

SELECTIONS

ance with its native spirit, out of new facts as they continuously present themselves, I also think the legal justification of the recent bombardment is nearer at hand than this.

In the cases of the treaty for the pacification of Greece, concluded on the 6th of July, 1827; of the quadruple alliance of 1834 between France, Great Britain, Spain, and Portugal, for "establishing internal peace throughout the Peninsula;" and in the cases of the repeated utterances of the President of the United States as to possible intervention in Cuba in order to put an end to the "deplorable strife of parties," (see message to Congress, December 7th, 1874), the principle of limited and temporary hostilities for the mere sake of humanity, as well as for the protection of outside interests, was abundantly recognized and nowhere disputed. The main factor in the present problem on which adverse advocates could rely is that the insurrectionary and anarchical forces had not had time enough to manifest their inherent strength, if they had such strength. But against all this there is to be put the enormous purely Egyptian interests jeopardized—to an extent wholly out of proportion to those suggested by earlier precedents—by every day's delay, and the probability of a recurrence of an organized butchery by soldiers of the revolutionary faction, such as that of the 11th of June. The advent of the fleet, the bombardment, and, as we may hope, the effectual and lasting pacification of the country are a series of consequences demanded by the supreme interests of humanity—the one consideration to which international law, even when most technical in its rules, has always subordinated every other.

The doctrine of restricted hostilities is a time-honoured one in international law, especially in the defensive matters of "embargo," "reprisals," and "retortions," as I have fully explained in the notes to my edition of Manning's "Law of Nations," p. 142. The recent history of the doctrine may be illustrated by that of the closely analogous doctrine of restricted neutrality. This latter doctrine was developed, but not created, by the recognition of the Confederates in the Secession war as *de facto* belligerents. The legal grounds and extent of this recognition are fully explained in a learned note by the late Mr. Dana in his edition of Wheaton. Similarly the doctrine of limited hostility will be developed and elucidated, but not created, by the recent practical application of it at Alexandria.

I am, Sir, your obedient servant,
July 15. SHELDON AMOS.

THE LAW OF DISTRESS

The report has been printed of the Select Committee of the House of Commons appointed to consider "the whole subject of the

law of distress, especially as regards agricultural landlords and tenants." After an historical sketch of the law, together with a review of the evidence taken by them and of the arguments for and against the law, the Committee (of which Mr. Goschen was chairman) proceed as follows:—

"Most of the witnesses who expressed themselves in favour of a retention of the law, at the same time advocated considerable modifications in its provisions. Those that desired the total abolition of the law were of opinion that cheaper and more speedy means of re-entry, in the event of non-payment of rent, must be given to the landlord.

"In the opinion of your Committee, a period of commercial and agricultural depression would be very inopportune for the abolition of the law of distress, which would of necessity impair the existing system of credit given by the landlord to the tenant, and cause serious inconvenience.

"There are some special enactments relating to exemptions that require notice. The Lodger Act of 1871 protects goods that are not the property of the tenant; workmen's tools are exempt from seizure; looms and frames used by workmen at their homes are not liable for the rental of those homes. Goods sent to the house for the purposes of trade, as, for instance, a watch for repair, are not endangered by the law of distress. Beasts at the plough are excepted, unless there are not sufficient goods otherwise to distrain upon; and there are some other exemptions.

"The title owners can distrain for two years only. Under the Bankruptcy Law the landlord has the privilege of preference with regard to one year's rent only. Upon a careful review of the evidence placed before them, your Committee are of opinion that a law of distress should be retained. The evidence seems to them to favour modification rather than abolition of the law.

"Your Committee recommend the following alterations in the law:—

"That the right of distraint be restricted to one year's rent, and that this right should only be exercised within six months after the said year's rent has become due.

"That with regard to agisted stock, the limit of distress should be the consideration payable for the grazing to the farmer who takes in the stock, in accordance with section 5 of 30 and 31 Vict. cap. 42.

"That provision be made for the protection of machinery not the property of the tenant; also that animals not the property of the tenant, temporarily upon the holding for breeding purposes, be exempt.

"That the limit of £20 distress, regulated by the Act of 1817, 57 Geo. III., cap. 93, be raised to £50, and that the allowance in the schedule of that Act for a man in possession be raised from 2s. 6d. to 5s. a day.