

the county, but in actual practice at the Bar, who should hold courts at stated periods.

It should have, within the limits of its jurisdiction, full powers to enforce its decrees by officers having permanent tenure, and under its immediate control, and to give as effectual relief, in the cases properly falling within its scope, as can be given by the central courts in the cases properly falling within their scope.

There should be a cheap and expeditious appeal from the decisions of this court, whether interlocutory or final, and that both on the facts and on the law, the appeals or re-hearings on facts being tried on circuit, and the appeals on law or arguments on case stated being heard by the central courts in Dublin.

There should be an easy and simple method of transferring fit cases to the superior courts, and having cases unfit for these courts remitted to the courts below.

The practice and procedure should be simple and free from scientific pleadings: causes should be tried by oral examination of witnesses, rather than by affidavit; and thus the "influence, benefit, and protection of the laws, and of the courts of justice," as contemplated when the Scottish local courts were first established, would be brought within the reach of the humblest suitor in the land.

IV.—*Report of the International Law Congress Committee on the Complaints of Foreign Consuls in Ireland of the want of a local court in each Irish port, with permanent judicial officers for the prompt determination of all questions between Foreign Captains and Irish Merchants.*

[Read Tuesday, 24th April, 1877.]

THE Council having named us as a committee

"To consider the best means of making provision that the Society and those who take an interest in this subject in Ireland shall be adequately represented at the International Law Congress at Antwerp next autumn,"

we have held several meetings, and beg to submit the following report.

What an International Law Congress can effect in removing impediments to foreign trade.

One of the chief functions of an International Law Congress is to secure the introduction of simplicity and uniformity in the laws of all countries, as to the several questions that arise for legal adjustment between the citizens of different states in the course of international intercourse. As the questions of difference that can arise in the ordinary dealings of trade and commerce are, from their nature, uniform throughout the world, there is no reason why there might not be as great uniformity in the laws of different countries affecting these matters, as has been already secured, to a large extent, in the international relations as to letters, by means of Postal Conventions, and

by different countries copying what is best in matters of postage, and gradually adopting systems possessing uniformity to a greater or less extent.

So far as the foreign trade with Ireland is concerned, the interests at stake are so small compared with those of Great Britain, that they run a great risk of being sacrificed to defective local jurisdictions, unless uniformity with the best standards of legislation is enforced by the strength of the recommendations of an International Congress, backed up by the recommendations of foreign governments, whose subjects are interested in the matter, when the local causes of want of uniformity are clearly pointed out and explained, as we purpose to do.

The first subject to which we directed our attention, was to inquire whether any complaints had been made as to laws affecting foreign trade in Ireland, whether any remedies had been applied, and how those remedies were working.

Complaints of the foreign Consuls in Dublin, in 1864, of the want of a local court in each Irish port, with a permanent judicial officer for the prompt determination of all questions between foreign captains and Irish merchants.

So far back as 1864, or thirteen years ago, a Royal Commission was appointed to inquire into the High Court of Admiralty in Ireland. The Commissioners reported that a representation had been made to them by the Consul of Italy in Ireland, supported by the Consuls of Austria and Prussia, of the Brazils, and of Sweden and Norway. The representations showed

“The necessity of creating in Dublin a court of justice by which matters in dispute between captains of foreign vessels and the corn merchants in Ireland could be promptly and cheaply decided without entailing very heavy expenses in obtaining speedy justice.”

The Consul of Italy expresses his opinion as to

“The necessity of providing some means by which many abuses now inveterate and exceedingly detrimental to the commercial interests both of Ireland and of the nations trading with it, should be immediately suppressed by the institution of a proper tribunal.”

He adds :—

“I must remark here, that in *Dublin, Newry, Belfast, Waterford, and Limerick*, in many instances captains were obliged to relinquish their just claims, preferring to lose in some cases very large sums of money, rather than go to law, knowing the time they would have lost waiting for the opening of the courts. It is a well known fact that sixteen or seventeen ships would have unloaded in Dublin, had not the captains preferred losing so much on their freight rather than have anything to do with Dublin merchants, and they obtained leave to unload either at Falmouth or Cardiff, with a heavy loss to the poor labourers, who would have earned some money had the captains been able to fulfil their engagements according to their charter parties.”

The Consul of Italy concludes in these terms :—

“I think it becomes most imperative for the development of Italian trade, as well as for the industrial and commercial interests of Ireland, that immediate steps should be taken by the British Government to put a stop to shameful abuses, by which foreign trade and native interests are seriously endangered.”

