

founded on the general principles of public right, and recognized by the acceptance of all the European nations. Some relaxation of these principles has, indeed, been admitted, by the gradual operation of that milder spirit, the influence of which had so much contributed to soften the calamities of war, until the ferocious practice of former ages was revived by the modern philosophers, philanthropists, and republicans of France. The leading articles of the code of maritime law in Europe, still, however, remained unchanged and unquestioned, until this, like every other established system, was attacked by that spirit of innovation, which characterizes the present age.

If we inquire, then, into the justice of our cause, or examine the validity of those laws, which the British Courts of Admiralty consider as still in force, by what rule shall these questions be decided?

Shall the opinions of civilians prevail, as delivered to the world, in writings of long-established reputation? *Their* authority is uniformly in our favour.—GROTIUS, PUFFENDORFF, BYNKERSHOECK, all the ancient writers, even Vattel, the modern advocate of neutral nations—all agree in the doctrines which Great Britain now maintains\*.

---

\* See Appendix, A.