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Publisher: Routledge

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Number: 1072954 Registered office: Mortimer House, 37-41

Mortimer Street, London W1T 3JH, UK



## Royal United Services Institution. Journal

Publication details, including  
instructions for authors and  
subscription information:

[http://www.tandfonline.com/loi/  
rusi19](http://www.tandfonline.com/loi/rusi19)

### On the Laws and Customs of War as Limiting the Use of Fire-Ships, Explosion Vessels, Torpedoes, and Submarine Mines

Admiral the Right Honourable Lord  
Dunsany

Published online: 11 Sep 2009.

To cite this article: Admiral the Right Honourable Lord Dunsany  
(1878) On the Laws and Customs of War as Limiting the Use of  
Fire-Ships, Explosion Vessels, Torpedoes, and Submarine Mines,  
Royal United Services Institution. Journal, 22:95, 271-290, DOI:  
[10.1080/03071847809416639](http://dx.doi.org/10.1080/03071847809416639)

To link to this article: [http://  
dx.doi.org/10.1080/03071847809416639](http://dx.doi.org/10.1080/03071847809416639)

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# The Journal

OF THE

## Royal United Service Institute

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VOL. XXII.

1878.

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### LECTURE.

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Friday, February 15th, 1878.

ADMIRAL SIR FREDERICK W. E. NICOLSON, Bart., C  
President, in the Chair.

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#### ON THE LAWS AND CUSTOMS OF WAR AS LI THE USE OF FIRE-SHIPS, EXPLOSION VESSELS, TORPEDOES, AND SUBMARINE MINES.

By Admiral the Right Honourable LORD DUNSANY.

I AM now about to give what, according to the laws and of this Institution, is called a "lecture" upon a particular in the laws and customs of war. We are accustomed in to hear gentlemen fresh from the seat of war, or inventors of torpedoes, or Thorneycroft torpedoes, and we naturally listen with great attention, because we know they can tell us more than we know ourselves. In my own case I have no such to your attention. I am not a great jurist, or any jurist at all, not a great writer on international law like "Historicus;" therefore, prefer to discard the word "lecture" and call this an essay. I can only pretend to have thought out this subject to the of my ability, and to have consulted, I hope with due diligence, the principal authorities on the subject, in doing which I have been under great obligations to the kindness of a friend I see opposite, who gave me facilities in the British Museum. I must further apologise to any learned jurist who may be present, and some distinguished jurists have been invited, for what may appear like depreciating their services. To ignore the immense services rendered to mankind by the efforts of civilians, and especially such civilians as Lord Stowell, would on one's own ignorance; I simply deny that it is their province to

for carrying on wars under new circumstances. To the Torpedo Branch, some of the most promising and interesting of the Navy, I need scarcely say, if the slightest taint attached to that branch they would not be found in it. A torpedo is as lawful as any other means of warfare. I who contend that such means are not in the least object score of humanity, that they will shorten war, or fix compensation for their apparent mischief. It is also a force that on the introduction of shells, for instance, objections were raised on the score of humanity, and yet we have been perfectly reconciled to them. Regarding the principles on the laws of war, I confess that a tolerably extensive British Museum has not thrown much light on the matter. Torpedoes and submarine mines could no more find a place in the jurisprudence of Grotius and Vattel and others, than cannon and breech-loaders find a place in Cæsar's Commentaries. Jurists, again, have not yet had the facts before them to build a theory. For it must be remembered that in the practice precedes or makes the law, not the law the practice. The new cases make new laws. The latest instances of this, the employment of balloons during the siege of Paris, where some balloons were captured, and arose as to what position the prisoners ought to be considered. French writers on the subject, those who have written Heffter and others since the siege, consider that they are nothing more than blockade-runners. The German, on the other hand, considered that they came, in some degree, into the category of spies—in any case they sent them before a court of law, and I understand it would have fared ill with some of them. I believe, a countryman of our own, if the war had not been so long, would have come to a conclusion. It seems to me that there has been upon certain points an unwritten law, a general opinion, whether among our land or sea Officers which governs their practice. This has been antecedent to, and independent of, the so-called "law of nations;" but it has grown into a law, and in time becomes public law. Such, for instance, is the opinion that the crews of fire-ships are not entitled to quarter, and such was the universal opinion of the Navy in my boyhood. I remember, and my own recollection concurs with that of the Officers with whom I have consulted. I may add, in proof, that in 1809, the latest occasion on which we used fire-ships, the Basque Roads, when the expedition was under the command of Lord Cornwallis, the belief that the enemy would act on the principle of not quartering materially influenced the Admiralty. I shall, however, say nothing on the subject of fire-ships, the progenitors of our modern mines, and other novel modes of warfare. I hope that the apparently cruel rule respecting fire-ships worked well in practice. Whether it should be extended to other cases, to what cases, is a serious matter for your consideration. I consider if this essay has any value, it will rest

suggestiveness and the opinions it may elicit, than in anything contained in it in the way of my own opinion.

But is some such rule necessary? Looking to the tendency increasing tendency—towards what would have been called “mate warfare,” some may think it necessary or at least expedient to then glance at what has been the progress of this tendency in the last century, and the point is not without interest, for what has taken place has been in a contrary direction to that which was expected.

