

under the Treaty of 1783 had been hopelessly annulled by the war of 1812.

In that Parliamentary debate, Lord Auckland said that it had been intimated by some that by the non-renewal of the Treaty of 1786 their right to cut logwood might be disputed, and in answer to that intimation Lord Auckland said:

He had looked into the works of the first publicists on the subjects, and had corrected himself in a mistake still prevalent in the minds of many who state in an unqualified sense that all treaties between nations are annulled by war, and must be specially renewed if meant to be enforced on the return of peace. . . . But compacts not interrupted by the cause and effect of hostilities, such as the regulated exercise of a fishery on the respective coasts of the belligerent powers . . . are certainly not destroyed or injured by war.

The Earl of Carnarvon said in the same debate:

War does not abrogate any right or interfere with the right, though it does with the exercise, but such as it professes to litigate by war.

Lord Ellenborough, Chief Justice of the Court of King's Bench,

felt surprise that the non-renewal of treaties should have been urged as a serious objection to the definite treaty. . . . He was astonished to hear men of talent argue that the public law of Europe was a dead letter, because certain treaties were not renewed.

Lord Eldon, then High Chancellor of England; Lord Hawkesbury; the Earl of Liverpool, the Secretary of State for Foreign Affairs and late Prime Minister of England; Mr. Addington (Lord Sidmouth); Mr. Pitt, and Mr. Fox, all supported the same principles.*

* The opinions are referred to by Mr. John Quincy Adams in "The Fisheries and the Mississippi," p. 195, citing 23 Hansard, 1147, and are more fully quoted by Mr. C. A. Rodnay in his opinion on the fisheries, filed with, and endorsed by, President Monroe, November 4, 1818, cited in III. Wharton's International Digest, 1886, Sec. 303, pp. 44 and 45, from the Monroe MSS. in the Department of State.