

# MAILS MUST HAVE ALL RIGHTS AT SEA

United States Sends Plain Note to Great Britain and France Concerning Interceptions.

## PRESENT PRACTICE ILLEGAL

Washington, May 27.—The United States, denouncing interference with neutral mails, has notified Great Britain and France that it can no longer tolerate the wrongs which American citizens have suffered and continue to suffer through the "lawless practice" those governments have indulged in, and that only a radical change in policy, restoring the United States to its full rights as a neutral power will be satisfactory.

This notification is given in the latest American communication to the two governments, the text of which was made public by the State department tonight. The time in which the change must be effected is not specified, but the United States expects prompt action.

**What is Complained Of.**  
"Onerous and vexatious" abuses which have been perpetrated by the British and French governments in seizing and censoring neutral mails are recited in the communication and answers are made to the legal arguments contained in the reply of the entente governments to the first American note on the subject. It is vigorously set forth that not only have American commercial interests been injured, but that the rights of property have been violated and the rules of international law and custom palpably disregarded. Notice is served that the United States soon will press claims against the British and French governments for the losses which already have been sustained.

**Text of Note.**  
The text of the communication addressed to the British and French ambassadors to whom it was delivered Wednesday, follows:

Department of State, Washington, May 24, 1916.—"Excellent: I have the honor to acknowledge receipt of your excellency's note of April 3, last, transmitting a memorandum dated February 15, 1916, and communicated in substance to the American ambassador in London on February 28, in which are stated the contentions of the British and French governments in regard to the right to detain and examine parcel and letter mails en route by sea between the United States and Europe.

After a discussion of the use of the mails for transmission of parcels and of the limitations to be placed on "inviolable mail," the joint memorandum of February 15 closes with the following assertions:

1. That from the standpoint of the right of visitation and eventual arrest and seizure, merchandise shipped in post parcels needs not and shall not be treated otherwise than merchandise shipped in any other manner.

2. That the inviolability of postal correspondence stipulated by the eleventh convention of The Hague of 1907 does not in any way affect the right of the allied governments to visit, and if occasion arises, arrest and seize merchandise hidden in the wrappers, envelopes or letters contained in the mail bags.

3. That true to their engagements and respectful of genuine "correspondence" the allied governments will continue for the present to refrain on the high seas from seizing and confiscating such correspondence, letters or dispatches, and will insure their speediest possible transmission as soon as the sincerity of their character shall have been ascertained.

### Interference Unwarranted.

In reply, the government of the United States desires to state that it does not consider that the Postal Union convention of 1906 necessarily applies to the interference by the British and French governments with the overseas transportation of mails of which the government of the United States is complaining. Furthermore, the allied powers appear to have overlooked the admission of the government of the United States that post parcels may be treated as merchandise subject to the exercise of belligerent rights as recognized by international law. But the government of the United States does not admit that such parcels are subject to the "exercise of the rights of police supervision, visitation and eventual seizure which belongs to belligerents as to all cargoes on the high seas" as asserted in the joint note under acknowledgment.

### What May Be Searched.

It is noted with satisfaction that the British and French governments do not claim, and in the opinion of this government properly do not claim, that their so-called "blockade" measures are sufficient grounds upon which to have a right to interfere with all classes of mail matter in transit to and from the central powers. On the contrary, their contention appears to be that "as genuine correspondence" is under conventional stipulation "inviolable," mail matter of other classes is subject to detention and examination. While the government of the United States agrees that "genuine correspondence" mail is inviolable, it does not admit that belligerents may search other private airmail mails for any other purpose than to discover whether they contain articles of enemy ownership carried on belligerent vessels, or articles of contraband transmitted under sealed cover as letter mail, though they may intercept at sea all mails coming out of and going into ports of the enemy's coasts which are effectively blockaded. The government of the United States, Great Britain and France, however, appear to be in substantial agreement as to principle. The method of applying the principle is the chief cause of difference.

### Practice Substantive.

Though giving assurance that they would give genuine correspondence the same treatment as they will give to other mail, the allied governments appear to be in substantial agreement as to principle. The method of applying the principle is the chief cause of difference.

