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## THE USE OF PRIVATEERS IN WAR.

The rumor frequently repeated that Russia is preparing to resort to the use of privateers, by granting letters of marque and reprisal in case of war, seems to have obtained some degree of credence in official circles in England, if there be any truth in the announcement that the British Government has determined to oppose to those cruisers a hundred vessels, whose commanders will have instructions to treat such irregular and unlawful enemies as pirates. At the close of the Crimean war, Russia, along with the other signatory powers, entered into a treaty engagement to abolish privateering, so far as these nations were concerned. The United States Government, when asked to join the other powers in putting down this objectionable mode of warfare, alleged as a reason for declining, that privateering was already illegal by the laws of that country. Now, statements come from California that American citizens are preparing to accept letters of marque from the Russian Government, in the event of its going to war with England. Negotiations for that purpose are reported to have been concluded, and vessels with officers and men to be ready, at San Francisco, to prey upon British commerce, in the North Pacific, on the shortest notice. It is even added that letters of marque, signed in blank, had reached San Francisco from St. Petersburg, with power to fill them up as soon as war should break out. That Russia should be reported to be contemplating such an act of perfidy, is one of the causes of that suspicion which Gortschakoff complained of in Lord Salisbury. That San Francisco, as well as other American cities, could furnish many of the desperate class willing to enter the service of any government, as privateers, for the sake of plunder, need not be questioned; and if their nefarious design were carried out in the Pacific, our commerce in the Atlantic would not long be secure. But they cannot carry out their purpose without violating the municipal laws of the United States; and the Federal Government, being fore-

warned of their designs, would have the duty put upon it of preventing the sailing of the piratical craft.

There is no form of procedure open to Russia by which she could prevent the issuing of letters of marque from becoming an act of piracy, under the international agreement by which she has voluntarily bound herself. Persons entering on the work of privateers, without letters of marque, are pirates by the law of nations; and the same consequences would follow from acting under invalid letters of marque. Such would be any which Russia might issue, since she has deprived herself of the right to resort to this old and discarded weapon. Any one accepting such letters from Russia could not but be aware that they would be inadequate to protect him from the penalty of piracy—hanging at the yard arm. The intention attributed to England, of treating such offenders as pirates, is therefore perfectly legitimate.

Letters of marque have usually been confined to the subjects of the nation issuing them. Formerly they were grantable, by the law of nations, whenever the subjects of one State were oppressed and injured by those of another, and justice was denied by the State to which the oppressor belonged. This supposes a state of peace between the two nations concerned; but even then, before letters of marque could be issued, it was usual for the government whose subjects had been injured to demand satisfaction, and in England, since Henry the 5th, the law required this to be done. In process of time, such letters came to be issued only to the owners or captains of privateers, during war.

There are several reasons which make us pause before we accept, as free from all doubt, the statement that Russia contemplates issuing letters of marque. That she should have already sent to the United States such letters signed in blank, to be filled up with the names of the vessels and the owners, is improbable; for if there should, after all, be no war, Russia would, by such an act, expose her honor to the keeping of hordes of brigands. Russia was, perhaps, the first nation voluntarily to abstain from privateering, which she did more than a century ago—in 1767. As long ago as 1667, Sweden and the United Provinces severally bound themselves by treaty not to grant letters of marque against one another, in any future war. A like stipulation was, in 1785, entered into by the United States and Prussia. Russia was at liberty to resume a right which she had voluntarily relinquished, in 1767; for international law did not forbid its exercise. But she has since tied her

hands by treaty obligations; and she cannot now license cruisers without breaking her solemn engagements and tarnishing her honor.

But it would not be safe absolutely to rely on the improbability of Russia taking such a course. It is easy to understand that the filibustering class which may be found in such a port as San Francisco, should plan depredations on British commerce, in case of England being at war; and they would not improbably attempt to obtain letters of marque from the Russian Government. But if the vessels and crews were American, such authorization would at no time have saved the persons accepting it from the consequences of piracy. If an American vessel and crew were to seize the goods belonging to the subjects of a nation with which the United States were at peace, the act would by the law of nations be piracy. Russia could not exercise over Americans, to whom she might grant letters of marque, such control as nations are enabled to exert when they have their own subjects to deal with, and when they have taken security that prizes shall not be taken in a manner contrary to international law. Russia might possibly affix the seal of her own nationality to the vessels intended to be used as privateers; but she could not make a similar transformation, in case of the men.

Then, to what Russian ports could the prizes be taken? The Russian America of other days is now part of the United States. The prizes cannot be condemned in a neutral port. The municipal law of the United States would condemn the captors instead of the goods. Altogether, the difficulties which surround the project of making Russian privateers out of American vessels and American crews, in American waters, seem to be insuperable. There is no way out of them; and the only possible means of carrying out the alleged project would be to break through all restraints of public law, voluntary agreement and national honor. This is of course possible, but we can hardly yet regard it as probable.

## MUNICIPAL TAXATION.

We have received further information on the subject of municipal taxation, which shows that some of the towns of Ontario have exceeded the legal limit of two cents in the dollar. The highest rate, so far as we know, yet levied is two cents and five mills; and Sarnia can claim the honor of being the highest taxed municipality in Ontario, or, for that matter, in the Dominion. After Sarnia, with its 2.50, comes Parkhill, close on its heels, with two dollars and four