

**VISITATION AND SEARCH: OR, AN HISTORICAL
SKETCH OF THE BRITISH CLAIM TO EXERCISE A
MARITIME POLICE OVER THE VESSELS OF ALL
NATIONS IN PEACE AS WELL AS IN WAR WITH
AN INQUIRY INTO THE
EXPEDIENCY OF TERMINATING THE EIGHTH
ARTICLE OF THE ASHBURTON TREATY**

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WILLIAM BEACH LAWRENCE

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BY

WILLIAM BEACH LAWRENCE,

EDITOR OF "WHEATON'S ELEMENTS OF INTERNATIONAL LAW."

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THE following Essay is based on an article prepared for the Newport Advertiser, of whose columns the author of these sheets has, during the last six years, occasionally availed himself, for the examination of subjects of general interest. The original publication appeared, on the 16th of June, when it was supposed that we were on the eve of a protracted discussion with England, in reference to the visitation and search of our vessels, in time of peace. That matter, so far as regards the United States, is now understood to have been definitively settled by the acceptance, on the part of Great Britain, of the exposition of international law presented by the American Secretary of State, which, it was admitted, accorded with the judicial decisions of Lord Stowell, and with the parliamentary declarations of the Duke of Wellington. These views have since also received the sanction of the learned Ex-Chancellor, Lord Lyndhurst.

It is believed that the history of negotiations, involving the cardinal principles of maritime jurisprudence, cannot be without interest to the citizens of a nation having the largest navigation of any people; while the recognition of the independence of our flag may well absolve us from the onerous obligations assumed by the Ashburton Treaty, the objections to which were so fully pointed out, in the Senate, by our present chief magistrate, at the time of its ratification.

Aware that any claim which this work can have to notice must arise from the intrinsic accuracy of its views, the author has endeavored to apply, without either national or partisan prejudice, to facts, as they have arisen, the universally recognized rules of public law and political science. The statutory provisions of Great Britain speak for themselves. He trusts that no one will impute to him, because he has deemed it his duty to dissent from the course of Mr. Webster, on a matter connected with our foreign relations, any disrespect for the memory of one, who, by jeopardizing for the Union an unequalled sectional popularity, added to the title of jurist and statesman that of patriot.

OCHRE POINT, NEWPORT, August 25, 1858.

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