### Practice Substantive.

Though giving assurance that they would give genuine correspondence the same treatment as they will give to other mail, the allied governments appear to be in substantial agreement as to principle. The method of applying the principle is the chief cause of difference.

own ports or they induce shipping lines, through some form of duress, to send their mails via British ports, or they detain all vessels merely calling at British ports, thus acquiring by force or unjustifiable means an illegal jurisdiction. Acting upon this enforced jurisdiction the authorities remove all mail, genuine correspondence as well as post parcels and take them to London, where every piece, even though of neutral origin and destination, is opened and critically examined to determine the sincerity of their capture, in accordance with the interpretation given that undefined phrase by the British and French censors. Finally the expurgated remainder is forwarded, frequently after irreparable delay, to its destination. Ships are detained en route to or from the United States or to or from other neutral countries, and mails are held and delayed for several days and, in some cases, for weeks and even months, even though not routed to ports of north Europe via British ports.

### Offense is Flagrant.

This has been the procedure which has been practiced since the announcement of February 15, 1916. To some extent the same practice was followed before that date calling forth the protest of the government of January 4, 1916. But to that protest the memorandum under acknowledgment makes no reference and is entirely unresponsive. The government of the United States must again insist with emphasis that the British and French governments do not obtain rightful jurisdiction of ships by forcing or inducing them to visit their ports for the purpose of seizing their mails, or thereby obtain greater belligerent rights as to such ships than they could exercise on the high seas; for there is, in the opinion of the government of the United States no legal distinction between the seizure of mails at sea, which is announced as abandoned, and their seizure from vessels voluntarily or involuntarily in port. The British and French practice amounts to an unwarranted limitation of the use by neutrals of the world's highway for the transmission of correspondence. The practice actually followed by the allied powers must be said to justify the conclusion, therefore, that the announcement of February 15, was merely notice that one illegal practice had been abandoned to make place for the development of another more onerous and vexatious in character.

### Violates Spirit and Letter.

The present practice is a violation not only of the spirit of the announcement of February 15 but of the rule of The Hague convention upon which it is concededly based. Aside from this, it is a violation of the prior practice of nations which Great Britain and her allies have in the past assisted to establish and maintain, notwithstanding the statement in the memorandum that "as late as 1907 the letters and dispatches themselves could be seized and confiscated." During the war between the United States and Mexico, the United States forces allowed British steamers to enter and depart from the port of Vera Cruz without molesting the mails intended for inland points. During the American civil war Lord Russell endeavored to induce the United States to concede that "Her Majesty's mail on board private vessel should be exempted from visitation or detention." This exemption of mails was urged in October, 1862, in the case of British mails on board the Adela. On October 31, Secretary Seward announced that "public mails of any friendly or neutral power duly certified and authenticated as such, shall not be searched or opened, but be put as speedily as may be convenient on the way to their destination." In accordance with this announcement the government of the United States in the case of the British steamship Peterhoff, which had been seized with her mails against the protest of her majesty's government, had her mails forwarded to destination unopened.

### Followed in Other Wars.

The same rule was followed by France, as I am advised, in the Franco-Prussian war of 1870; by the United States in the Spanish-American war of 1898; by Great Britain in

the South African war; in the case of the German mail steamers Bunsenrath and General; by Japan and substantially by Russia, in the Russo-Japanese war of 1904. And even in the present war, as the memorandum of Great Britain and France states, their enemy, Germany, has desisted from the practice of interfering with neutral mails, even on board belligerent steamers. This is illustrated by the case of the French steamer Florida, captured by the auxiliary cruiser Eitel Friedrich, cited by the British and French governments in support of their argument regarding parcel mails. In this case, the letter mails of the Florida, amounting to 144 sacks, were forwarded to their destination by the commander at the first opportunity on arriving in the United States. It would seem, therefore, to be conclusively established that interference with mails of which this government justly complains are wrong in principle and practice.

