

LANSING'S NOTE TO MEXICAN GOVERNMENT DEMANDING THE RELEASE OF JENKINS.

The text of the note as transmitted by the American charge at Mexico City follows:

"I have not failed to transmit to my government the note of the Mexican government dated November 26, 1919, with reference to the case of William O. Jenkins, American consular agent at Pueblo, and I am now in receipt of a reply from the government of the United States which I am instructed immediately to transmit to you.

"The government of the United States declines to be drawn into a judicial discussion of irrelevant matters or unimportant incidents brought forward in connection with this case.

"This government does not admit" the note says, that it is necessary to keep Jenkins in jail while his case is being investigated, and this government "fails to discern" that the "intricacies of the Mexican penal law" have been applied with impartial effect to Jenkins.

Denial of Justice.

"The Mexican government cannot argue that it cannot interfere with the judicial process of a state unless there has been a denial of justice, the American note argues because, it contends, there already has been a denial of justice, and the Mexican federal government "to all cases concerning consular officers and diplomatic agents."

"The United States is not to be driven by such arguments," says the note, "into a defense of its request for the release of Mr. Jenkins. It is for Mexico to show cause for his detention; not for the United States to show cause for his liberation."

Then, the note says, "stripped of extraneous matter with which the Mexican note of November 26 endeavors to clothe it the naked case of Jenkins stands forth." The note then reviews the history of the case and takes up the argument.

Prosecuting Victim.

Jenkins was imprisoned for "rendering false judicial testimony" in connection with the abduction of which he was the victim, says the note. "In whose interest is the charge of false swearing brought against Jenkins?" asks the note. "His abductors. The Mexican government is prosecuting the victim instead of the perpetrators of the crime.

"While the outlaws who endangered his life and took away a large part of his fortune enjoy their freedom the Mexican authorities now deprive Jenkins of his liberty." That Jenkins is supposed to be guilty of rendering false judicial testimony, the note says is merely an opinion of the Mexican government "entirely unsupported by evidence."

"The Mexican government," says the American note, "cannot expect the United States to accept in the grave circumstances of this case such a bare unsupported statement as a valid excuse." Jenkins, weak and exhausted in a hospital, the note says, has been harassed by the Mexican authorities while evidence against him was obtained through intimidation of witnesses."

Demand Founded on Justice.

"The Mexican government cannot be misled as it intimates by the citation by the United States of no principle or precedent of international law, and not even a reason for Jenkins' release, for obviously no such citation is necessary for the enlightenment of a government of the present day. The Mexican government believes, and rightly so, that the American request for Jenkins' release is not based on solely the strength of the country which makes it; for it knows the request is founded on the justice of the right of an American citizen and United States consular officer to fair treatment while residing and discharging his duties within Mexican jurisdiction with the knowledge and approval of the Mexican government. The Mexican government may contend that the imprisonment of the victim is necessary for the investigation by a judge under the constant vigilance of public opinion of the truth regarding his abduction and that a right of release on bail is palliative for such wrongful imprisonment, but the United States is constrained to the opinion that such arguments are mere excuses. The government of the United States invites and desires the fullest possible examination and investigation of this case, but it cannot admit that it is necessary in order to ascertain the facts that Mr. Jenkins should be retained in prison even with the privilege of applying for bail. My government will not and is satisfied that Mr. Jenkins will not place any obstacle in the way of himself or witnesses, or any of the events leading up to and connected with his abduction.

"The Mexican government prefers to attribute the American note to an imperfect knowledge of the Mexican penal laws and proceeds to explain with refinement the intricacies of Mexican penal proceedings. But the government of the United States fails to discern in their application to this case at the hands of Mexican authorities any approximation to impartial treatment of Jenkins and the Mexican government knows the absence of such treatment is the reason Mexico Must Show Cause.

"The Mexican government maintains that it cannot grant the request of the United States for Jenkins' release for the reason that under international law no diplomatic intervention is appropriate unless a denial of justice has occurred and because the Mexican government is not in a position to demand Jenkins' release in view of the separation of the executive and judicial powers under the Mexican form of government and the independence of the state courts, by one of which Jenkins is held. The succinct answer to this contention is as everyone knows, that a denial of justice has already taken place and also because the Mexican constitution specifically gives the federal tribunals jurisdiction of all cases, concerning diplomatic agents and the consular officers."