These are very strong statements for a foreigner, the representative of a foreign government, to make.

We find, however, they are corroborated by the statements of Dublin merchants of the highest character, who are consuls for other foreign states.

Mr. Richard Welch, Vice-Consul of Austria, concurs in laying before the Commission

“A full and fair representation of the very great difficulties and wrongs to which foreign captains and ship-owners are subjected, in consequence of having no legal tribunal open except at certain periods, and thus in the interval precluding them from claiming by law their just demands.”

Mr. Thomas Snow, Vice-Consul for the Brazils, Mexico, New Grenada, and Liberia, joins

“In representing to the Commissioners the necessity of removing the differences *constantly occurring* between the corn merchants of this city and the captains of foreign vessels, on the subject of demurrage and deductions of freight.”

The late Mr. Charles Haliday, Consul of Greece, addressed a letter to the Admiralty Commissioners, in which he solicited their attention to

“A *grievance strongly felt* by the masters and owners of foreign vessels trading to Ireland. Formerly the number of such vessels was small, and few cases arose in which any dispute was not amicably settled.

“But since the repeal of the Corn and Navigation Laws, a very large number of foreign vessels enter Irish ports laden with grain, etc., and they have all charter parties stipulating for the discharge of the cargo within a specified number of days, and in default for the payment of demurrage.

“This is a source of *frequent dispute*—merchants refusing to pay demurrage, or refusing to pay the amount claimed; and if this occur between July and November, when the law courts are not sitting, the master or owner of the vessel has no means of enforcing his demand.

“It is believed that cases have occurred in which the captain of a vessel having, at great inconvenience and loss, remained in port with his ship and crew to await the sitting of the judges, has found at the last hour that the sum he claimed, and to which no valid objection could be offered, had been paid into court, the interest on the sum claimed for the time it was withheld being more than the small costs to which the merchant was subjected by this unjustifiable proceeding.”

Suggestions made in 1864 to the Irish Admiralty Court Commissioners, of remedies for the evils complained of by the foreign Consuls.

The Irish Admiralty Court Commissioners, on receiving those complaints, addressed a circular of questions to all the Consuls of foreign states resident in Dublin, asking them for suggestions; and amongst the answers which they received, was a valuable one from the able consul (M. George Livio) who then represented France, in which he contrasts the law in Ireland with that in foreign countries. M. Livio says:—

“From the experience acquired in my consulate, I think it would be most desirable that a speedy and inexpensive mode of procedure for the settlement of disputes between captains or owners of vessels, and merchants, relating to demurrage, freights, and similar questions, should be adopted—such questions *being speedily settled in most countries on the Continent, by tribunals of commerce*, consisting of merchants elected by commer-

cial communities. I would direct the attention of the Commissioners to the profits derived from such a system, entrusted to the decisions of men specially conversant with all the difficulties arising from transactions of this nature, and fully aware of the value of time to men engaged in these pursuits. In the absence of such tribunals, the High Court of Admiralty would seem, by its experience of the shipping interest and by its permanent sittings, to be far better calculated than the civil courts for the adjustment of the above cases."

The Irish Court of Admiralty Commissioners also addressed communications to the Chambers of Commerce in Ireland, and from the Dublin Chamber received a very plain and clear statement of the principles on which legislation should be framed, to redress the grievance complained of by the foreign consuls. The Council of the Dublin Chamber of Commerce say :—

"The Council are clearly of opinion that the practice and procedure of the courts of England and Ireland should be assimilated, and that alterations should be made such as would give to the United Kingdom the advantage of the best portions of the practice and procedure of each.

"It is a reproach to our commercial legislation, as well as inconsistent with public and international policy, that vessels arriving in ports of the United Kingdom within a few hours sail of each other, should be subject to different laws, and to different practice and procedure in the Courts of Admiralty."

The Chamber of Commerce for Belfast sent forward recommendations for a local jurisdiction in Admiralty cases for small amounts, by means of a Recorder in Belfast and other ports with a Recorder, and by means of a Stipendiary Magistrate in Waterford and other seaports without a Recorder.

Recommendations of the Irish Court of Admiralty Commissioners in 1864 for redressing the evils complained of by the foreign Consuls, and subsequent legislation till 1876.

The Irish Court of Admiralty Commissioners adopted the principles suggested by the Council of the Dublin Chamber of Commerce to the fullest extent. They reported :—

"We think that it is of very great importance to the trade and commerce of Ireland, and to foreigners resorting to that country, that the same laws and the same forms of procedure should be found prevailing in both countries."

