization, perhaps the power, but he does not show himself unnecessarily—whether from tact or another reason I cannot tell. As I said, however, the common belief is that there will not be a repetition of the Van Wyck recklessness. There will be an attempt to make a "respectable" administration.

The purpose of this policy will not be so much to promote respectability in municipal affairs, as to kill off the opposition of the anti-"red" light-ers and other respectables, and to keep New York Democratic, at least during the next year, for the gubernatorial and presidential elections.

But the real difficulty that this programme has to "go up against" is that a lot of franchise problems are rapidly rising here. Popular thought is radicalizing. If the city hall crowd under McClellan stand for the monopolies, then they are in danger of losing power with the people; if they stand against the monopolies, they will win with the people, but lose with the monopolists. Yet they cannot afford to lose support anywhere if they are to carry this State next year. Grout has to decide which crowd he will go with, the radicals or the conservatives.

Whitney is close behind the new Democratic dispensation here. He has been the active man in the franchise amalgamations, which are now divided into three classes: (1) the Consolidated Gas, including all the gas companies and the Edison monopoly; (2) the Interurban Street Railroad company, including practically all the suburban lines in Manhattan and the Bronx; and (3) the Interborough company, including the Manhattan elevated and the underground, now building. William Rockefeller, Baldwin, of the Pennsylvania, Belmont, and Whitney are the four foremost men in these combinations, which are dove-tailed together and, as against the public, have a common policy and do their work together. Of course they are in politics and of course they are in it with their barrels.

Both Whitney and Belmont took the trouble to occupy boxes at one of the most important Democratic meetings during the recent municipal fight, thus publicly identifying themselves with that side. Whitney has not publicly

figured in politics before in years. Rumor says that Whitney has been hit in the "street" of late. I fancy that that may be true, as many besides him have been hit and hit badly. Rumor also says that the Rockefellerers have been after Whitney. That may be so, but I do not think it. Whitney has been doing their work and is one of the directors in the Consolidated Gas company.

Immediately after the election decision the Herald and the World announced that indications pointed to Cleveland as the Democratic candidate for president. But Gorman seems to have the best chance at present, and Hearst comes next—at least in the estimation of Hearst's friends.

Tammany is in the hollow of a few men's hands and those few men would, I think, prefer Cleveland. Next, perhaps, Gorman. Parker is too close to Hill to suit the Tammany people. They want Hill down and out, like McLaughlin. I cannot see any indications that the Tammany "leaders" or those who direct them are at all excited over Hearst.

Meanwhile the black cloud of hard times is rising. There are many evidences of it here, in the "street," in the wholesale districts, in the retail districts where luxuries are sold, and particularly in the theatrical world. I am informed that a large proportion of the road companies are coming back, and that theatrical business as a whole has not been so bad for 20 years.

If this pall comes up in strength soon enough, the Democratic party will get a great lift; but if it lingers in the coming, then the Republicans will be able to use Mark Hanna's argument: "Behold signs of public fear of Democratic success at the polls!" and the Republicans will sweep in again. Then it will be "up to them" to "make good."
ASTERISK.

Washington, D. C., Nov. 23.—That the Republicans are prepared to prove to the trusts their complete subservency to those monopolistic organizations, is shown in the action of Congressman Watson, of Indiana, a new member of the ways and means committee, who declared just before the vote on the Cuban reciprocity bill, that the Democrats were responsible for the four days' debate, and this in the face of the offer made prior to the commencement of the debate on Monday, by Congressman Williams, of Mississippi, the minority leader, that if the Republicans would permit the Democrats to offer one amendment—that removing the differential on sugar—and allow twenty minutes for debate, they would be willing to vote on the bill then. Watson's unblushing effrontery in charging the Democrats

with delaying the vote on the bill, will doubtless be emulated by the monopolistic press for the purpose of befogging the public mind and distracting attention from the fact that the Cuban bill gives the sugar trust practically the whole amount of the 20 per cent. reduction on refined sugar.

However some may differ with the political wisdom of Mr. Williams in calling a caucus for the purpose of lining up the minority in favor of the bill, all real Democrats must applaud his forceful attack on the protectionist superstition. He punctured many of the pet theories of the protectionists, insisting that while industries could thus be hot-housed into life, it was a wasteful process and simply resulted in withdrawing labor and capital from forms of production that are naturally profitable to induce them to engage in those naturally unprofitable, and that the cost of such waste is borne by the consumer.

At the other end of Pennsylvania avenue the American exponent of strenuousness has been giving points to the effete monarchs of Europe in the great game of gobbling small and weak states. For three long years the Boers pleaded in vain for recognition of their republic. It takes barely three minutes for him to recognize a made-to-order republic. Such little matters as the pledged faith of the nation are swept aside when an opportunity is afforded to serve the transcontinental railroads and the Wall street syndicate controlling a large block of Panama stock. Although the Spooner amendment directed him to adopt the Nicaragua route in case of failure to come to terms with Colombia, yet, responding to the demands of the Pacific roads for a route, which, if ever completed, will offer the least possibility of opposition to their monopoly, he hardly awaits the receipt of what was without doubt an anxiously awaited cablegram announcing the establishment of a one-hour old de facto government, to instantly recognize it.

We may expect the same kind of press campaign in the interest of the poor widow and orphan stockholders of Panama stock, that the sugar trust has carried on for the benefit of the "suffering sugar planter of Cuba—" 25 per cent. to 35 per cent. of whom is this same colossal infant, the Sugar Trust.

It is gratifying to know that Chamberlain's attempt to ensnare the British people with the protection fetich is to be combated, in the only way it can be successfully opposed, by an active and influential element of the Liberal party. There is now visiting this country the President of the New Reform Club, of London, Dr. Henry S. Lunn. This organization has largely taken the place of the Reform Club,