

## INTERNATIONAL PRIZE COURTS

Delegates of Ten Powers Substantially Agree Upon a Code of Laws.

### ARE SOME DIFFERENCES

Japan's Proposals Brief—Those of United States and Great Britain Supported by Arguments.

London, Dec. 20.—The views of the ten powers, the delegates from which are assembled here to decide upon a code of laws for the international prize courts provided for at the last Hague conference, make a decidedly bulky volume. Some of the powers, like Japan, have submitted their proposals in brief form, while others, notably Great Britain, support their views with arguments and references to decisions which British naval courts have given in historical naval cases. The United States, too, has gone into detail on the various subjects which she thinks should receive consideration, while Germany has submitted a draft for a code of laws. The United States, Great Britain and Japan are agreed on the majority of points.

### AMERICAN PROPOSALS.

The American views include the following suggestions:

A neutral ship found within the limits of a belligerent power cannot be seized, destroyed or used for warlike purposes, but the proprietors must be indemnified.

In cases where the enemy has not observed the laws of the sea, the belligerent may be recourse to reprisals, but always in connection with the dictates of humanity.

The reprisal should not exceed in severity the offense committed, and should not be repeated after reparation has been made for the injury complained of.

All ships in the public service of the enemy are subject to capture, except those employed in purely charitable or scientific work, voyages of discovery and as hospital ships. All private vessels belonging to the enemy, except bona fide coastal fishing boats, are subject to capture, unless exempt under treaties. Military or other vessels of private ships of the enemy can be destroyed or retained for service.

Neutral ships employed in naval or military service of the enemy or placed under control of the enemy for naval or military service are subject to capture and destruction.

Warships of the United States of America can seek asylum during war in a neutral port subject to the limitations prescribed by the port authorities. Such ships must conform to the regulations of the port authorities regarding the length of stay and interval to be observed before going to sea in pursuit of an enemy, or after departure of enemies.

### NEUTRAL SHIPS.

A neutral ship carrying an enemy's dispatches is subject to seizure when acting as courier in the service of the enemy. Mail steamers under a neutral flag, carrying dispatches, whether as part of the general mail or separate, and without special contract of reparation, are not subject to seizure and should not be detained unless there is a well-grounded cause to suspect a violation of the laws of war.

To the section relating to the exemption from capture of hospital ships, it is suggested that such ships should give succor and assistance to the wounded, sick and shipwrecked of the belligerents without distinction of nationality.

### HOSPITAL SHIPS.

Belligerents should have the right to control the movements and visit hospital ships.

Merchant ships, yachts or neutral vessels carrying or picking up wounded, sick or shipwrecked, should not be captured on account of such acts, but should still be subject to capture for any violations of neutrality that they may have committed. Merchant ships under escort of warships of their own nationality should be exempt from the right of search on proper assurances being given by the commander of the convoy.

The American views also contain proposals as to contraband and the methods of blockading which are similar to those put forth by Great Britain in a more extensive manner.

### BRITISH CASE.

The British case follows on decisions of British prize courts and describes as contraband neutral property on board ship on the high seas or in the territorial waters of either belligerent. First, which by its nature is capable of being used to assist in, and second, on the way to assist in, naval or military operations. In deciding whether the second of these conditions has been fulfilled, it is contended that the court must distinguish between goods primarily used in war and goods used in either peace or war.

The destination of the cargo should be presumed to be that of the ship, and if a ship calls at more than one port, unless proof to the contrary is produced, the port most favorable to the neutral should be presumed to be the destination of the cargo, which would then be contraband. If it is proved that contraband cargo has an ulterior and hostile destination different from that of the ship, the destination of the cargo should not protect it. It is also held that a ship carrying contraband should be liable to seizure at any moment throughout the whole course of her voyage so long as she is on the high seas or belligerent waters, and

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When your stomach goes on a strike and mass meetings of indigestion are held all over your body, then it is that you should sit up and take notice. It is clearly and only a question of common sense—is this thing called Dyspepsia. Take away, by abuse, over eating, excesses and high living, the things which the stomach needs, and you have dyspepsia and indigestion; then other maladies follow these—this is common sense.

The stomach is willing enough but you won't let it do its work. You take away the materials which are so necessary for it to use.

Give back these materials and dyspepsia and indigestion flee and the whole machinery of man begins slowly to move and do its work.

What the stomach needs is nerve force, fluids for its digestive glands, nourishment and power. All these ceaseless it takes from the food. If dyspepsia gives nothing to the blood, the blood gives nothing to the stomach. This is common sense also, pure, simple and unalloyed.

Stuart's Dyspepsia Tablets are common sense pressed by high power into tablets. In these tablets are powerful essences which go into the stomach, digest food, stop gas making, prevent decay of food, enrich the blood and thus give it strength to furnish a better fluid for digesting the next meal.