And their first recommendation was

"That the jurisdiction, practice, and procedure of the High Court of Admiralty of Ireland should, as far as practicable, be assimilated to the jurisdiction, practice, and procedure of the High Court of Admiralty of England."

As to the proposed extension of jurisdiction to freight, demurrage, etc., as suggested by the foreign Consuls, the Commissioners did not think it expedient to recommend such an extension, as the result would be to give the Court of Admiralty in Ireland a wider jurisdiction than that possessed by the Court of Admiralty in England, but they also added :—

"At the same time, if it should be deemed advisable so far to extend the jurisdiction of the Courts in England, we think a similar jurisdiction should be given to the Court of Admiralty in Ireland."

For the same reasons, apparently, the Commissioners made no recommendations as to the local jurisdiction in Admiralty cases, as the question had not been then dealt with in England.

In 1867 the Court of Admiralty (Ireland) Act was passed (30 & 31 Vic. c. 114). By it the backward state into which the jurisdiction of the Irish Court had been allowed to fall was corrected, and Ireland got the benefit for the first time of beneficial jurisdictions that had been conferred in England so far back as 1861 in some cases; and in others, so far back as 1840.

With the Act establishing assimilation, a divergence was, however, immediately commenced.

Jurisdiction in Admiralty of Recorders of Belfast and Cork, created in 1867, and amended in 1876, still in abeyance.

In Ireland, in 1867, a local jurisdiction was conferred on the Recorders of Belfast and Cork, but it was limited to the borough boundary, and therefore practically of little use for foreign ships.

When the Act had been in practical abeyance for nine years, and the local jurisdiction not exercised, the jurisdiction was amended, in 1876, by having it extended, in the case of Belfast to the Counties of Antrim and Down, and the adjacent parts of the sea within three miles of the shore, and in the case of Cork in a similar way to the County of Cork and adjacent parts of the sea. In 1876 the Act of 1867 was amended, as to Cork and Belfast; but even with the amendments, the jurisdiction is still in abeyance, some necessary orders, preliminary to its coming into operation, not having to the present date been issued.

It thus appears that the jurisdiction in Admiralty of the Recorders of Belfast and Cork, created in 1867, and amended in 1876, is still in abeyance.

Powers of creating local jurisdiction in Limerick, Waterford, Londonderry, Newry, conferred in 1867, still unexercised.

The Irish Admiralty Court Act of 1867 enabled the Lord Lieutenant in Council to declare

“That the Recorder of any Borough Court or the Chairman of any court of any Quarter Sessions therein, and not hereinbefore specified, shall have jurisdiction in Admiralty causes” * * * “and is to assign to each such court, as its district for Admiralty causes, any part or parts of any one or more district or districts in which such court shall (independently of this Act) have jurisdiction, and in any such case to prescribe the places and times at which local courts for Admiralty causes shall be holden.”

This clause has the defect of not suiting the principal ports of Ireland, where the harbours are situate in two counties—like Limerick, Waterford, Londonderry, Newry; it contains, too, no provision like the Act of 1876, for the jurisdiction being exercised within three miles of the shore.

The result is that this power has never been exercised, and at the end of ten years there is no single local court in Ireland with Admiralty jurisdiction; and the defect in the Act of 1867 as to jurisdiction where a harbour adjoins two counties, and as to jurisdiction for three

miles from land, which was remedied in 1876 for Belfast and Cork, has not been remedied for any other Irish port.

Local jurisdiction in Admiralty in the Scotch and English local courts.

The entire failure of the attempt in 1867 to confer a local jurisdiction in Admiralty in Ireland, above noticed, is very remarkable, when we contrast what takes place in Scotland and England.

In Scotland, under an Act of the Scotch Parliament passed two centuries ago, the local inferior courts have civil jurisdiction in Admiralty up to £25. When in 1831 the Scotch Court of Admiralty was merged in the Scotch Supreme Court, this local jurisdiction was specially preserved. The result is that the sheriffs' courts have an exclusive jurisdiction in actions below £25, and a jurisdiction concurrent with the Supreme Court in all actions above that value, and where counties are separated by a river, or firth, or estuary, the sheriffs of both counties enjoy a cumulative jurisdiction.