Going back more than a hundred years, in 1759, we find the Duke of Conflans, who combined the dignities of Field-Marshal and Admiral, issuing an order against the use of hollow shot,—incendiary shells in this case. His words are remarkable. He says they were “not used by polite nations, and that the French ought to fight according to the laws of honour.” We may pass over forty years to the battle of the Nile in 1798. It was, as we all know, a battle fought out with round and grape, but by one of the thousand accidents of war the French flag-ship “L’Orient,” a magnificent three-decked ship, was fired and blew up. Mutual animosity was at its height in England and the French thought they could not blacken the character of their victors better than by charging them with using incendiary shells. This charge was untrue, but it expressed the feeling of the English, who retorted that they found incendiary shells in one of the French ships. Passing over two instances in which we used fire-ships, a topic to which I must return, let us examine a very remarkable incident that occurred in our war with the United States in 1812. It affords a very good gauge of opinion at that time, as a test of the feeling in our own country. The “Ramilies,” 74, was lying off New York, maintaining the blockade. She was short of provisions, and two American merchants, knowing this, fitted out a schooner and loaded the hold with powder, covering it over in the hatchways with flour. An ingenious piece of clockwork attached to a train leading to the powder, ensured its explosion at a given time. The vessel was captured as intended, the crew was taken to land. According to ordinary calculation and probability, the explosion would have been ordered alongside the “Ramilies” to be exploded in that case when the clockwork reached the fatal hour, 2. The explosion would have ended the history of the “Ramilies” and 600 men under Sir Thomas Hardy—Nelson’s Hardy. As Providence would have it, the schooner was ordered to another prize, but away from the “Ramilies;” and thus the crisis arrived, there were no other victims than the prize crew. Our standard naval historian, from whom I quote remarks, “not only does not trust ourselves to comment upon this most atrocious proceeding, but a naval Officer, a contemporary, Captain Brenton, says, ‘the quantity of arsenic in the flour would have been so perfectly concealed that it was not discovered until it was too late,’ ‘with the rest of the contrivance that we wonder it was not discovered sooner.’” “to. Should actions like this receive the sanction of Government, the science of war and the laws of nations will degenerate into the barbarity of the Algerines, and pillage will take the place of war.”

"ness and humanity to our enemies." Such were the two writers, one in military the other in civil life; and in my own earliest recollections, I have no reason to doubt that the general sentiments of that day; perhaps they still hold upon the survivors of that generation. The young man probably will view the matter in a different light. The incident is affording a test of two different schools of thought resting. If any young Officer of the Torpedo School is present, he will see little difference, in a moral point of view, as to how war is brought about, and may think how much more surely it has been effected in these days. Before quitting this incident, I would say that it cannot fairly be held to reflect any blame upon the Americans as a nation, who are as fond of fair fighting as we are of carrying on war.

Let us now pass from what we call the pre-torpedo period, when we were content with round shot, to our own more civilized period, the commencement of the period of more deadly weapons,—secret, widespread destruction,—may, I think, be fixed in the year 1851, a curious coincidence, or what in the phrase of the day was called "the irony of history," two remarkable events signaling the close of the Napoleonic Empire, which had cost England 80 years of suppression, besides countless lives, and which all Europe had under a ban at the Treaty of Vienna, was revived and called the "Empire of Peace." "*L'Empire c'est la paix.*" At the 1st of May in that year, we inaugurated the millennium of peace and universal brotherhood in Hyde Park. The temples of Janus were closed, and those of the big temples of commerce were opened. War was declared out of the department of human industry was invited to that exhibit that some benighted persons like Armstrong and W. G. & Co. of Lancaster sent specimens of their wares. Report said they were rejected, and the inventors told to take their obsolete toys to Cannibal Islands. I never heard that they did so, and I am as well that they did not. Well, two years passed, and "change came o'er the spirit of our dream." The new French Republic was established at the end of 1851, and Napoleon III. was full for the next twelve months. In 1853, however, he was idle, he had leisure to look abroad, and, as the pretty hymn tells us,

"Satan finds some mischief still  
For idle hands to do,"

it must have given zest to the author of mischief that it was in the holy places, for you may read in Kinglake it was at the keys of the holy places between the Greeks patronised by the Latins patronised by France, that really originated the Crimean War. Screw line-of-battle ships were among the first fruits of Napoleonism, and the Crimean War gave rise to the first of another idea of the Napoleon of peace. Ironclads, apparently invulnerable, set people thinking of means to defeat them. For some time the contest was between iron

guns, the guns growing larger and larger until Italy now has a gun that will throw a ton of iron some nine miles, nor is it to remain the maximum of artillery power. It is stated in the *Edinburgh Review* for October, "The great gun now in construction in Italy, in consequence of the experiments made at Spezia, weigh 200 tons. The length of this enormous weapon is 50 feet; the length of the bore, 44 feet; the diameter of the bore 21 inches. The charge of powder will weigh 950 pounds; the projectile, five feet in length, will weigh 6,000 pounds. It is calculated to be able to throw its shot for twelve miles, or from Woolwich to the West-end." They have not yet discovered a range that will cross the "silver streak," but even that does not seem quite impossible.

The history of our own torpedo schools is short, for we have no experience of them except in the way of experiment. Those present must have heard Mr. Thornycroft's lecture on the torpedo vessel, and may remember the French experiment on the old frigate "Bayonnaise." He could not have described this done in more graphic language than he used by saying that the made would admit an average omnibus. I believe one of our experiments gave an even yet greater result; a breach of 20 feet, that is to say, a hole that would admit four omnibuses. I am not sure whether this breach was effected by a torpedo, or so called, or by a submarine mine, for our school distinguishes between which the Americans do not. To the unscientific mind such a result would appear very conclusive, but our naval architects I believe would say the system of watertight compartments might save the ship. One fancies a ship, with say 20 feet of keel blown away, would be a man with some inches of his backbone extracted, rather than helpless.

The use of a torpedo, as discharged by one ship against another, does not seem to me any departure from open warfare. Submarines, on the contrary, have, or may have, in some circumstances a very different character. We are, let us suppose, at war with France, and suddenly an attack on Cherbourg, strewn the approaches thickly with mines; who questions the legitimacy of that act? Again, the torpedo boats steal into an English anchorage or narrow water at night and perform the same operation—has it the same unexcusable character? We must remember that practically the only risk is a little personal risk unless you put him under the same rule as the fire-ships. The Thornycroft torpedo-boat seems the completion of what I may say so, of torpedo submarine science. Mr. Thornycroft has said that a yacht he built for Baroness Rothschild steamed 21 knots, and he said further that he was prepared to build boats to maintain 25 knots, and the *Times* told us lately of one of the torpedo boats steaming 27 knots on the Thames. Has science spoken in this branch? There is no reason to think so. I suppose for facility of calculation three knots more gained would be three knots per hour, one mile in two minutes. At anything about