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her liability to seizure should not be affected by the fact that she intended to touch at some neutral port before reaching her destination. When a ship has been discharged, however, liability to seizure should be at an end.

### RIGHT OF SEARCH.

The right to search a merchant vessel when under convoy of a neutral warship is provided in the British statement. It is held that a neutral ship should not be entitled to resist search by a belligerent warship on the ground that she is under convoy of a warship of her own nationality. Forcible resistance by her or by the neutral warship should be ground for condemnation of both ship and cargo.

In regard to blockade the British government is opposed to the removal of neutral vessels held in for a blockade force may be disposed at any distance from the ports or coasts of the enemy that the naval commanders think necessary, providing it is not so placed as to obstruct access to a neutral seaboard.

On the question of the right to seize a neutral ship carrying cargo to a neutral port, which cargo is intended ultimately for the enemy, the British admiralty says:

"Great Britain has never raised any objection to the condemnation of goods on a British ship seized while on the way to a neutral port, where it had been proved that the goods were to be transhipped from the neutral port to an enemy's territory."

### BELLIGERENT CAPTORS DUTY.

Great Britain strongly holds to her contention, raised during the Russo-Japanese war, that it is the duty of a belligerent captor to bring in for adjudication by a prize court any merchant vessel which has been seized. Where this is impossible, the captured vessel, if she is an enemy's ship, may be destroyed after due notice, but if her nationality is neutral, or if there is any doubt of her nationality, she should be dismissed, for her destruction cannot be justified as being necessary on the part of the belligerent.

The conversion of merchant vessels into warships on the high seas is a question to be discussed, Great Britain thinks, by reference to the rights of neutral ships.

"It is essential," the British government says, "that there should be no possibility of doubt of the ship's being entitled to exercise the right of search and seizure, limited to ships known to be public ships of the belligerent fighting fleet."

Japan differs with Great Britain only on one question, and this in respect to the right of search of a neutral vessel under convoy of a warship of her own nationality. On this Japan holds:

"A neutral vessel under convoy of a vessel of war of her own nationality is exempt, except in cases of grave suspicion, from a belligerent visitor search if the commander of the convoy makes a declaration in writing to the effect that the vessel under convoy has no contraband on board, is not engaged in an attempt to violate a blockade, is not performing un-neutral service for the belligerent and that the ship's papers are in order and complete."

FROM THE HOUR OF BIRTH Mothers should use only Cuticura Soap for baby's tender, easily irritated skin.

There are a few tables left at the Louvre for Christmas eve and New Year's eve, but if you wish to reserve one, you must telephone today. Admission by card only on these nights. Water Vasant was so long connected."

### "JAPANESE INVASION."

San Francisco Asiatic Exclusion League Will Call Mass Meeting.

San Francisco, Dec. 21.—O. A. Tveitmoore of the Asiatic exclusion league at a meeting of that body yesterday called attention to the figures on Japanese immigration furnished by Secretary of Commerce and Labor Strauss in the latter's annual report, declaring that they were wrong and misleading. The report states that arrivals in 1908, amounted to 9,544; departures, 5,718. Tveitmoore offered figures compiled from monthly revenue reports which showed arrivals to have been 15,800. It was decided to call a mass meeting of all persons in the state who are interested to protest against the "Japanese invasion."

### RARE ARCTIC BIRD FOUND.

San Francisco, Dec. 21.—As the result of the cold snap of last week Golden Gate park museum has come into possession of a Townsend warbler, one of the rarest of arctic birds. The bird was found yesterday lying dead in one of the paths of the park by a gardener, who took it to Curator W. G. Blunt of the natural history section of the museum. During the migratory season the warbler is found between the Pacific coast and the Rocky mountains and nowhere else.

### NIAGARA FALLS "DRY."

Niagara Falls, N. Y., Dec. 21.—Niagara Falls usually so lenient toward the tourist on the Sabbath, was quieter yesterday than any day in its history. Pursuant to an order from Mayor Douglass all saloons, bars, barber-shops and other places of business were tightly closed to the recent agitation by the common council against gambling is said to have caused a revival of the blue laws for the time being, at least.

## WESTERN UNION ROBBED BY SYSTEM

Investigation Shows That it Has Lost Hundreds of Thousands of Dollars.

### OPERATORS IN COLLUSION.

Appear to Have Been Those on the Railroads—One Arrested, Confesses Whole Scheme.

Portland, Ore., Dec. 20.—A systematic investigation by the Western Union Telegraph company, carried on during the past six months, has disclosed an organized system of theft among railroad operators on the Pacific coast by reason of which the telegraph company has been robbed of an amount estimated at several hundred thousand dollars, according to a statement made tonight by an official of the company, who is in charge of the investigation.

