

circumstances capable of being regarded in the most various lights.

I admit it. The risks and the uncertainty are great—though not perhaps quite so great as they may seem. The principle is not too vague to be grasped; nor so loose but that it may be fairly and justly applied; and an arbitrary and oppressive exercise of the belligerent right would speedily provoke the resentment and bring down on the offender the just hostility of neutral powers. There are obvious presumptions which help to define what exertions of the right ought to be deemed arbitrary and oppressive; in what cases it is so plainly improbable that the ship will be condemned, that it is a wanton injury to carry her into port, or even to detain her, after ascertaining her name and destination. The presumption, noticed by Lawrence and Hautefeuille, in favour of a regular mail-packet, is one of these: indeed, as regards the contents of the mail-bags in an English packet, which does not carry a pendant, the responsibility ought probably to be held to rest with the Government which has the control of the postal service, and has an officer on board in charge of the mails; as to the passengers and goods conveyed, and papers not put into the bags, I do not see how such a ship can be held exempt from search, notwithstanding the presumption, in a case of reasonable suspicion, unless the Government under whose flag she sails will undertake the same general responsibility which it acknowledges for the acts of a man-of-war. Presumptions of this nature will necessarily gain in number and precision by lapse of time, and will be fortified by the daily increasing strength of neutral trade.

These uncertainties cannot be dispelled by broad and loose assertions of such a "principle" as that every ship