

PRECEDENT FOR WARFARE

Reputation of Principle of Equality for Creditor Nations.

London, February 24. Sir Robert Finlay has received communications from the Hague for the purpose of justifying the decision of the court of arbitration in the Venezuela case has been based upon principles laid down by him in his closely reasoned argument. He is complimented at once by the English press for having vindicated the memory of the late Sir Michael Herbert and for having obtained from the international arbitration tribunal a reputation of Mr. Bowen's views respecting the equality of creditor nations. Technical practice and with principles of equity. The arbitrators have been close constructionists of the protocols signed at Washington after the agreement which put an end to the blockade. The three allied powers, according to the formal judgment, had obtained in their agreement with the Venezuelan government recognition of the justice of their claims, and had no intention of renouncing the rights and privileged position which they had acquired by becoming "parties to the protocols." "It was to the blocking powers," remarks "The Times," "that Venezuela offered special guarantees for the fulfillment of her engagements, and good faith, the tribunal declared, made it incumbent upon them to construe the phrase 'all claims' in the purporters as confined to the claims of the allies." This is favorably commented upon as a common sense view of the matter, and the arbitrators are praised for their sagacity in brushing aside irrelevant issues.

The English censors, in their dislike of Mr. Bowen's abrupt diplomacy, overlook some of the consequences which must follow this new precedent in international law. One is the necessity for prompt employment of naval force by all creditor nations whenever the signal is raised for an international process of distraint for debt. If Germany, for example, decides to take up the interests of creditors against Honduras or any other Spanish-American country defaulting in financial obligations, England must at once join in the belligerent operations in order to protect the claims of her own subjects. Otherwise Germany alone will acquire de facto the privileged position by virtue of seizing a few customs vessels and firing shots at a crumbling Spanish-American fort. This is the practical inference which is to be drawn from the Venezuela case. Germany, Great Britain and Italy united in the preferential treatment to the extent of a payment of \$380,000 outright. Not satisfied with that treatment, they demanded preferential treatment for their remaining claims out of the 30 per cent of the total income of the ports of La Guayra and Puerto Cabello; and the arbitrators now affirm that they are entitled to it, because they had acquired priority of rights by virtue of the belligerent operations, whereas the neutral powers retained their previous status and had not obtained fresh rights. Germany, which secured \$325,000 of the first payment for claims presented, but not examined, now enjoys with England and Italy the distinction of being a preferred creditor on all remaining claims. This favored position is held with the sanction of the arbitrators, notwithstanding the explicit declaration of the Venezuelan government in the agreement with the belligerent power that "it is distinctly understood that the said 30 per cent will be given exclusively to meet the claims mentioned in the recent ultimatums of the allied powers and the unsettled claims of other nations that existed when the said ultimatums were presented." The double preference created by this so-called pacific blockade must influence all creditor nations hereafter. They will all be represented by gunboats or cruisers when debts are to be collected.

From one point of view this decision is to be commended. It will enforce the necessity for honesty in dealing with foreign creditors, since debtor countries, especially in Spanish America, will be exposed to combined attacks from European squadrons whenever they evade their financial responsibilities. Neither the United States nor any other maritime power can afford to keep its warships out of action if any foreign flag covers an ultimatum and a menace of bombardment or blockade. Every navy will be represented in the next process of debt collecting, since equality has ceased to be equity and a government which attempted to deal fairly with all its creditors has been ordered by the Hague Tribunal to recognize the superior legality and more impressive morality of physical force and to accord preferential treatment to the belligerent nations. The precedent may be a strange one to come from a court established by a peace congress, but it will be a warning to defaulting governments to pay their debts under penalty of having their coasts blockaded by the warships of all maritime nations. They may be convinced that honesty is the best policy for nations, as for men, when they appreciate the full force of the argument from the records of the international tribunal of arbitration that bombardment creates a de facto preference and that neutrality is not a safeguard against depreciation of valid claims. Certainly a moral of some kind needed enforcement when so many debtor countries were repudiating their financial obligations and paying high rates of interest.