### Brings Disaster to Americans.

The arbitrary methods employed by the British and French governments have resulted most disastrously to citizens of the United States. Important papers which never can be duplicated, or can be duplicated only with great difficulty, such as United States patents for inventions, rare documents, legal papers relating to the settlement of estates, powers of attorney, fire insurance claims, income tax returns, and similar matters have been lost. Delays in receiving shipping documents have caused great loss and inconvenience by preventing prompt delivery of goods. In the case of the MacNiff Horticultural company of New York, large shipments of plants and bulbs from Holland were, I am informed, frozen on the wharves because possession could not be obtained in the absence of documents relating to them which had been removed from the Nieu Amsterdam, Oosterdyk, and Rotterdam. Business opportunities are lost by failure to transmit promptly bids, specifications and contracts. The Standard Underground Cable company of Pittsburgh, for example, sent by a mail tender and specifications for certain proposed electrical works to be constructed in Christiania; after several weeks of waiting, the papers having failed to arrive, the American company was told that the bids could not be longer held open and the contract was awarded to a British competitor. Checks, drafts and money orders, securities and similar property are lost or detained for weeks and months.

### Bother for Government.

Business correspondence relating to legitimate and bonafide trade between neutral countries, correspondence of a personal nature, and also certain official correspondence, such as money order lists and other matters forwarded by government departments are detained, lost or possibly destroyed. For instance, the postmaster-general informs me that certain international money order lists from the United States to Germany, Greece and other countries, and from Germany to the United States, sent through the mails, have not reached their destination, though despatched several months ago. It was necessary to have some of these lists duplicated and again dispatched by the steamship Frederick VIII, which sailed from New York on April 19, and from which all the mails intended for Germany have been taken and held in British jurisdiction.

As a further example of the delay and loss consequent upon the British practice, the postmaster general also sends me a copy of a letter from the British postal administration, admitting that the mails were removed from the steamer Medan in The Downs on July 30, last, and not forwarded until some time "between February 2 and March 2," and that 182 bags of these mails "were lost during transmission to Holland on February 26, by the Dutch steamship Mecklenburg." The Medan arrived safely at Rotterdam a day or two after it left The Downs.

### Will Claim Reparation.

Numerous complaints similar to the foregoing have been received by this government, the details of which are available, but I believe I have cited sufficient facts to show the unprecedented and vexatious nature of the interference with mails persisted in

by the British and French authorities. Not only are American commercial interests injured, but rights of property are violated and the rules of international law and custom are palpably disregarded. I can only add that this continuing offense has led to such losses to American citizens and to a possible responsibility of the United States government to repair them, that this government will be compelled in the near future to press claims for full reclamation upon the attention of his majesty's government and that of the French republic.

The principle being plain and definite, and the present practice of the governments of Great Britain and France being clearly in contravention of the principle, I will state more in detail the position of the government of the United States in regard to the treatment of certain classes of sealed mails under a strict application of the principle upon which our government seem to be in general accord.

### The government of the United States is inclined to the opinion that

the class of mail matter, which includes stocks, bonds, coupons and similar securities, is to be regarded as of the same nature as merchandise or other articles of property and subject to the same exercise of belligerent rights.

Money orders, checks, drafts, notes, and other negotiable instruments which may pass as the equivalent of money are, it is considered also to be classed as merchandise.

Correspondence, including shipping documents, money order lists, and papers of that character, even though relating to "enemy supplies" or "exports," unless carried on the same ship as the property referred to, are, in the opinion of this government to be regarded as "genuine correspondence" and entitled to unmolested passage.

### Cannot Tolerate Practice.

The government of the United States confident in the regard for international law and the rights of neutrals which the British and French governments have so often proclaimed and the disregard of which they have urged so vigorously against their enemies in the present war, expects

the present practice of the British and French authorities in the treatment of mails from or to the United States to cease, and belligerent rights as exercised to conform to the principle governing the passage of mail matter and to the recognized practice of nations. Only a radical change in the present British and French policy, restoring to the United States its full rights as a neutral power will satisfy this government.

Manifestly a neutral nation cannot permit its rights on the high seas to be determined by belligerents, or the exercise of those rights to be permitted or denied arbitrarily by the government of a warring nation. The rights of neutrals are as sacred as the rights of belligerents and must be as strictly observed.

