

NOTES, &c.

"CERTAIN individuals have been forcibly taken from on board a British vessel, the ship of a neutral Power, while such vessel was pursuing a lawful and innocent voyage—an act of violence which was an affront to the British flag and a violation of international law."—*Earl Russell's Despatch to Lord Lyons, Nov. 30, 1861.*

DOES international law, under any circumstances, permit a belligerent to seize the persons of enemies found on board of a neutral ship? If so, under what circumstances?

There are three classes of cases in which this question may arise. The ship may have been brought into port and condemned by a competent prize-court; she may have been brought into port and not condemned; or she may not have been brought into port at all.

In the first case the persons are lawfully in the hands, and at the disposal, of the belligerent Power. The ship in which they were has been condemned *jure belli*, as having clothed herself, by her employment or by the acts of her owners, with the character of an enemy's ship, and forfeited the protection of the neutral flag. The neutral Power, therefore, to which she originally belonged, can have no right to reclaim them. It does not appear to be necessary that the presence of the persons on board should have formed the ground of condemnation. But it may be useful, in order to present