

case of the recent law regulating the deck loads in ships carrying timber from Canada in the winter, and that of the law regulating the loading of grain in bulk at Montreal and Quebec. These cases are recent; the laws are passed by the country of export, and in cases where the country itself, or the mother country, possesses by far the larger proportion of the ships engaged in the trade, the regulations are such as are not likely to be objected to, and if they were objectionable there has scarcely been time to hear the objections. At the same time it appears to the Board of Trade that it would not be easy to answer objections from foreign countries (as in the case of France) should such arise. The real security is that there are few, if any, French or other foreign ships concerned, and that no objection is likely to be made.

As regards the reference made by the Canadian Government to the regulations concerning the stowage of grain in some of the ports of the west coast of South America, the Board of Trade have no information, but it would probably not be expedient to take example in these cases from South America.

Only last year, in the excitement arising from the loss of the British steamship "Tacna," the Chilian Government passed a decree empowering their officers to stop any ship, British or foreign, which those officers in their discretion might for any reason think unsafe. Against this decree the Secretary of State, at the instance of the Board of Trade, protested in the strongest terms; with what result, however, it has not yet appeared.

The Board of Trade do not think therefore that these precedents justify a departure from what has hitherto been the practice of Great Britain and of other maritime nations; and it appears to them that a departure from that practice will lead to great inconveniences.

It must be remembered that what is now proposed is not to regulate the export of an article, the produce of this country, a branch of trade which affords special facilities for regulation, but to impose all kinds of restrictions on all foreign ships which, having loaded according to their own laws, either in their own country or in some foreign port, simply come to British ports in the ordinary course of trade to discharge their cargoes, to receive other cargoes, and to proceed on their voyage. It is proposed, *inter alia*, to refuse to receive these ships or their cargoes, unless they have complied with some regulations which did not exist at the port of loading; *e.g.* it is proposed to refuse deck cargoes of timber from the United States or from Norway, although the ships which bring those deck loads have loaded in accordance with their own laws and with the laws of the port of loading, and although they have made the voyage in safety. It is proposed, above all things, that all foreign ships shall be subject to detention, at the instance of the Board of Trade or its officers, for any defect in hull equipments or loading. The enactment is a penal enactment in spirit and intention, and can be enforced only by force or by penalties. It is to be enforced against the foreign ship, not for the sake of the community of the British port at which the ship is, or of British citizens, but either for the safety of the ship and her crew, or in order to prevent that ship from having an advantage in competing with British ships.

The working of this enactment may be illustrated by the case of ships engaged in the timber trade of the Baltic, which mostly belong to Baltic countries. It is not a rich trade; it must be economically managed; the ships are poor, though well manned; and to make the most of their business they carry deck loads, and carry them in safety. An interference on the part of British officials with these vessels, an intimation that they must not carry deck loads, or that their hulls must be repaired before they are allowed to leave our ports, would doubtless call forth strong remonstrances from the Norwegian, the Russian, or the German Governments, and might well give rise to unfriendly feelings between the nations.

It may be said that English sailors may sail in the foreign ship, and that our care for them would justify interference on the principle applied in the case of emigrants. This however is a dangerous argument to use. British sailors are much less employed in foreign ships than foreign sailors in British ships, and consequently on this ground foreign nations would have a much larger ground for interference with British ships than this country would have with foreigners; but the analogy does not hold. A seaman by engaging in a foreign ship submits himself to the law of that ship, and it is to that law that he must look both for protection and justice. All practice and all convenience supports this view of the