PUBLICAN NEWS ITEM CHARLES L. WING, Editor

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THE TREATY HOLD UP

QUESTION OF CONSTITUTIONAL PRO-CEDURE INVOLVED.

Action of the Senate Establishes the Precedent That Concurrence of the House Is Necessary Before Tariff Duties Can Be Changed.

There is a disposition in some quarters to criticise the United States senate for appending the clause to the Cuban treaty requiring approval by both houses of congress before the in strument shall go into effect. Senator Platt is inclined to think that too much of a concession was made to the beet sugar and tobacco growers by this action. Two members of the Repub-lican end of the foreign relations comnittee are dissatisfied because the ac-tion was taken, preferring that the matter had been left open for a deci-

sion by the courts. Aside from any questions relating to the sugar and tobacco interests in the United States, it is certain that if the change had not been made requiring approval by congress the treaty would approval by congress the treaty would not have been ratified by the rather decisive majority secured. A number of southern senators who voted for ratification would never have consened to the proposition that the presider and the senate of the United States have power to make changes in the customs laws of the country without participation by the house of repre-sentatives in the matter. It is certain also that a number of Republican san ators, some of whom have no objector to reciprocity with Cuba, would not have been willing to vote for ratifica-tion if it was to be understood that the changes in the customs laws would go into effect without sanction by the house

It is rather surprising, in view of the deep interest felt in this matter by some of the ablest men in congress that the action of the senate in post-poning the full effect of the treaty until the sense of the house of representa tives could be tested should be susjected to so much complaint in some quarters, and there are charges that it was a hold up on the part of the beet sugar and tobacco states senators to prevent and tobacco states senators to prevent the treaty being carried into effect be-fore next winter. Certainly the consti-tutional lawyers in the house who have examined the question do not segard it in that light. Regardless of any opinion as to the merits of reciprocity, these members and some of the leading senators see in the Cuban treat, as it was by some proposed to be carried out, a constitutional question of the utmost importance. They do not be-lieve that under the terms of the constitution the president and senate have power to make effective a treaty which changes the customs and revenue laws of the country unless the house ap-proves of such changes. Some of the members go even further than that and assert that the house must take the initiative in authorizing the treaty. The latter class of representative as-sert that the changes in the curron laws provided for in this reciprocity treaty will not be legal even if the house approves of the treaty now hat it has been ratified by the senate.

It has been ranned by the senate. It is by some of the best lawyers in congress regarded as a question of the utmost importance that treaties which change the revenue laws shall be made only in accordance with the terms of the United States constitution. It is believed by these representative men to be a matter of such importance bacause if it should be held that the pres ident and senate may by a treat, change the revenue and customs laws as was proposed in the Cuban treaty. there is no telling what future presi-dents and senates may elect to do in giving away the public revenues, changing the trade relations between

is country and foreign countries art-r the popular branch of congress shall nave decided, as the constitution re-quires it shall decide, what the rev-enue laws shall produce for the needs of the government. Those who look at this important question in that light record it as of more importance that regard it as of more importance that the letter and spirit of the constitution be respected in the making of treatles or laws than that reciprocity with Cuba shall be carried into effect this summer or next winter .-- A. J. D.

A Mones Needed In New Jersey. The Democratic newspapers are going to a whole lot of unnecessary trouble in their endeavor to locate a oder for the Republican party in New Jer-

The Republicans are competent to take care of themselves, a truth to which election figures of the past eight years attest.

Our Democratic friends should give all their time to the search for a Moses for their own party, which just now appears to be without head or tail .--Trenton (N. J.) Gazette.

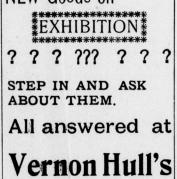
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