Complaints made in several instances that messages filed at certain stations had not been sent or delivered and the falling off of receipts at other places on railroad lines caused the Western Union of officials to institute a thorough investigation.

A secret service was organized and it was discovered that in some instances 60 per cent of the money received for messages filed at railroad offices never reached the telegraph company. The telegrams with but few exceptions were properly transmitted and delivered, but all records of the dispatches so far as reports and book-keeping pertained had been destroyed. Following the discovery and proof of these warrants were obtained for the arrest of several operators in the state of Washington, and it is alleged by officials of the company that at least one of the arrested men has confessed. The arrested man will be brought to trial shortly after the first of the year.

According to the information gathered by the telegraph company systematic collusion in the robbery existed among certain railroad operators, in some offices the thefts, it is asserted, aggregated several hundred dollars a month and officers of the company believe that during the past year the total of the sums stolen will exceed \$200,000.

Only railroad operators are said to be involved in the robberies.

### ARREST AND CONFESSION.

San Francisco, Dec. 20.—L. N. Miller, Jr., general superintendent of the western division of the Western Union Telegraph company, stated tonight that the alleged perpetrators of railroad operator thefts in the northern district of his division had been under investigation for some time, but appeared to be confined to a few men on the Northern Pacific railroad.

Only one arrest has been made so far, that of an operator at Ritzville, Wash., who has been held to answer for trial in the superior court for appropriating to his own use money he received for telegrams," said Mr. Miller. "This man has confessed and implicated half a dozen other operators. Just how far the conspiracy extends we have not ascertained, but I think that the loss to the company is small and the peculations seem to be confined to the Northern Pacific line."

The operators transmitted the messages as given them all right, but failed to account to the telegraph company for the money received for the telegrams. This was done through an understanding or conspiracy between certain operators by which the office receiving a telegram failed to 'check' the amount against the 'sending' office, neither office taking any account of the messages in their bookkeeping and reports for the company, thereby destroying all records of the business and dividing the amounts received, though the telegrams were generally properly transmitted and delivered. The legal department of the company has taken charge of the matter."

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Doan's Regulets cure constipation, tone the stomach, stimulate the liver, promote digestion and appetite and ease passages of the bowels. Ask your druggist for them. 25 cents a box.

### THE INAUGURAL BALL.

Where it Shall Be Held is Worrying Washington.

Washington, Dec. 21.—Where shall the inaugural ball be held? This is the question which is agitating the minds of the inaugural committee and society folk here. For many years past this has been the crowning feature of the inauguration into office of a new president, but four years ago Congress very reluctantly gave its consent to the use of the pension office building and followed this action up by adopting a resolution that the building should not be again put in disorder for such a purpose.

To properly prepare the structure for the event means the removal from the great court of millions of valuable records besides the almost complete cessation of the government business for no less than 20 days by the army of clerks who daily pass upon pension cases.

There already is afoot a movement, however, to utilize the building as in the past for the ball and the house

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**SICK HEADACHE**

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committee on the District of Columbia after the holidays will bring in a resolution to that end. Under the temper of Congress has undergone a radical change in the last four years the resolution will meet with defeat.

The only other building in the city where the ball could be held is the new National museum, now nearing completion, but this structure, because of the absence of a court such as the pension building would lessen the brilliancy of the function by confining the guests to the corridors.

The receipts from the inaugural ball in the past have gone toward paying the expenses of the inauguration and the matter, therefore, has become one of serious moment.

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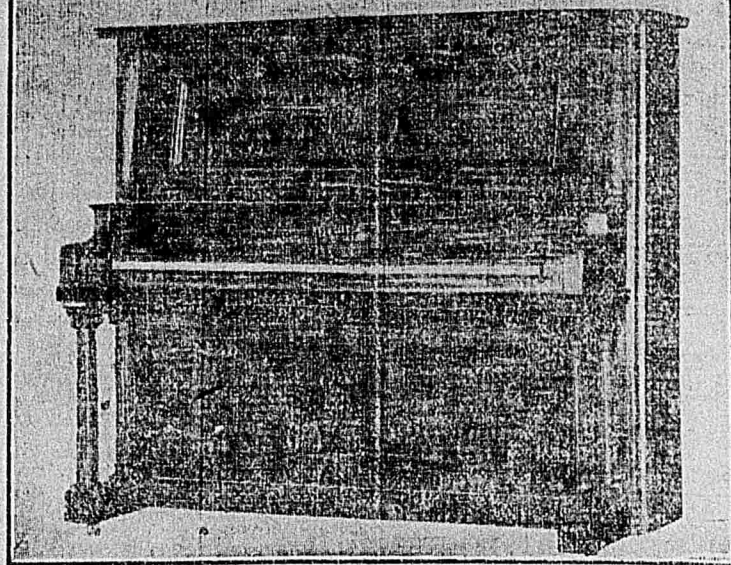
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