<sup>1</sup> See *Journal of the Institution*, vol. xxi, No. 91, page 611, et

1,760 yards—bow on, such a boat would present too small hit. Say the first shot is fired at one mile, in less than an hour and before the smoke of the first gun has cleared away, the craft is within torpedo range and launches her two torpedoes, had the result the other day in the last exploit of the Russian yacht "Constantine," as given in the *Times*. The "Constantine" in the Black Sea, observed the look-out ship of the Turkish ironclad, and detached a torpedo cutter against her. The cutter charged two torpedoes, and the Turkish ironclad disappeared, nothing but fragments on the surface of the water. The result was it was impossible to save the crew. I do not know whether it was the trouble to try. It must be remembered, however, that torpedoes cannot pick up the crew of an ironclad if they care to do so. An ironclad can save the crew of her pigmy foe. But a point to call your attention to is the very small risk to the torpedo boat which this wholesale destruction is effected. The huge guns of the present day make excellent practice, as I witnessed many times this summer; but they fire very slowly, and, so far as I could judge, the chances of hitting a torpedo-boat in motion would be *nil*.

In the case of submarine mines their use is of course confined to shoal waters. They may be either automatic (a ship touching causing their explosion), or the operator may be miles away communicating with the mine. There also the operator might be in perfect safety. In one experiment I saw of the kind, the submarine mine was used to blow up a raft, which it did most effectually, sending a shower of small fragments up into the sky. But the explosion was caused not by one of the artillerymen, but by a fair lady standing by, who just touched with her thumb a little spring and disappeared. She was in perfect safety. I do not mean to argue that submarine mines have been hanged. But with regard to torpedo-warfare a remark made by a very intelligent Officer of the department struck me forcibly in reply to some observation of mine, after witnessing some very successful experiments, he said, "We consider the art in its infancy, but we believe it to be capable of great development." If Hercules can kick a hole 800 square feet in a ship's bottom, how can he do full grown? A variety of this warfare seems to have been practised by the Confederates, which would certainly be more effective in the breach than in the observance. That also we find detailed in the *Edinburgh Review*. I call your attention to it because it certainly seems to be on the verge of the lawful, if it is not beyond it. The means of explosion consisted of a hollow lump of iron, filled with dynamite. It was rubbed over with coal tar and dust, and resembled a large lump of coal. I am not sure whether it was successful, but it certainly was used by the Confederates. One here present probably remembers a case of a criminal who was put to death by a German at Hamburg, who, wishing to insure himself for insurance money for a vessel, made provision for putting this kind into a ship, knowing that whenever it was thrown into the furnace an explosion would take place, and the ship was destroyed.



A most important development of torpedo science, which has received little notice (probably because the experiments are conducted in secret) is likely to take a foremost place in the next war. I mean the use of submarine vessels as David Busnell or Robert Fulton devised centuries ago, and were successfully used by the Confederates in the Civil War. Those who wish to inform themselves upon this subject will find ample details in Lieutenant-Commander Barnes's work, Renard's "*Fond de la Mer*." Elsewhere Barnes tells us that the "David" submarine boat, which destroyed the United States frigate "Housatonic," was manned by a crew of nine men, eight of whom worked the propeller by hand, the ninth steered the boat and directed her movements under water. She could be submerged at any depth, or could be propelled on the surface. In smooth water she could be exactly controlled, as her speed was about four knots.

In Renard's "*Fond de la Mer*" we hear that Spain is constructing a submarine vessel called the "*Ictineo*," which was perfectly adapted for submarine navigation. Her peculiarity was an apparatus for renewing the oxygen when exhausted. She worked at a depth of nine fathoms as at the surface, and remained there under water. The French submarine ship "*Plongeur*" was propelled by compressed air, and was "completely successful except in stability." The purpose of these vessels is to use torpedoes, as observed.

The humanity of the present day then has provided these new ways of shortening human sorrows. You may be sent to heaven by a torpedo, or blown to the sky by a submarine mine. Is there no more? Wheaton, the American jurist, informs us that "it is to be thought that a steam vessel on the defensive may throw torpedoes, or boiling water." The assertion is not in a very positive manner confined to the defensive.

May ships on the offensive boil their enemies alive?

We seem here to have got pretty far in the way of what was once thought illegitimate warfare. Has science done no more?

"Beneath the lower depth a lower depth appears."

In the *Nautical Magazine* for last month I found, among the latest inventions, "No. 4355. Carl Böhm, improvements in apparatus for discharging petroleum, or other hydro-carbon fluids from submarines, boats, or other vessels." Discharging liquid fire that is.

The patent is for "improvements," so the invention is not new. Some very illiberal lines on Sir W. Congreve, the inventor of rockets, after his death ran,

"At his old vocation the worthy knight  
Had laboured long and well,  
And perfected his instruments  
In the crucibles of —"

a very hot place. Mr. Carl Böhm might learn something of the merits of hydro-carbon. We need not go further in the march of civilisation. Have we not got near the limits which nature and customs of war impose?

A few words on fire-ships, an invention for which the p not responsible.

It was a savage mode of warfare, but limited by a custom. As it was said of the Russian Empire some year was a despotism tempered by assassination, so it may be use of fire-ships, that it was a cruel practice, but tempered their crews, if caught. I need not trace back the origin like old Falkiner, who tells us they were used by tl 190 B.C., and it would be hard to prove they were not. C were used by the Greeks, with their famous Greek fire. the purpose that they first appear in our Navy List in 16

About this time, in a list of ships in commission, given in "Sea Laws," in this Institution, there is an abstract of c ships on December 18, 1668, giving first and second rates, and fourth, 46; fifth rate, 2; bomber, 1; and fire-ships, 1

Old Pepys tells us, with reference to our preparations the Dutch in 1686:—"Tis a little odd to see almost half : " ships as men-of-war in this fleet."

