

## Court to consider if international treaties can apply to love spats

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WASHINGTON, Nov. 5 (UPI) -- A case that officials say began with infidelity and turned into a violation of a chemical weapons treaty will be heard this week by the U.S. Supreme Court.

Lawyers involved in the appeal contend the conviction of a woman who was part of a Philadelphia love triangle resulted from an unconstitutional extension of federal powers, ABC News reported Tuesday.

Carol Anne Bond was convicted of violating an international chemical weapons treaty after she smeared a concoction of arsenic and other chemicals on the door handle, door knobs and mailbox of former friend Myrlinda Haynes after Haynes gave birth to a child fathered by Bond's husband.

Haynes received a chemical burn on a thumb when she came in contact with the chemicals. Bond was sentenced to six years in federal prison.

Federal prosecutors charged Bond with violating the treaty under a provision that forbids having or using any chemical that can "cause death, temporary incapacitation or permanent harm to humans or animals."

Paul Clement, Bond's attorney, argued in his brief to the court the federal government had no business getting involved in what was essentially a local matter.

"Her actions did not involve chemical warfare, stockpiling chemical weapons, or any other activity the Convention prohibits signatory states from undertaking," Clement said.

"This case raises fundamental questions about whether there are any limits on Congress' authority to implement an international treaty."

Solicitor General Donald B. Verrilli Jr. said Bond's case was an example of why the treaty was enacted.

"The text and background of the underlying treaty show why states parties agreed to penalize individual malicious use of toxic chemicals," he said.

Georgetown law Professor Nicholas Quinn Rosenkranz disputed the government's contention.

"According to the solicitor general, Congress' power is not limited to the subjects listed in the Constitution; it can be increased, at will, by treaty," he said in a friend of the court brief filed in support of Bond on behalf of the libertarian Cato Institute.