the 16th Aug., 1815, our minister at London was warned of one of the consequences, for us, of Napoleon's captivity on the island, by the official intimation of an impending modification of the still unratified treaty of 3 July, 1815. (Adam's Diary vol. 3, p.252) Nothing was said at the time about "hovering" but neither Mr. Adams's diary, nor our diplomatic correspondence, as far as published, has any reference to the Act itself. The inference is, that either in consequence of explanations from the British Government, or in reliance upon our indisputable immunity, by international law, from any mere British statute, (and perhaps somewhat in view of the decisions of the highest British court) our Government deemed it superfluous to take any notice of the British Act. At all events, it is a fact that the Act was never enforced against any American vessel, and the recorded decisions of the British courts make it certain, that any attempt to do so would have been defeated by those courts. Already in May, 1813, Sir William Scott (afterwards Lord Stowell) had ruled that foreigners, whose own laws tolerated the slave trade, could not be interfered with by British authorities outside of British jurisdiction. (The Diana 1 Dodson p. 95) Not long after, March, 1816, the same judge rendered his celebrated decision in the case of "Le Louis," in which he broadened and emphasized his former declaration regarding the immunity of foreigners, outside of British jurisdiction, from all British legislation. (2 Dodson p. 240.)

Mr. Phelps argues (p. 771 H. M.) as if the precious concession by Great Britain—whatever it may have amounted to — of "the justice and expediency of *a* convention," made it morally obligatory upon her to agree at once to any and every convention which might suit us; as if she were precluded from withdrawing or even modifying such concession,—which, at the utmost, was for an "agreement" still to be made—*now* that she has good reason for disbelieving the testimony on which the concession of "justice and expediency" was made. She established, in accord with Norway, a close time for sealing in one region, ergo, she ought to agree with us in doing the same thing in an entirely different region!

The Professor hazards the opinion, that if the roles of the two nations in this controversy were reversed, "it is perfectly certain that . . . our government would be apprised, that if unable to restrain its citizens from an *outrage* upon British rights which it did not assume to defend, the necessary measures would be taken by the injured party to protect itself." (771 H. M.) On the other hand, Mr. Phelps tells us that it is not to be apprehended that the forcible prevention by us of marine sealing" would lead to any collision with Great Britain." (773 H. M.) It is a mystery on what precedent in British history these two suppositions are based, but it is plain that they cannot both be correct. If it "is certain" that Great Britain would resort to force to impose upon us such pretensions as Mr. Blaine's, it is even more certain that she would fight us to maintain rights sanctioned by every rule of international law. And Mr. Phelps has forgotten that there is a necessary complement to his suppositious case, to wit: what our own country would do! Does he feel equally certain that an enforcement by Great Britain against us of such theories, as he and Mr. Blaine now set up, would not lead to any collision? Would he or Mr. Blaine advocate our submission to such action by Great Britain?

If both Mr. Phelps's suppositions are based solely on the alleged non-assertion by Great Britain of the legality, the perfect rightfulness of marine seal-