On another ground the decision is more objectionable. It is a warrant for de facto preference for the claims of a belligerent power when there is no recognized system of classification of creditors' liens. I recollect that Lord Avebury, who, as the president of the corporation of foreign bondholders, was instrumental in effecting settlements of foreign debts aggregating \$5,000,000,000, may be considered an expert, complained that there was neither logic nor justice in the method of classification adopted by the British government in arranging its claims against Venezuela. One of his grievances was that bondholders were discriminated against because they had submitted to considerable losses and accepted bonds in settlement of guaranteed claims, whereas industrial companies and other claimants representing unguaranteed and unsettled enterprises were allowed a preference. He argued with much force that the status of English investors with valid claims, for which Venezuela had never disclaimed responsibility, had been left by the government worse than it was before. This contention gained force heavily when the claims of the British and German governments were critically examined. Third class German claims were ranked with English liens of unquestioned validity, and all by the terms of the decision of the Hague Tribunal have been accorded a preference over the claims of American, French and other creditors, whose interests were not protected by a few shots at the ruined fortresses of the Spanish Main or by the seizure or sinking of Venezuelan craft. If the entire external debt of Venezuela had been referred to financial experts under the supervision of the Hague Tribunal for classification and settlement, a great work of justice might have been accomplished and safeguards established for the protection of thousands of investors. As it is, there is a precedent for preference for the unclassified claims of any country whose government sends out a warship with drastic orders, and unfair distinctions are drawn to the disadvantage of bondholders of other nations.

Although Muraviev, as president of the arbitration court, described it as "the bulwark of justice, truth and reason, and the sublime hope of the future," it is hardly possible for English moralists to find evidence in this instance that it has operated as an instrument of pacific civilization. When they have said that it is only reasonable that creditors who have been put to trouble and expense ought to have some consideration over and above creditors who have not done anything, they have nothing left in reserve except abuse of Mr. Bowen, whose manners they have condemned as brusque and his methods as undiplomatic. They are forced to admit that the Anglo-German alliance for the coercion of Venezuela was not a transaction which excited enthusiasm or satisfaction in England, and they unite in expressing the hope that enterprises of this kind will be avoided in future. The negotiations of Lord Lansdowne, however, when supplemented by the pleadings of Sir Robert Finlay, have established the preference for belligerents who enforce the payment of creditors' claims; and whenever Germany sets another squadron in motion against a delinquent Spanish-American state, England will have to co-operate with it in order to protect the interests of British investors. The German Emperor, who wanted a precedent for future operations in the Western Hemisphere, has obtained it from the court of arbitration with the help of the British government. He will now be able to prove, whenever he likes, how useful a navy can be for purposes of debt collection and what a remunerative national investment it can be when it is employed in doubling the value of money lenders' and bondholders' claims.

Mr. Bowen was harshly condemned in England when he said, in January, 1903: "If I recognize that brute force alone can be respected in the collection of claims, I should encourage other nations to use it also." The Hague Tribunal has rejected his plea that all creditors should be placed upon the basis of exact equality and that all claims ascertained to be just should be dealt with without preference. It has encouraged Germany, England, Italy, France and other maritime nations to make use of coercion whenever there are financial defaults abroad and has warned governments which are more scrupulous in the employment of their admirals as belligerents and process servers that they will be outclassed and forced to pay penalties for abstention from hostilities. Mr. Wayne MacVeagh, in his able argument at the Hague, contended that a decision in favor of equality of payment would help to keep the nations of the earth in the paths of peace and justify the aspirations of the statesmen and diplomatists of the conference called by the Czar. The arbitrators named by the Czar have rendered a decision which will multiply naval blockades and warlike policies instead of promoting the ends of peace. It will also enable European governments to harass and intimidate the circle of Spanish-American republics which have been corrupted and debauched by the credulity and recklessness of money lenders and investors.

Books and Publications.

"I never saw a book start out better," said one of the biggest jobbers of

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The 10,000 received last Friday are practically exhausted—50th thousand now in press. The critics have an explanation: Miss Glasgow has really written "the best American novel of recent years." (\$1.50.)

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AUCTION SALES.

MORTGAGE SALES.—T. Horkimer, Auctioneer, sells this day, March 4, at 9 a. m., at 1254 West 125th st., lot of pianos and materials, machinery, fixtures, furniture, etc., by order of mortgagee.

BILLIARD AND POOL TABLES. MANUFACTURERS of billiard and pool tables; high grade bowling alley builders; lowest prices. MARX BROS., 24 Union Square.

BOARD AND ROOMS. HOME for two or three persons; refined family; near West End-ave. and 83d st. Interview, GARDNER, 1409 Broadway, upstairs.