The government of the United States confident in the regard for international law and the rights of neutrals which the British and French governments have so often proclaimed and the disregard of which they have urged so vigorously against their enemies in the present war, expects

the present practice of the British and French authorities in the treatment of mails from or to the United States to cease, and belligerent rights as exercised to conform to the principle governing the passage of mail matter and to the recognized practice of nations. Only a radical change in the present British and French policy, restoring to the United States its full rights as a neutral power will satisfy this government.

I have, etc.  
ROBERT LANSING.  
BOY STRUCK BY AUTO IS SLIGHTLY INJURED

Frank Larosa, age 7 years, who lives with his parents at 1110 North Seventeenth street, was run down by an automobile driven by Walter Petersen, 4102 Izard street, as he was about to cross the street at Sixteenth and Douglas streets late yesterday afternoon, sustaining severe bruises and lacerations about the face and head.



# Overland

## Real Comfort for Seven

Canvass the world and you will not find as big a car as the Overland Six at anywhere near so low a price, \$1145.

You who prefer seven passenger capacity, must pay a heavy excess in price to get so much real seven passenger comfort in any other car.

And to back up its big roomy seven passenger carrying capacity there is the powerful six cylinder Overland motor.

Take your full quota of seven big passengers and see how smoothly and easily, without a sign of effort, your powerful motor speeds away with even an overload.

Slow down to a crawl—don't touch the gear shift—keep it in high—but just touch your accelerator.

Without a tremor, smoothly, easily, swiftly, you acquire any desired speed.

That's genuine six cylinder pick-up—a big outstanding Overland Six fact.

And it's that big fact about this big car that makes its price, \$1145, so small in comparison.

Overland four cylinder models will "pick up" with many another six.

Our only purpose in building a six at all is to supply with genuine Overland finality and economy that extremist demand for the luxury of bigness and lightning fast pickup.

Overland production—double that of any other builder of cars of like class—makes possible the unapproached value which you get in so big and exceptional a car at so low a price—\$1145.

Have the Overland dealer overload the six and demonstrate its comfort and lightning fast pickup.

You cannot equal it for anywhere near the price.

### Overland Omaha Company

J. R. JAMISON, President.  
Douglas 2643. 2047-2049 Farnam St., Omaha.

The Willys-Overland Company, Toledo, Ohio  
"Made in U. S. A."

# SAXON

## Strength Economy Service

IN Saxon "Six" you note the quality refinements formerly found only on the expensive cars. Timken axles and Timken bearings throughout the chassis—and Timken stands for the best in this part of a motor car. Two-unit starting and lighting system. Helical bevel driving gears—they banish noise and friction. Yacht-line body—of marked beauty. Handsome everlasting finish of superb lustre. 112 inch wheelbase. Plenty of room both in front and rear seat. At its price—\$815—Saxon "Six" is the greatest dollar for dollar value in its field.

**Noyes-Killy Motor Company**  
2066-68 Farnam St., Omaha

## I WILL SELL YOU A NEW AUTOMOBILE ON EASY PAYMENTS

Don't buy a cheaper car than you want just because you lack a part of the money to pay for it.

I will furnish you what money you need and you can repay me in monthly payments.

Get the car of your choice now, before material prices force an advance in price. Enjoy your car at once and I will make the payments as reasonable as possible with 6 per cent interest.

You may have a demonstration Sunday if you desire it.

Call me by phone and we'll talk it over.

Phone Doug. 1563 "BURNETT" 326 Ross Bldg.  
"The Easy Payment Automobile Man"  
Sunday and Night Phone, Harney 4205.

## Remember there is a patented improvement in the SUPER-SIX

It is one of the greatest of all motor discoveries. For years automobile engineers sought for it. Hudson engineers developed it only last summer. It cannot be copied. It cannot be imitated. It can be had only in the Hudson Super-Six.

### GUY L. SMITH

"Service First"

2563-67 Farnam St., Omaha Phone Douglas 1970