

# CURRENT TOPICS

THE TREATY OF 1846 WITH NEW GRANADA, now Colombia, is being accorded consideration attention these days. The Omaha World-Herald says that it is a bit significant that in the statement issued by our state department seeking to justify the course in Panama, all emphasis is laid upon the fact that the treaty guarantees to the United States free transit on the isthmus, while sweeping aside as though it were inconsequential our guarantee of the sovereignty of New Granada. The World-Herald presents an interesting compilation of the references made to the treaty of 1846 in the messages of several of Mr. Roosevelt's predecessors and this shows that prior to Mr. Roosevelt's time, the presidents of the United States regarded our guarantee of New Granada's sovereignty as a very important part of the contract.

IN FEBRUARY, 1847, PRESIDENT POLK transmitted to the senate the New Granada treaty and in doing so he directed attention to the fact that "New Granada proposes to guarantee to the government and the citizens of the United States the right of passage across the isthmus of Panama over the natural roads and over any canal or railroad which may be constructed to unite the two seas, on condition that the United States shall make a similar guarantee to New Granada of the neutrality of this portion of her territory and her sovereignty over the same." President Polk further pointed out that "the guarantee (of sovereignty) does not extend to the territories of New Granada generally, but is confined to the single province of the isthmus of Panama where we acquire by the treaty a common and co-extensive right of passage with herself." Mr. Polk added: "The guarantee of the sovereignty of New Granada over the isthmus is a natural consequence of the guarantee of its neutrality, and there does not seem to be any other practicable mode of securing the neutrality of this territory. New Granada would not consent to yield up this province in order that it might become a neutral state, and, if she should, it is not sufficiently populous or wealthy to establish and maintain an independent sovereignty."

PRESIDENT BUCHANAN, IN DECEMBER, 1857, in his message to congress had something to say with respect to the treaty of 1846. Mr. Buchanan pointed out the deep interest the United States had in preserving the freedom and security of all the communications across the isthmus and he added: "It is our duty therefore to take care that they shall not be interrupted either by invasion from our own country or by wars between the independent states of Central America. Under our treaty with New Granada of December 12, 1846, we are bound to guarantee the neutrality of the isthmus of Panama, through which the Panama railroad passes, 'as well as the right of sovereignty and property which New Granada has and possesses over the said territory.' This obligation is founded upon equivalents granted by this treaty to the government and people of the United States."

IN THE SAME MESSAGE, MR. BUCHANAN recommended to congress the passage of an act authorizing the president in case of necessity to employ the land and naval forces of the United States to carry into effect "this guarantee of neutrality and protection." He said that it was "both our duty and our interest" to cultivate in the South American republics most friendly relations, and he added: "Unfortunately, both for them and for us, our example and advice have lost much of their influence in consequence of the lawless expeditions which have been fitted out against some of them within the limits of our country. Nothing is better calculated to retard our steady and material progress or impair our character as a nation than the toleration of such enterprises in violation of the law of nations. It is one of the first and highest duties of any independent state in its relations with the members of the great family of nations to restrain its people from acts of hostile aggression against their citizens or subjects. The most eminent writers on public law do not hesitate to denounce such hostile acts as robbery and murder. Weak

and feeble states like those of Central America may not feel themselves able to assert and vindicate their rights. The case would be far different if expeditions were set on foot within our own territories to make private war against a powerful nation. If such expeditions were fitted out from abroad against any portion of our own country, to burn down our cities, murder and plunder our people, and usurp our government, we should call any power on earth to the strictest account for not preventing such enormities."

AGAIN IN APRIL, 1860, IN A MESSAGE TO congress, President Buchanan, referring to the treaty of 1846, said: "This treaty, after granting us the right of transit across the isthmus of Panama in the most ample terms, binds this government to guarantee to New Granada 'the perfect neutrality of the before-mentioned isthmus with the view that the free transit from the one sea to the other may not be interrupted or embarrassed in any future time while this treaty exists.' In one respect it goes further than any of its successors, because it not only guarantees the neutrality of the route itself, but 'the rights of sovereignty and property' of New Granada over the entire province of Panama. It is worthy of remark that when it was sent to the senate it was accompanied by a message of President Polk, dated February 10, 1847, in which the attention of that body was especially called to these important stipulations of the thirty-fifth article, and in which it was stated, moreover, that our charge d'affaires who negotiated the treaty 'acted in this particular upon his own responsibility and without instructions.' Under these circumstances the treaty was approved by the senate, and the transit policy to which I have referred was deliberately adopted."