The fire-ships proved effective in the Dutch and French close of that century, but seem to have gradually fallen i the 18th. Still we find the expedition under Hawke and John Mordaunt against Rochefort, 1757, attended by tw that of Boscawen's, two years later, also. In 1779, Lord in North America, we read, was strengthened by two fir lastly, when the French and Spaniards swept the Cha sail-of-the-line in 1780, they had nine fire-ships, and Sir Cl who could only watch them with 40 sail, had four fire-sh

When the Revolutionary War broke out at the end of neither side seems to have used fire-ships as part of in 1804, after the short Peace of Amiens, when Napoleon army and flotilla at Boulogne, threatening invasion, Nelson sion ships, called catamarans, against them, with no effec . Thus it is undeniable, on the one hand, that both France employed fire-ships without scruple up to this ti no less undeniable that the crews of fire-ships were not be entitled to quarter. This may seem to be *illogical*, understand it. In the first place, from the nature of th crews could not stick to their ship to the moment of c had, after firing the fuse, to make their escape in boats. as they passed through the enemy's lines, would natu targets; and if, meanwhile, some ship, clasped in the de of the fire-ship, had exploded, it is all the more likely that should be the objects of unsparing vengeance. Proba vague but fatal epithet of "un-English" came to attac used a deadly weapon, but withdrew themselves (so quickly) from the fray. I cannot produce evidence of th believe that Officers serving in fire-ships did not stand hi brother Officers. It is some confirmation of this creed, tl find the Boscawens, Rodneys, Howes, Jervises, Nelson fire-ships.

Of course, the idea of being hanged like a criminal would have had some effects; and then, on the last occasion of our using fire-ships, an ill-managed expedition in Basque Roads, Lord Dundonald that, of 20 fire-ships employed on that occasion, 4 only reached the enemy's positions *at all*, and *not one took effect!* Why no squadron of line-of-battle ships is easily visible, even at night, is evidently because the crews quitted their ships too soon. But why do they do so? Were the veterans of that day afraid to approach the enemy even in the darkness? The official correspondence of Lord Dundonald establishes the fact, that with the French, as well as with ourselves, the crews of fire-ships did not expect quarantined fact was admitted, even by Lord Dundonald, to be a stroke against the proposed operations which Admiral Gambier letter to the Admiralty, *deprecates* as being a "horrible warfare." Writing to Lord Mulgrave, First Lord of the Admiralty, he says:—"The enemy's ships lie much exposed to the action of fire-ships. It is a *horrible* mode of warfare, and therefore hazardous, if not desperate." It may be said that Gambier was a man likely to take a weak and unmilitary view of such a mode of warfare. But then Lord Cochrane was the very reverse—a perfect fire-brand what says he? He tells us, Vol. I, page 303:—"Other Officers have been consulted, who disapproved of the use of fire-ships. I have further on:—"My reply to Lord Mulgrave, therefore, was in the opinion of Lord Gambier, and of the naval Officers consulted, that the Admiralty, *as to the use of fire-ships*, coincided with my opinion. If any such attempts were made upon the squadron, the result would be all probability be, that the fire-ships would be boarded and destroyed, numerous row-boats on guard, *the crews murdered*, and the squadron turned in a harmless direction." By "murdered," Lord Dundonald means put to the sword according to the usual practice. In the appendix we find (page 362) that Lord Gambier had denounced the mode of warfare as a "horrible and anti-Christian mode of warfare."

The expedition was, as all know, a failure, though the whole squadron ought to have been destroyed; the main cause of failure seems to have been the hurry of the fire-ships' crews to get away from the vessels, presumably from a dislike to be slaughtered.

The inference I draw from this is—first, that such a rule of giving no quarter to the crews of fire-ships, worked well in the present case; secondly, that it might be applied to some other case where the really incurring the charge of barbarity.

But some may say, "What, not barbarous to kill prisoners?"

In the case just cited, I find nothing of such killing in the case of the fire-ship crews seem to have taken very good care of themselves; whereas, had they taken their ships close to the enemy, they would probably have been a slaughter, that is, a burning of several thousand.

Of course, it is our object in war to destroy our enemy. Lord Dundonald, a most competent authority, tells us this could have been done after the failure of the fire-ships, but for the

character of Gambier and the unhappy jealousies of fleet.

It would of course be a very serious thing now, in the 2<sup>d</sup> the millennium, to practise severity to prisoners, even in a quarter. But is that really cruel which saves life, or, at least, units to save thousands. How do you treat spies? and do so?

For it is not in either case an act of revenge, it is done in accordance with a principle that against exceptional means of attack you must use exceptional means of defence, and that both reason and experience tell you that those means will be successful.

Take this illustration. The Captain of the "Excellent" tries some new infernal machine against a target hulk. It is the nicest adjustment; and, calling the carpenter, he says, "you will go in that boat, taking this machine with you, and fix it in such a manner." Well, Mr. Chips fixes it to a hulk. But would he have done it equally well had the Captain said, "But take care how you use your tools, for if you are hanged?"

"Horrible suggestion!" some may say, and quite contrary to the principles of war, quite indefensible, morally and logically.

Well, I will put the logical argument against it in the words of French friends are so fond of. "Of two things, one. Either weapons are legitimate, and then you cannot punish the man who uses them, or they are *illegitimate*, and you should not use them yourself." Now this is a very pretty dilemma with a very good horn; and I am asked, "Which will you choose?" I might say, "Neither! Your new mode of warfare may be legitimate, but more, I must practise it if *you* do; but I object to it, and the law of self-preservation compels me to treat the prisoner with severity."

Of course, to put herself right, England would have to relinquish the practice, if the other Powers would do the same. But this they would refuse, because they took to the new weapon as the only means of maintaining their maritime supremacy. As regards some supposed principle of severity by the law of nations, where do we find it? It goes deeper, is there any *fixed* "law of nations" as applicable to the state of warfare?

In the same sense that we talk of the laws of England, in any other country there is no law of nations. Roughly speaking, to attach to the word laws three necessary conditions. Some authority to enact them; some authorised court to decide on infractions; and, above all, some power to enforce those laws. All these three conditions are wanting to the law of nations. This last requisite the others are useless, and it is just therefore that international law breaks down in war-time, when *silent leges*. We might see an illustration of this in the death by the Dey of Algiers.

