

cruelty in war. In the opinion of many this is inconsistent, and to commence hostilities without a 'declaration' is something of the nature of permitting yourself to kill your enemy when unarmed, or to hire an assassin to do so. Good enough doctrines perhaps for the age of Philip of Spain are these, but bad for our times.

Passing on, therefore, with cursory notice of the fact that a declaration, while it is in itself necessary, may be sufficient if made by either party, and noting in this connection the case of the *Navade* decided in England, which seems to correctly direct the party assailed that he may properly retaliate when once advised of the commencement of hostilities, we come to the reason of the thing. It has been truly argued that certain offences against States properly call for a redress *a vi et armis*, also that force being used, it may properly be resisted, and all this without a declaration. That this is possible, ay, more, that it is natural to thus engage in feud and quarrel, is very true, but the same law which calls for a punishment and restitution in the case of its infraction, also seeks to bring its judgment on the head of the guilty alone. This it is impossible to do as between States, so inextricably are the interests of the citizen combined with those of the country to which he owes allegiance, until a certain formal notice has been given. For were it otherwise, the individual, who, it may be, is totally unaware of the conditions that have been brought about through the diplomacy of the Foreign Office, is made to suffer without knowing the why or the wherefore. Thus arises the first great reason for a declaration of war—viz. that without it neither enemies, friends, nor neutrals can be properly forewarned in spite of Press rumours and general excitement in the masses about them. An individual may be settled temporarily amid a strange people for the purpose of developing commercial relations between his native land and the country of his sojourn; his business is entirely dependent upon a state of peace. The news reaching such a one's ears that the port where he is located was besieged by the enemy's fleet, although no official notice had been given of such a possibility, would be sufficient to utterly destroy the business he had hoped to build up. Such an individual without friends or countrymen would be thrown into a predicament easily avoided if a declaration had been made. So, as to the friends and neutrals, the native is travelling afar, the neutral is planning some commercial enter-