

this freedom is Under the protection and Government of such a prince or state. No body pretends, that an free passage ought to be Denied to travellers or passengers at sea, where there is no cause of fear or jealousy, but that as all passages to foreign Countries are subject to such Limitations and Restrictions as the several princes and states think fit for the welfare and security of their own people and Allies. Thus the Crown of Great Britain Demands the Right of the flag, that is to strike the flag and send the ship to any ships of war or others bearing the Colours of the Sovereign, as a Mark of Respect to all ships passing in the British seas, upon which term such passage is permitted. And as the liberty of trade between one state and another may be regulated or refused, according as it is found for the Interest of a Nation to do, if there be no treaty in force Engaging them to the contrary: So the King of Great Britain Grants Licences to fish and furses tribute and Custom on all Merchants ships and fishermen fishing and trading within the limits of the said seas, protects the Innocent and punishes the guilty for all Crimes committed there and grants free passage to any Number of ships belonging to. And their Prince or Republick or Denies the same according to the Circumstances and usage of such passage, in the same Manner as any Prince or state may grant or Deny free passage to foreign troops thro their territories by land. Therefore in Law, these two Phrases *Intra Regnum* & *Intra Quatuor Maria*, have one and the same signification, viz. that all the Actions done within the limits of the British Empire in those are deemed to be Done in Britain itself. The sea province of the British Empire does properly belong to the Lord high Admirall of Great Britain or his Deputies, not only with Relation to its Defence and Guard, but to its Government and Jurisdiction, which the said officers have Cognizance of.

For

141.
For Decision of the Difference arising between Merchants and sea faring Men, there are Extant Distinct Collections of the sea laws of several particular trading places, ^{viz.} the Naval laws of the Rhodians, of the Veny, of Wisby and of the Hansetowns &c. Out of all which an Excellent system was compiled by order of Lewis 14 King of France in the Year 1681 Regulating Maritime Contracts, the Jurisdiction of the officers of his Admiralty, and the principal Duties of sea faring people, and Establishing a good Policy in the ports Coasts and Roads within his Dominions. In Britain there is no Authenticated Collection of sea laws, but only some particular statutes and Acts of Parliament relating to Shipping and Navigation. The Parliament of Scotland in the Year 1661 made a Law act 44 Parl. 1 ~~1661~~ (Ch. 2) for Encouraging Shipping and Navigation. But now by the Union our Navigation and Shipping are upon the same foot with those in England, Except that Ships and Vessels then belonging to the Scots, the foreign built, passed ships of the built of Great Britain, act. 485 of the Union. So that the present sea laws of Great Britain, are the particular statutes of 12 Car. 2 cap. 18. 1 Jac. 2 cap. 18. 5 & 6 W. & M. cap. 24 &c. Where statute law said, the Judges of Admiralty are Directed by the Civil law, and such of the former Maritime laws aforesaid, as they find Most Expedient in particular cases.

Shippers are not Regularly liable to the penal ty for transporting forbidden goods, Unless the sanction of the Act of Parliament Expressly point at them, Arg. Act 40 Parl. 62. M. Where the prohibition to Export Victuals tallow or flesh, is Expressly extended to Ships port and Masters of the Vessels where in such goods are Received, as well as to the owners of the Goods. For those words imply, that the Act Naturally did not Strike against Shippers; seeing to Extend any thing is to carry it beyond its Natural Import Where we observe on act 12. stat. 3 Parl. 1 Ch. 2.