We are told that:—

"The Consul quoted Bynkershoek,  
 And Puffendorff, and Grotius,  
 And proved from Vattel  
 Exceedingly well,  
 That to do so would be quite atrocious.  
 'Twould have set a Christian weeping  
 To have heard the doubts he stated.  
 But the Moors did as they were bid,  
 And strangled him while he prated."

Here all his learning could not save him, because it wanted  
 jurists call a "sanction," a power to enforce it. He had it  
 but not the shot.

The Dey, of course, was a barbarian, and knew no law save  
 will, but, in a civilised way, strong Powers imitate him in  
 day.

A French witty infidel of the last century said that "I  
 always sided with the big battalions." Our own history  
 many glorious exceptions. But, had Voltaire said that in  
 law in war-time was always interpreted in favour of the big  
 he would have come near the mark, and I don't see how  
 otherwise.

The great "Publicists," or writers on international law  
 commissioned. They differ as to their own origin and  
 differ about fundamental principles, and differ on plain questions  
 morality where mankind are generally agreed. Some  
 jurists of the highest authority justify assassination and  
 Wheaton, a standard American authority, tells us:—"The  
 "institutionary writers as Bynkershoek or Wolf, who live in  
 "most learned and not the least civilised countries of Europe  
 "commencement of the 18th century, assert the broad  
 "that everything done against an enemy is lawful that  
 "destroyed though unarmed and helpless, that fraud or  
 "may be employed against him, and that an unlimited right  
 "by the victor to his person and property. Such, however  
 on to say, "was not the sentiment and practice of  
 "Europe at the time they wrote, since Grotius had long  
 "cultivated a more humane principle."

But, hear what Grotius, this same Grotius (whose real name  
 Quincey tells us was Van Groot), tells us Puffendorff says:—  
 "in the next place, he particularly enquired whether it be  
 "assassinate an enemy? And here Grotius or Van Grotius says  
 "that there ought to be a distinction made between persons  
 "violate their faith expressly or tacitly given, as soldiers  
 "vassals, refugees, or persons that were never bound by  
 "that to employ the latter is *what no law forbids*. But to employ  
 "those, who, by the act must be guilty of falsehood or  
 "what the more civilised part of mankind always look upon  
 "greatest infamy or baseness"!!!

So it would seem that to employ the Heathen Chinese,  
 Pirate, or a maniac to assassinate your enemy's General is  
 justifiable. To adopt the style of a well-known preacher,

"Groot, Van Groot, who taught you this vile morality?" Pi does not concur in this. But *Vattel* allows assassination.

Coming to modern writers on international law, though I researched for some definite rules as to what is legitimate or what is not I was disappointed, I found some very prohibitions and some which showed ignorance of the subject.

John Heffler, writing in 1873, "*Le Droit International*," says:—"The laws of humanity forbid, also, using means of action which, at a single blow by mechanical means, beat down masses, reducing man to the rôle of an inert being, or increasing bloodshed. Let us cite the use of star shot (*boulets*) in land battles, or '*couronnes foudroyantes*' in naval battles, or projectiles which destroy whole ships with their crash."

Telubad, in "*Droit des Gens de l'Europe Moderne*," chains and bar shot, and says it is also forbidden to load muskets with two balls!

But the fact is, we must not look to the jurists for anything more than general principles in the laws of war. It is not their duty to make or to mend those laws. They are often made for the day by the Commanders on the stronger side.

Thus, our countryman, Montague Bernard, says in a very recent passage:—"The student of history is apt to be a little puzzled by the frequent reference to '*laws*' with which he is tacitly assumed to be familiar. The Duke of Wellington directs that a French town shall be decimated and all the Officers put to the sword if they violate the '*laws of war*,' by destroying works which they are to maintain. The laws of war forbid the defence of an enemy's town. They permit a ship to hoist false colours at sea that she may be able to fire under them; they do not prohibit bribery or intrigue. What are these laws? Where are they written? What authority have they? They are a body of *usages*, for the most part traditional, which have arisen principally from motives of convenience or the extension of commerce."

I am bound to say here, that the distinguished writer of this passage informs me that he by no means meant to refer to this order as precedent or authority. But we have the fact that the Duke of Wellington ordered a Spanish Officer, who was at a distance, and who was felt no compunction in executing it.

Napier, indeed, doubts whether the threat would have been obeyed, and thinks it *ought* not as regards at least the private soldiers to be irresponsible, but that supposing escape impossible, the threat might have been executed. Were not the inferior Officers, as irresponsible as the soldier? Modern jurists, I believe, are right of refusal threatened.

The Duke of Wellington was a man who knew his own mind, if ever he wrote a letter free from a shadow of vacillation, it was when he gave a stern command to inflict the punishment *without awaiting orders*.

Are we then to admit that the Duke, on so momentous an occasion, while invoking the laws of war, not only violated them but

outraged the precepts of humanity? I cannot admit it! the explanation to be simple.

It was a *Spanish* force, commanded by a Spanish O blockaded Pampeluna, and the French garrison had obtained, by the basest military treachery, in *peace-time*, and in all law and principle. It was as clear an act of brigand seizure of Dover Castle this day, by French soldiers disguised as "excursionists," could be. The Spaniards, therefore, had any case, to treat the garrisons as pirates, but this right doubly strong under the circumstances contemplated in the letters. (See Wellington Dispatches, Vol. XI, p. 210.)

But why do I dwell upon this episode? Because it seems that acts of war are best judged by the Commanders who were before them, and that even in this extreme case severity was not real inhumanity. I believe that stern letters saved lives on that occasion, but that the lesson was probably learned in 1870, and may have saved lives then.

But it is vain to think that the rough game of war ever will be played in exact conformity with the rules of the law of war of 1870 produced many infractions of the law of nations. I may believe M. Calvo. He cites several, which time will not to quote. The French, as the weaker party, complained, but the Court of Big Battalions decided against them, and worse, when that Court sent in its little bill, it proved to be a thousand millions of francs!

Think what a torpedo of a bill! How many six-and-sixes must have gone to make it up?