In England, in 1868, power was given to Her Majesty in Council to confer local jurisdiction in Admiralty cases on local courts, and to assign a district for Admiralty purposes to such courts. This jurisdiction was so carefully conferred, and the Act so promptly brought into operation, that by Order of Council of 9th December, 1868, and 4th June, 1869, no less than thirty-six local courts in England, including those in the port of London, were created. The districts assigned to these courts comprised the whole of the seaboard of England from Berwick-on-Tweed to the Land's End, and again north to Carlisle. These courts have within the past eight years had a limited Admiralty jurisdiction, while under the earlier Irish Act not a single local court has had effective Admiralty jurisdiction.

In 1869 jurisdiction as to freight and demurrage was conferred on the local Admiralty courts in England.

This jurisdiction, the want of which the foreign Consuls specially complained of in 1864, was not conferred in Ireland till 1876, and then in a very peculiar way; so that while it has been exercised for eight years by thirty-six courts in England, the corresponding jurisdiction is expressly limited to three courts in Ireland—Dublin, Belfast, and Cork—only one of which (Dublin) is in operation.

In England every court which gets local Admiralty jurisdiction at all has the same jurisdiction. In Ireland, however, while the Lord Lieutenant in Council may appoint local courts, as in England, none of them will have, beyond their limits for common law suits, the essential jurisdiction in freight and demurrage, which is conferred on the courts of Dublin, Belfast, and Cork only.

The principle of uniformity in all respects, so essential for foreigners, is in England carried out. Wherever local jurisdiction is conferred the limit is the same; so in Scotland within the limits established there.

The limits in Irish, English, and Scotch ports are, however, all different. The Scotch courts have the old limit of £25 established so far back as 1672. The Irish Act of 1867 took £200 as the proper limit of local Admiralty jurisdiction. The English Act of 1868 took £150 in some cases, and £300 in others. As the Irish

Act had not then been brought into operation, if there had been any machinery for securing assimilation as far as possible, or at any rate for maintaining it where an attempt to establish it had been so recently sanctioned by Parliament, the English limit could easily have been extended to Ireland. In 1876, when the Irish Act of 1867 was amended, to try and bring it into operation, a new limit was established for Cork and Belfast of £400.

Opinion of the foreign Consuls in 1876, as to the grievances complained of in 1864 being still unredressed.

While it might be inferred from the course of legislation, and the absence of orders under the Acts of 1867 and 1876, that the grievances complained of in 1864 were still unredressed, we thought it desirable to elicit an express opinion from some of the Consuls as to the existing state of affairs. Mr. Richard Welch, the Vice-consul of Austria in Dublin, whose statement to the Irish Admiralty Court Commissioners in 1864 we have quoted above, says, in a letter to our Secretary :—

“ I can only add to what I have already stated in 1864, that since that period *very many cases* have come under my own immediate notice in which *Austrian captains have been victimised*, and obliged to abandon just claims for demurrage, in consequence of there being no means of getting *immediate redress*; and the cost of returning to prosecute and bringing back witnesses being so heavy, captains as a rule compromise their claims, to the prejudice of the ship-owner, or abandon them altogether.”

He adds :—

“ It is therefore most desirable, and certainly most reasonable, that the Legislature should take the matter up, and put foreign captains on as good a footing in Irish ports as they are in English ones.”

And expresses a hope

“ That Report of Committee may produce good effects at the International Law Congress at Antwerp.”

Mr. Richard Martin, the Consul in Dublin for the German Empire, says as to the existing evils :—

“ I have no hesitation in saying that it would be of the greatest possible advantage to both merchants and masters of ships to have a tribunal in every port in the United Kingdom, before which they could bring their respective grievances, and have them adjudicated upon cheaply and expeditiously. The delay and expense attendant upon proceedings before existing tribunals amount almost to a denial of justice. The master and owner of a foreign ship prefer abandoning a claim rather than detain ship and crew here for an almost indefinite period to establish their rights. On the other hand, merchants have good reason to complain of the difficulty of obtaining redress from the master or owner of a foreign vessel, in cases where cargo has been short delivered, or injured by neglect. The amount of the merchant's claim cannot be deducted from the freight earned by the vessel, and to establish his claim the merchant must, in certain cases, proceed against the captain, and in others against the ship. In the latter case the vessel can be arrested and detained in custody until security be given; but in the other, the captain having been served with a writ, may proceed to sea, and the merchant must lose the amount of his claim, no matter how just it may be ”

As to effect of simplicity and uniformity, he says :—

“If there were simplicity and uniformity of procedure in all ports at home and abroad, the law would in a few years become so well known and understood, that appeals to legal tribunals would not be needed, except in special cases, and the fact that such appeals could be easily, expeditiously, and cheaply made, would have the effect of producing more harmony in the relations between foreigners and British subjects.”