IN DECEMBER, '85, PRESIDENT CLEVELAND, referring to our obligations to Colombia, said: "Emergencies growing out of civil war in the United States of Colombia demanded of the government, at the beginning of this administration, the employment of armed forces to fulfill its guarantees under the thirty-fifth article of the treaty of 1846, in order to keep the transit open across the isthmus of Panama. Desirous of exercising only the powers expressly reserved to us by the treaty, and mindful of the rights of Colombia, the forces sent to the isthmus were instructed to confine their action to 'positively and efficaciously' preserving the transit and its accessories from being 'interrupted or embarrassed.' The execution of this delicate and responsible task necessarily involved police control where the local authority was temporarily powerless, but always in aid of the sovereignty of Colombia. The prompt and successful fulfillment of its duty by this government was highly appreciated by the government of Colombia, and has been followed by expressions of satisfaction. High praise is due to the officers and men engaged in this service. The restoration of peace on the isthmus by the re-establishment of the constituted government there being thus accomplished, the forces of the United States were withdrawn."

COMMENTING UPON THIS INTERESTING compilation, the World-Herald says that it does not expect to make political capital. That newspaper expresses the opinion that it is very probable that Mr. Roosevelt's filibustering expedition against a South American nation with which we are under treaty agreement, will be very popular. It insists, however, that Mr. Roosevelt's Panama policy is directly at variance with the policy which several of his predecessors said was the correct one. In spite of the fact that our present day Panama policy is one of the black spots upon our record, the World-Herald thinks that men will readily close their eyes to the evils because of the specious plea that Mr. Roosevelt's plan means "progress." The World-Herald concludes that "it will not be difficult for men to understand that we have deliberately and wantonly violated solemn treaty obligations with respect to a weak and impotent power; and we all know that with all of our boasted courage, with all of our pompous jingoism, we would not have dared to do, in our relations with a really powerful gov-

ernment, the things we have done in our dealings with this helpless South American republic."

IN THE DEMOCRATIC CAUCUS HELD AT Washington on the evening of November 7, Representative Robert Baker of New York introduced the following resolution: "Whereas, It becomes increasingly apparent that the trusts owe their existence in large part to the fact of their having been the beneficiaries of outrageous and illegal freight rate discriminations, and it is also evident that the republican party is controlled and directed by the railroad and trust magnates; and, Whereas, It is both right and expedient for the democratic party to boldly attack these monopolies, making it clear that no permanent relief from these oppressive conditions can be had until the illicit and criminal relations between the trusts and the railroads is terminated; and, Whereas, The time has come to present to the people convincing evidence that no one charged with the formulation or putting into effect of democratic principles is in any way a party to or countenances these violations of law and morals; therefore, be it, Resolved, That, regardless of the practice of the republicans, it is the sense of this caucus that its members do not accept passes or other favors from the railroads."

IT WILL BE REMEMBERED THAT MR. Baker recently attracted considerable attention because he returned to the law department of the Baltimore & Ohio railroad a pass which had been sent to him, saying that he did not believe that a congressman should accept such favors at the hands of a corporation. When Mr. Baker's resolution was introduced, one member suggested that the resolution go over until a caucus to decide on all questions of party policy could be had. Another member moved that the resolution be referred to a committee of three. On this vote Mr. Baker called for a division and the vote stood 74 votes in favor of referring the resolution and 22 votes against it. Messrs. Livingstone of Georgia, Baker of New York, and Gooch of Kentucky were appointed on this committee. The Washington correspondent for the New York Times says: "The committee in all probability will never report. If Baker can ever get them to a vote, the vote will be two to one against his resolution." It is to be hoped that the Washington correspondent for the New York Times does not speak with authority. Mr. Baker's resolution is entirely in line with democratic principles. It should have been promptly adopted by the democratic caucus and every democratic member of congress should adhere to the spirit of that good document.

IT SEEMS THAT SAN DOMINGO IS IN THE stages of another revolution, news reports from that island having for some time contained accounts of trouble between the government forces and the rebels, who, it appears, are seeking to make General Jimenez president. Recently it was reported that an American vessel had been fired upon by the Dominican cruiser Presidente while the former vessel was running the blockade at Samana, and forced to return to the capital. The United States cruiser Baltimore, which had been sent to the island, was detailed to convoy the vessel to her destination. Under date of November 7 dispatches from San Domingo reported that the town of Macoris had been bombarded by the insurgent forces and the property loss sustained was very heavy. It is feared that the various consulates on San Domingo are in the gravest danger, as no war vessels are present to protect them.

IN CONSEQUENCE OF THE FEELING against the Americans on the island, United States Minister Powell has severed diplomatic relations with the Dominican government, although the United States government has sent the cruiser Baltimore to the scene of hostilities to prevent any interference with the various American interests there. Minister Powell has cabled to the state department that the situation in the island is very serious, and a dispatch carried by the Associated press would seem to give credence to the rumor that the city of San Domingo has been captured by the insurgents and General Jimenez has been proclaimed president.