WEST END-AVE., 879, corner 103d-st.—Delightful large apt. with bath, hot or cold water; superior table; refined surroundings.

THE MADISON, 694-696 Madison-ave.—Fines, large, cheerful rooms, with bath for two; hot and cold water; large closets; table board, third floor suite; three rooms; will divide.

127 WEST 127th ST.—Furnished rooms with board; French table d'hôte; all improvements. Telephone call 79 J. Callings.

MACHINERY. AT REDUCED PRICES.—500 second hand and iron working machines; fully guaranteed; machinery bought and exchanged. GEO. B. BROWN, 125 Broadway.

CARPET CLEANING. N.Y. CARPET CLEANING CO. Oldest, Largest, Most Modern. 432 Broadway, New York City. Tel. 211-3333. Established 1857. W. H. JORDAN, B. LEVITZ.

J. & J. W. WILLIAMS, 353 W. 54th ST. Tel. 2555. CARPET CLEANING. Established 1875. CAREFUL CARPET CLEANING CO. Cleans by compressed air, steam, hot or cold water. 150 Broadway, East 45th-st. COZ & BRANDT, Tel. 132-35th.

W. WILLIAMS & SON, Tel. 2555. 210 W. 77th-st. Carpet cleaning. Send for circular.

DRESSMAKING. A.—DRESSMAKING.—Miss CULLY, 104 West 43rd-st., first class, up to date dressmaking, alterations, etc. Mrs. CULLY, 104 West 43rd-st., first class, up to date dressmaking, alterations, etc.

DESIGNER.—By artistic designer on shirt waives; has all advanced styles on hand; ladies' wear material made up; will call. RHEIMER, 50 East 125th-st.

DRESSMAKER.—Latest styles street and evening gowns; waives \$5 up; suits, \$8 up; home or office dressmaking. 126 West 104th-st. Tel. 132-35th.

DRESSMAKER.—Competent; latest styles evening and reception gowns; out by day or work at home; late of Donovan's, 945 Broadway. Tel. 132-35th.

DRESSMAKER.—Artistic tailor made gowns, spring gowns for all occasions; alterations, alterations, etc. Mrs. SCHMIDT, 126 West 104th-st. Tel. 132-35th.

WORK WANTED.

COMPANION.—A lady (Swiss), certified teacher, speaking perfectly French, German and English, music, etc. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

LADY, experienced office clerk; very anxious for position; jewelry house preferred. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

PROOFREADER, accurate and rapid, desires work at home. Address: Mrs. A., 235 West 23d-st.

STENOGRAPHER, typewriter, bookkeeper, etc. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

STENOGRAPHER and TYPEWRITER.—Ten months' experience; salary \$7 to start; home or office work. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

STENOGRAPHER, typewriter, assistant bookkeeper; experienced; salary \$6 to start. Miss C. S., 440 35th-st., Brooklyn.

TYPEWRITER.—Two experienced young women; typewriter, bookkeeper, etc. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

WOMAN for sewing and altering of carpets and making over furniture; out by the day. Address: FURNITURE, 157 East 125th-st.

WORK WANTED. ACCOUNTS straightened up; books written up and kept by expert bookkeeper, regularly. Address: S. CHILDS, 105 West 104th-st. Tel. 132-35th.

A (HOLLANDER) graduate civil engineer (Lehigh University), speaking and writing Dutch fluently, with first class standing in all branches. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

BOOKKEEPER, correspondent and general office manager; 10 years' experience; salary \$100 per month. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

BOOKKEEPER, &c.—By young man, 20; experienced; German, English, French, etc. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

BUSINESS COLLEGE GRADUATE, 25, working thirteen hours daily, four months' experience; salary \$100 per month. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

INDIEN.—By a man with 15 years' experience; knowledge of printing and all branches; knowledge of printing and all branches. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

BOY, 14, at anything. GARDNER, 1254 West 125th-st., New York City.

DRIVER or PORTER.—By a willing and obliging worker; has character from previous employers. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

DOMESTIC SITUATIONS WANTED.

GARDNER.—By single man; thorough knowledge of English, German, French, etc. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

GARDNER and GENERAL MAN.—By single man; wants house in the city; good references. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

GARDNER and SUPERINTENDENT.—By single man; wants position in all branches; good references. Address: Mrs. J. GARDNER, 1254 West 125th-st., New York City.

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