To remedy the many defects of international law, a Conference was held at Brussels in 1874, when we are told that Prince Gortchakoff's programme of seventy-one Articles, covering the whole ground of usages of war, in itself forming, as Prince Gortchakoff said, a starting point for ulterior deliberation. It soon appeared, however, that the British Commissioner, to be a Conference in which offered little more to the lambs than a voice in preparing sauce with which they were to be eaten.

Æsop would have described this Conference in some such terms:—"The wolves of a great northern forest invited the sheep to a Conference, upon the method of carrying on war. The chief Commissioner, a wolf, having dwelt on the pacific temper and humane feelings of the wolves, deploring the sad necessities which at times forced them into war, stated his complaint against the sheep.

"Instead of adopting any recognised military formation, the approach of the wolves, the sheep, he said, rushed to him in a tumultuous manner, forming what was neither line nor column, a shapeless crowd, faces inwards and sterns outwards. He said nothing of its unbecoming or unmilitary effect) manifestly for the wolves to select the fattest sheep or the weakest lambs, as was their undoubted right, and, what grieved him, made it necessary to be rough with scraggy or elderly ewes."

"To this the spokesman of the sheep, an elderly be  
 "replied, that for his Excellency's kind intentions the  
 "much obliged, and to his assurances of wolfish humanity,  
 "only answer 'bah.' That the sheep were a simple folk  
 "little of war, and having, in truth, only two recognised r  
 "The 'strategic movement to the rear' (always executed  
 "quick time) and the formation of which his Excellency c  
 "'Faces inwards, sterns outwards,' that it was not, he  
 "manœuvre recognised at head-quarters, either in St. Pete  
 "Berlin, nor was it practised by the British Guards on pa  
 "it suited the ovine genius, because those in the cen  
 "formation were safe, and those outside could not see t  
 "which agreed with the ovine constitution.

"That for the rest he must only say 'bah!'"

We cannot then look to a Conference to decide.

It will, I imagine, fall to our Admirals and Command  
 next war to decide this question. When they come to do s  
 will be unbiassed by any mere phrase. Bismarck said "I  
 "were at all times under the dominion of four phrases,"  
 times fall under a similar yoke. I object, in a matter of this  
 phrase "murdering prisoners in cold blood." It is beggin  
 question to call it murder, for we are all agreed that n  
 objectionable practice, and it is inaccurate in every word.  
 is not a "prisoner" unless you make him so, and the  
 "cold blood" is utterly inapplicable to the circumstances :

For how would the case arise in actual practice? We  
 that a submarine torpedo-boat has just succeeded in blowin  
 and her 600 souls in sight of our fleet. Those who  
 witnessed the catastrophe, and know that it involved th  
 many fast friends, will hardly be in that frame of mind ca  
 "blooded." Well, every eye is on the stretch to discove  
 of that deed, and the submarine boat—crippled by such  
 as constitutes the only danger—emerges on the surface.  
 every ship concentrates upon that boat, the guns' crews  
 coldest mood. Shall the order to "cease firing" be give  
 those who have just sent 600 brave souls to a watery gr  
 back to reap their rich reward, and encourage others to  
 deed? That is the question as it would present itself.  
 murder and no cold blood, but a stern law of retribution  
 any jurist's theory. I believe that law to be just, I know  
 the welfare of England, and the Poet tells us—

"Britons rarely swerve

From law however stern that tends their strength to nerve

Major E. H. CAMERON, R.A. : Such a subtle and delicate vein of  
 raded Lord Dunsany's discourse that I really do not know at this m  
 he is in favour of or against the use of torpedoes and other such impl  
 fare. He, certainly, it did seem to me, at one period of his lecture,  
 strikingly at those who discharge torpedoes, as doing so from a posi  
 safety. Instead of that being the case, I think I may say that anyb  
 torpedo service may go forth very well assured that he is going on



most extreme danger, if not on an absolutely forlorn hope. The *re* instance the "David," and I thank him for that instance; for it serves me right, the crew of the "David" went to the bottom together with the last ship which she destroyed, and they sleep the sleep of brave men in defence of their country. He has also instanced explosive coal lumps, gives the credit of that, or the discredit, to the Confederates. I can only say that had one of those lumps in my own hands which came from the North was intended by Northern cruisers to have been put on board blockade runners, the bunks of Confederate cruisers, and thus the explosive coal lump produced its unhappy result when least expected. Then the noble lecturer says something about modern barbarity and the barbarity introduced by the use of molten lead poured from machicoulis upon the heads of the old; and not only upon the knights protected by their tin pots, but upon the armoured yeomen who came to storm the castle! With your permission I will quote something from a lecture delivered in this Institution by Major-General Bullen on a kindred subject: "Have we not heard that in the dark ages human beings were men's brains with a mace, whilst cruelty used the lance, the sword, and that the bishops of the period therefore rode into action with the intention to kill without shedding blood?" That was the nice distinction of the dark ages. Then, Sir, the noble lecturer said, "What will be the result of torpedoing English channels or harbours by the enemy during the war?" Well, I suppose we must, as the Americans say, sleep with our eyes open, and no doubt it is the early bird that gets the worm; and if this is the case, he can torpedo the harbour with perfect safety if he is not detected. Some years ago, in deference to the wishes of a foreign Power, who now we are not so anxious to conciliate, we abandoned the use of shells; and now, mark the irony of history. True, we have abandoned the use of shells with them the possibility of blowing up our enemies' limbers with great effect. But what have we introduced instead? We have the Armstrong's rifle, which, I venture to say, produces a far worse wound, and which is dropping into disuse, and we have the Martini-Henry rifle which produces an equally severe wound, which is now happily in full vogue. Fire-shells must be dismissed from consideration as our ships of war are, from the fact of being practically unflammable. In conclusion, I would say, "Save us from the mercies of the weak." War—that splendid mistress for whose favours all longed since we reached man's estate—must be given her full and free play, painted in her most deadly colours, in order that the curses which she brings to the majority of the population may extend over as long a period as possible. Let us make her as deadly as we can in the name of human nature and every good feeling.

