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LETTERS OF MARQUE.

The apprehension of a war between England and Russia has attracted some attention to the present state of the law relating to letters of marque and privateering. The question has been asked with considerable anxiety, whether, in the event of a war between these powers, the United States might not be made the base for a naval war upon English commerce, as destructive as the war made by the Alabama upon American commerce. In a letter addressed to the *Times*, "Senex" endeavours to allay any apprehension of this kind, and remarks: "In fact, no such letters of marque have been issued or accepted by neutrals in the present century. The Government of the United States was the first to condemn and repudiate the practice. In 1854 the British Government intimated to Mr. Marcy, then American Secretary of State, that it entertained the confident hope that no privateer, under Russian colours, should be equipped, or victualled, or admitted with its prizes in the ports of the United States; and also that the citizens of the United States should rigorously abstain from taking part in armaments of this nature."

Sir Samuel Baker, in a later communication, referring to the statement of "Senex," suggests that should England become involved in war with Russia, it would be desirable that a special understanding on the subject of letters of marque should be renewed with the United States.

But "Amicus," a third correspondent, points out that Sir Samuel Baker has overlooked the existence of the Washington Treaty, made between England and the United States in 1871, which covers the very point under discussion. "Before that treaty," he observes, "it would have been possible for Americans to sail with impunity from American ports and destroy English merchant ships, and the English fleet would have had the difficult task of watching the long lines of the Atlantic

and Pacific coasts to prevent it. If the proceeding had excited remonstrance from England, the Washington Cabinet could only have found it necessary to cite the letters of Lord Russell to Mr. Adams, in which his lordship showed how difficult it was, under the municipal laws of a free country, to prevent Mr. Davis building privateers in the docks at Birkenhead, and how impossible it was for a free country to amend its municipal laws at the bidding of a foreign Power. It was to put an end to this that the Washington Treaty was made. That treaty was assailed by a powerful opposition in the United States. Nothing but the resolute nature of General Grant, his fixed purpose to do away with the last vestige of misunderstanding with Great Britain, and his exceptional strength at the time, new to the Presidency, and with a large majority of his party in Congress, secured the American acceptance of the treaty. The most attractive argument against the acceptance was that in the event of just such a case as is now threatened, America would lose her 'revenge.' By that treaty the two countries made themselves responsible for the escape of any unfriendly armed vessel, and for all the consequences of the escape. As it now stands, no American can sail from an American port as a Russian privateer without being regarded as a pirate. If your correspondents will study the terms of the Washington Treaty, they will find that the contingency they fear—the contingency of American-built Alabamas destroying English ships—has been provided against by rules as stringent as it is possible for diplomacy to make them. The value of that much-censured treaty will be seen, should there unhappily be war between Great Britain and Russia. All Englishmen and all Americans who value the development of Anglo-Saxon civilisation, will regard the Washington Treaty, denounced in the United States with so much vehemence by the opponents of General Grant and in Great Britain with no less vehemence by the opponents of Mr. Gladstone, as among the noblest contributions of far-seeing statesmanship towards the peace, the honour, and the security of the Anglo-Saxon world."

This is a pleasant prediction, and everybody will sincerely hope that it may be verified should England unfortunately be forced to