As to the meeting of the International Congress at Antwerp being a favourable opportunity of seeking a remedy, he says :—

“The British as well as all foreign governments ought to be deeply interested in this matter, for there can I think be no doubt as to the wisdom of affording the utmost possible facility to foreigners to obtain justice speedily and cheaply in British ports, and claiming from foreign governments the like facilities for British subjects whose business brings them into collision with foreigners. Some cases which have come under my notice, and in which I have been much interested, have strengthened the conviction to which I have given expression above, and I have no hesitation in saying that I trust the International Congress on the subject may be successful in their laudable efforts to abolish, or procure the abolition of, a long-standing grievance.”

Origin of the evils of which the foreign Consuls complain, and the inadequacy of the remedies hitherto applied.

Of the questions that can arise between foreign captains and merchants in connexion with the same cargo and ship, owing to an ancient division of jurisdiction in England, which still subsists in Ireland, some can only be determined in what is called an instance or civil jurisdiction of the Admiralty, which primarily took cognizance of contracts made, and injuries on the high seas, while others can only be determined by ordinary common law courts.

The Admiralty jurisdiction arose from the powers of the admiral, whose deputy the judge originally was.

For Scotland the jurisdiction of the admiral, instead of being exclusive, was of old concurrent with that of the Supreme Court of Session.

In Scotland

“The High Admiral was declared the King’s Justice General upon the seas, in fresh water within floods and mark, and in all harbours and creeks. His civil jurisdiction extended to all maritime causes, and so was said to comprehend questions of charter parties, freights, salvages, bottomries, etc.”

The result of this very extensive jurisdiction in Scotland was that

“The Admiral of Scotland had acquired by usage jurisdiction in mercantile causes (see *Brown’s Law of the Admiralty*, p. 30), when they were not strictly maritime, cumulative with that of the Judge Ordinary” [of the Court of Session.]

This very complete and concurrent jurisdiction which the court of Admiralty had in Scotland, led on the first great step in law reform there, to the Admiralty jurisdiction being consolidated with that of the Supreme Court of Session.

In England after extensions of Admiralty jurisdiction to certain classes of mercantile causes in 1840 and in 1861, the court was merged in the English Supreme Court of Judicature on 1st November, 1875, under the Act of 1873.

In Ireland this merger, though proposed in the several Judicature Bills, has not yet taken place.

This fusion of jurisdiction, though a great advantage in heavy and important cases, entirely fails to meet that which the Consuls want. The proceedings are centralized, involve formal pleadings and delay for an undetermined time between action brought and trial, the delays in trials in England in the Supreme Court, owing to arrears, being very serious.

What the Consuls want is a local jurisdiction in each port, with a judicial officer always sitting, and a means of prompt oral hearing without pleadings, and with immediate decision.

The staff for such a court exists in all the principal ports in Scotland.

Under the County Court judges (there called sheriffs) there are substitute judges (called sheriff substitutes), who are thus described by the Scottish Law Commissioners :—

“In the sheriff substitute [substitute judge] the community have a resident judge well educated in the profession, and administering the functions of the Sheriff’s Court under forms which make it easy of access, economical, and satisfactory.”

In Scotland they have complete judicial and official machinery for prompt local jurisdiction in Admiralty cases.

The English County Courts, as at present constituted, are unsuited for such prompt jurisdiction, the sittings are not continuous, as the judges have a circuit to go. The registrar, who corresponds to the sheriff-substitute in Scotland, has not the power to act as judge even in small cases.

The Judicature Commissioners recommend, however, that the English local courts should be transformed on the model of the Scotch.

They point to anomalies in the present Admiralty jurisdiction as follows :—

“Under the Acts giving Admiralty jurisdiction to the County Court, the condition of the law is, that if a person has a cause of action for collision at sea for damages under £10, he must sue in the County Court or risk the loss of his costs; for damages between £10 and £20, or over £300, he may sue in a superior court, and have his case tried on common law principles, and obtain his full costs of suit; but if he has a cause of action between £20 and £300 he must sue in the County Court as an Admiralty Court, and have his cause decided on Admiralty principles, or risk the loss of his costs. And it is to be borne in mind that in these cases not only is the Admiralty procedure wholly different from the ordinary procedure in the County Courts, and in the superior courts of law; but there is an essential difference in the principle which governs them.”