Mr. C. BÖHM: I have listened with great interest to the noble lecture; and I hope that we shall all be benefited hereafter by what he has said. The ship, however, referred to me in the course of his lecture as the inventor of the fire torpedo boats; and being anxious that no stigma or imputation should be cast upon my character, and on that of those who have been associated with me in the manufacture of Greek-fire torpedo boats in this country, I mean Messrs. Halsey, and Co., I ask your permission to read a few passages from a pamphlet which we have published on this subject: "And to our critics generally, we are inclined to argue that our Greek-fire apparatus cannot be regarded as a new weapon, we say, You manufacture and employ guns capable of throwing shells at a safe distance of 4,000 to 5,000 yards shells weighing several hundred pounds, with still more inflammable and destructive compounds than petrol. You wish the world to believe that the ships armed with our Greek-fire apparatus take you unfairly at a disadvantage; whereas, in point of fact, if you are making use of unfair weapons, for our apparatus is as effective at a distance of two or three hundred yards, and therefore our crews who are using our machine must exhibit more martial, heroic, and manly qualities than your crews, who are armed with guns capable of smiting from a safe distance of 4,000 to 5,000 yards our apparatus and

"attendance on it." I am not an Englishman by birth, but I have many years; and to all intents and purposes I am an Englishman. This written by me, and is endorsed by Messrs. Wigzell, Halsey, and Co., and I put into their mouths express also my feelings, I crave the liberty of concluding sentences of our pamphlet: "We repeat it with emphasis grounds, and for the sake of our brave and heroic 'tars,' whom we see paralysed in their gallant naval combats just at the moment within their grasp, that we shall be glad if a few days after the publication of our pamphlet adequate and proper antidotes be discovered and adopted by our naval authorities, and we can only add that our pleasure will be if they keep the secret of such antidotes to themselves. It is, however, known, that great scientific and inventive minds have unsuccessfully for many years, since the Abergeldie railway accident, the coroners at Bordeaux, Antwerp, &c., &c., to discover efficient antidotes against the effect of burning crude petroleum, when spread over a large area. and the readers of our pamphlet are perfectly well acquainted with the process, and of the various patented and unpatented compounds, but as we know also that their application is impracticable, and useless when the deck and sides of the ship become covered with a sheet of fierce and vehement fire and flame within which we make an earnest appeal to the authorities, and to the inventive genius of our countrymen to seek for practical antidotes, though it demands much imagination to conclude that the discovery of an antidote, well suited and practicable under the conditions which must be anticipated in warfare, would be accompanied also by a heavy pecuniary loss to our country, we say with deliberation,—perish the money interests of our firm if our supremacy be maintained over the seas of the world."

Admiral VESEY HAMILTON: I have listened with the very greatest interest to the lecture delivered by Lord Dunsany, in which a great number of new facts have been brought before us. I must say I have also listened with great surprise; for it is the first time in my life that I have heard of the legality of the use of torpedoes discussed. I have always hitherto considered torpedoes as much an article of legitimate warfare as shot, shell, or any other weapon which we destroy our enemies. I am not connected with the Gunn School; but should I be appointed in case of war to any position of trust, I should use torpedoes myself, and should expect my enemies to use them in the same way. There is one thing in which I think we, as Englishmen, gain by the use of torpedoes, and that is in the defence of our numerous harbours. I have no objection to forts; but I have no hesitation in saying that wherever there is a fleet of steam ships no artillery can keep those ships out. The use of artillery on ships when they are brought up under some obstruction, whether a fort or a boom; but Admirals Farragut and Porter proved in the Mississippi that a great amount of artillery power would prevent ships from passing forts. I say, without the use of torpedoes, our harbours are defenceless before any privateers who choose to come. There is another fact which we must take into dealing with this question, and that is that we should find if torpedoes come into use, that the naval actions of the future would be decided for or against the use of torpedoes by the rapid changes of distance between two antagonistic ships, so that scarcely ever find that a shot would hit. The result would be that the ships running at one another, if both were handled with equal nerve and skill, must go down. Now, by the use of torpedoes, although your enemy is the result of a torpedo which you send, it would have no such disastrous effect on your own ship; therefore the result will be that actions in future in naval warfare will be fought much more cautiously than they would be before the use of torpedoes. Lord Dunsany has also given us a good deal of international law. I am rather inclined to think that this international law works for our benefit, and had better be left alone by naval Officers. During the American Civil War one case where international law came in, and that was when Wilkes and Slidell out of the "Trent," pleading in justification various authorities.

national law. Whether his international law was right or wrong I do not know, but when America saw that England was determined, those men were not to be deterred. Amongst the numerous complaints made by the Americans against the British during their Civil War there was not a single charge made against the British officers used common sense, and I think, as a rule, that common sense conformed to international law. On the question of torpedoes, I see a gallant Torpedo Officer present who may, perhaps, take up the cudgels and defend his own case only reason to express my surprise at their being considered at all illegal.

The Right Honourable MONTAGUE BERNARD: I must apologise for not speaking upon the subject when there are so many present who are more qualified than I am to do so. However, Lord Dunsany has done me the honour to include in his observations to an essay of mine written nearly a quarter of a century ago, should like to say one word with reference to what has fallen from Lord Dunsany. Perhaps he will allow me to say, as a civilian, that I am extremely obliged to him for what he has been good enough to tell us. I have derived great instruction from it, and it has been extremely interesting to me, as it no doubt has been to many more concerned in the matter than I can be. The best way to treat international law is to treat them as what they really are; that is to say, as persons in business it is not to make laws on these subjects, because, as Lord Dunsany says, these laws are really made by practice, that is to say, by soldiers and Generals and Admirals, and by their Governments, and not by persons engaged in their studies. But a useful service sometimes may be done by a person engaged in his study, and endeavours to do what soldiers and sailors cannot; that is to say, to collect the various usages which are in force, and inform others of what the usages are. The laws of war are nothing at all but the usages according to which warfare by land and sea is carried on. If anybody denies that such usages exist, I think he can neither have seen anything of war nor have read anything of naval history. A naval Officer commanding a vessel engaged in war would not hesitate to fly a neutral flag in approaching an enemy's ship; but nothing would induce him to do so into his enemy before hauling down the neutral flag. Why is that? Because the usage permits you to use a neutral flag in approaching an adversary, while on the other hand, it is a definite and distinct rule that you must not fire into the colours of a vessel which you have raised your own colours. The collection of the whole body of international law and the usages of war is not so many as people suppose—represents what we call the law of war. Lord Dunsany referred to a passage I had quoted from the Duke of Devonshire's despatches, in which the Duke wrote to Don Carlos d'España, who was besieging Pamplona, ordering him to decimate the French garrison should they not surrender the fortifications when their relief had become clearly hopeless. The Duke supposed in that case, not that he was about to commit an act in violation of the laws of war, but that he was actually enforcing a particular rule or principle that existed in his time. Perhaps Lord Dunsany did less than just to refer to eminent persons to whom he referred as having given an opinion as to what arose in the French War, for I think he quoted Messrs. Calvo and Delbosc, being Frenchmen. The fact is, that one of those jurists is a Spanish American and the other is a German.