NOTICE OF FINAL DISCHARGE.

Notice is hereby given that Mrs. Sallie Taylor as administratrix of the estate of C. E. Taylor, deceased, has made application unto me for final discharge as such administratrix, and that Tuesday, January 6, 1920, at 11 a. m. in the forenoon has been appointed for the hearing of the said petition.

All persons holding claims against the said estate are requested to file them with Mrs. Sallie Taylor, administratrix on or before 11 o'clock in the forenoon on Tuesday, January 6, or this notice will be plead in bar of their recovery.

JOE CABELL DAVIS,
Judge of Probate,
Dillon County.

12 4 4t

NOTICE OF FINAL DISCHARGE.

Notice is hereby given that J. D. Ray, as administrator of the estate of Luther R. Hayes, deceased, has made application unto me for final discharge as such administrator, and that Tuesday, January 6, 1920 at 10 a. m. in the forenoon has been appointed for the hearing of the said petition.

All persons holding claims against the said estate are requested to file them with J. D. Ray, administrator on or before 10 o'clock in the forenoon on Tuesday, January 6, or this notice will be plead in bar of their recovery.

JOE CABELL DAVIS,
Judge of Probate,
Dillon County.

12 4 4t

BRIGHT GIRLS WANTED — THE State Hospital for the Insane, Columbia, S. C., needs white women, preferably between the ages of 18 and 35, to work as attendants or enter training school. For information, apply to the superintendent.—11 20 4t.

NOTICE.

Notice is hereby given that stock certificate No. 47 representing ten shares of the capital stock of the Peoples Bank of Dillon, S. C., issued to S. W. Stephens, dated March 29, 1919, has been lost. That the undersigned as owner thereof will make application to the Peoples Bank of Dillon, S. C. on the 9th day of January, 1920, for the issuance of a duplicate certificate of said stock.

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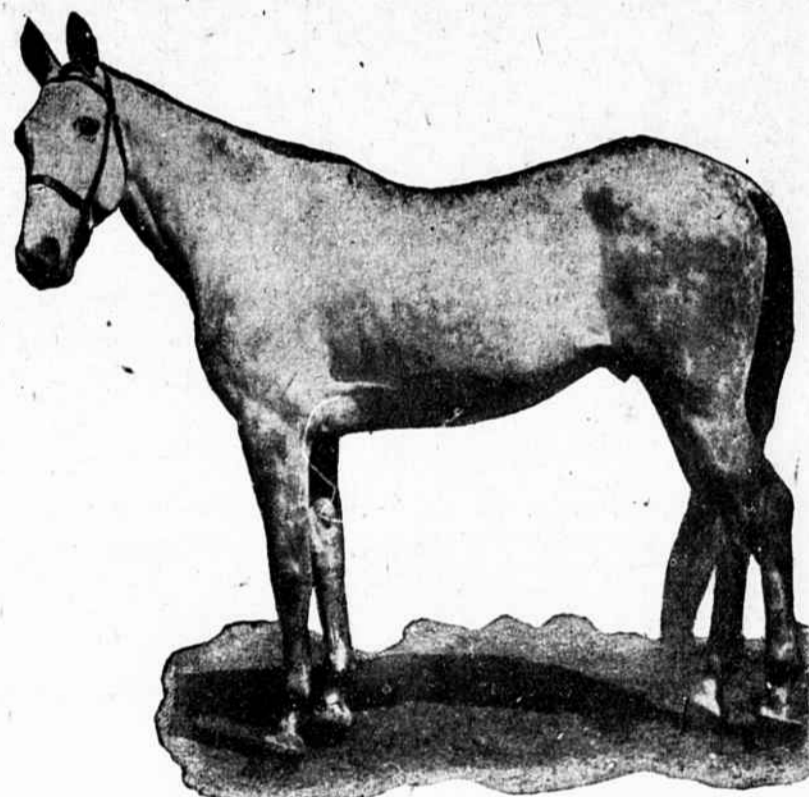
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