To remove these anomalies, as well as those in other jurisdictions, they recommend :—

“That the County Courts should be annexed to and form constituent parts or branches of the proposed High Court of Justice, and that these courts or constituent parts or branches of the High Court of Justice should, subject to the power of transfer hereinafter mentioned, have jurisdiction unlimited in the amount claimed whatever by the nature of the case.”

The Commissioners further recommend :—

“That the registrar should have jurisdiction to deal with the smaller class of cases.”

When these recommendations of the Judicature Commissioners are carried out in England, there can be in every port a resident judicial officer competent to deal instantly with all disputes between foreign captains and merchants.

It will be only necessary to provide court rules for giving such cases precedence, and for allowing the proceedings to be oral.

What exists in Scotland, and what is proposed for England, enables us to judge how very far we are behind in Ireland.

The Irish local courts in counties are held only once in three months ; the Recorder in Belfast, goes circuit as Chairman for Antrim, and sits as Recorder only six times a year. The Recorder of Cork sits as a civil bill judge only once a month.

It is not proposed to constitute the registrars of these courts judicial officers.

It is not proposed to give the local courts Admiralty jurisdiction except in Belfast and Cork. The power to give it in other ports, though unused and unworkable, has not been amended and is not proposed to be amended.

Remedy for the evils complained of by the foreign Consuls in Ireland.

It appears then that all that is necessary to remedy the evils complained of by the foreign Consuls, is to have the pending reform of the Irish local courts conducted on the model of the system which has worked satisfactorily in Scotland for two centuries, and to have local courts of the Three Kingdoms regulated as to jurisdiction, in accordance with the recommendations made by the English Judicature Commissioners in 1872.

In other words, that there shall be in each local court a permanent professional judicial officer of the rank of sheriff-substitute or registrar.

That each local court shall have unlimited jurisdiction ; but that where the sum claimed exceeds certain limits, the defendant may apply to have the case transferred to the central court for each kingdom, on such terms as the judge shall determine.

Whilst this reform would be beneficial to all her Majesty's subjects, it is the foreigners visiting our ports who are most deeply interested in its adoption, as they suffer most by the delay, complication, and want of uniformity of the present system.

It is in truth a logical consequence of the adoption of free trade, that to realize all its benefits our laws should be from time to time carefully examined as to the matters which affect foreigners, and that some department of the state should be charged with the duty of watching all our legislation from the foreign traders' point of view, so as to guard against the interests of international trade being unnecessarily sacrificed to imperfect legislation, to laws not being brought into operation, or to vested interests in special arrangements, which it would be for the advantage of the community to terminate once and for ever by adequate, or if necessary, ample compensation.

If we set the example in this way, of a wise regard for the interests of international trade in these kingdoms, we shall be in an ad-

vantageous position for asking to have a similar duty cast on the corresponding bureaux of foreign states.

Use of the approaching Conference at Antwerp, for reform and codification of the laws of nations.

When the simple reforms we have suggested, though resting in some respects upon a Scotch precedent of two centuries duration, and in others upon the recommendation of the most important English Law Commission of the present generation, have been allowed to remain for five years since the report of that commission unadopted, it is obvious that some move should be made on behalf of international trade, and the congress presents a favourable opportunity for considering the suggestions we have made, so as to secure the recommendation of the Conference and of foreign governments in their favour.

We would observe that the portions of our laws that affect foreigners and international trade are those to which it is most important that the principles of assimilation and simplification should be first applied.

It is a glaring anomaly that a vessel should be subject to different legal procedure according as it puts into Cork or Falmouth to wait for orders, and that an American liner should be subject to one form of legal procedure at Glasgow and another at Liverpool.

The general point of view which foreigners and foreign Consuls necessarily take is one from which the minutest difference or anomaly is most readily discovered, and so the most perfect assimilation is more likely to be advocated, and the aid of state departments charged with the duty of watching the effect of laws on international trade would be very valuable in this way. It is not to be overlooked that where legislation, as with us, is the work of a large extent of a representative assembly, any very general interest like the whole of our trade through foreign ships, which is not directly, or through some official department indirectly represented, is likely to be sacrificed.

We think that this Report should be brought before the International Congress at Antwerp next autumn, with the suggestion that a special duty should be imposed on the British Board of Trade, or the Commercial Branch of the Foreign Office, and on the corresponding bureaux of foreign governments, of watching all legislation and administration affecting international commerce and intercourse, with a view to secure the maximum of uniformity and assimilation in each dominion, and the promptest attention to all suggestions of foreign Consuls, for amendments in the laws affecting their fellow-countrymen in trading with the country to which they are accredited.