LORD DUNSANY: I did not mean to say that Heffter was on the French side, but that Calvo from whom I have some very long quotations, although I did not quote them.

MR. MONTAGUE BERNARD: I thought your Lordship spoke of Heffter's authority, but doubtless I was mistaken. His book is translated into English, and he wrote in German. On the main point I really feel this, and you will perhaps allow me to say so. It is of material consequence that we should firmly establish the distinction between what is fair warfare and what is not fair warfare. You allow a particular mode of warfare to be fair and legitimate, and at the same time say that you will cut the throats of the persons who are engaged in it. You get hold of them, then I say you destroy and confuse that distinction. As bear in mind that there are fair modes of carrying on war, and there are unfair modes. Poisoning a well is not considered a fair mode of carrying on war, nor is the sending an unscrupulous person to assassinate a Commander. For my part I confess that the sending an infernal machine that looks like

piece of coal into an enemy's country is worse to my mind than even an enemy's Officer, because you cannot foresee what destruction it may may be the sufferers. I can conceive nothing that falls more thorough description of an unfair mode of warfare than that. There are per doubt, that very nearly approach the line. If, in the disguise of a neu as close to a hostile ship as you can, then suddenly haul down your broadside, that is getting very closely to the prohibited line; still hibited, and since that is known you have to be on your guard ag Dunsany referred to the practice of hanging spies. Now, if any me enemy's lines in uniform and is taken prisoner, every one knows he is i if he goes in a smock frock or a blouse, and pretends to be a civilian, time he is a soldier, he may be hung; and if a civilian goes and engaged in no hostile business, whilst all the time he is engaged in chievous operation of war, that of gaining information about the nut tions of an enemy, the practice of war is to hang him likewise. W each of them is making use of the dress and appearance of peace in on a hostile operation; and unless you prevent that by measures of se be impossible to distinguish between those who were at peace and tho war, and you would have to adopt severities of a much wider and m kind. I venture therefore to say that you should not, simply on the these cases you have immense destruction wrought with small means with small risk, because the risk is generally great—if the means recognised as fair, think of hanging the men when caught, or refusing As to the practice of laying down torpedoes at the entrances to har like, no doubt there is this to be considered. You ought to be carefu means which may take effect, not only against combatants, but also combatants. The laying down of a torpedo at the entrance to a co everybody, I should think, would condemn, even if there happened commercial port an enemy's ship of war likely to come out. In th not know that any absolute rule can be laid down. You have to do attack and destroy your enemy; but our Officers, in the bombardm and other like operations, have never failed to follow one rule, that far as possible, the destruction of non-combatants. That is the practi in the Russian War and everywhere else, and that, no doubt, is a thin borne in mind. Beyond that, I do not know that there is really much hope that Lord Dunsany will pardon me for offering these critic interesting paper.

The CHAIRMAN: We have a Torpedo Officer present who has bee We shall be very glad to hear anything he may have to say.

Commander ARTHUR WILSON, R.N.: I came here, Sir, simply to list going to be said against torpedo warfare, but I do not think I have a offer upon the subject.

The CHAIRMAN: If you have heard anything against it, perhap something in its defence.

Commander WILSON: I hardly know exactly the line that the argur However, I may state this: it is a kind of warfare that has been in use in of which I have known anything since 1853. It was used against us War: it was used in the American War; it was used in the war between American Republics; it was used in the war between Austria and defence of Venice: it was certainly used for the defence of German h the Franco-German War; and it has also been used in the present just come to a close. After a weapon has been so used for so long a be no pretence for saying that it is unfair. As to the methods o people who lead attacks in torpedo-boats, that, I think, must be le mander-in-Chief at the time. For my own part I do not know of any saying that a man who leads a torpedo attack, should be hung. attempt to attack in an out-rigger torpedo-boat, and so on, of course his chance of being shot if taken red-handed in the act. For my o upon a person in a torpedo-boat attacking a ship very much as a soldi If you see a soldier in a rifle-pit with his rifle pointed towards you

likely to give him much quarter, at all events until he drops his rifle. way, as long as the person in the torpedo-boat has his weapon, which with effect, you are not likely to give him any quarter. It is not likely that storm rifle-pits, and half your men are shot down, that you will be at all the men in the pits at the time; but if you take a torpedo-boat, and then afterwards, when you have had time to cool, you talk of hanging the crew that is not according to the rules of civilised war.

Major CAMERON: May I be allowed to add a word or two? Lord referred to the Thorneycroft launches. I think he rather stole a march. He spoke of their attaining thirty knots speed. It may, however, be said to those who are not behind the scenes to know that on board the "Excelsior" also in Woolwich Arsenal, means are being taken for providing mitrail steel bullets, which will penetrate these torpedo-boats at 200 yards at least. That, I think, will make the interior of such torpedo-boats uncommonly dangerous to Officers and crew.

Commander GILMORE, R.N.: Lord Dunsany has touched upon torpedoes, but he is as well as submarine torpedoes? Many years ago, when blockaded by the Austrian fleet, a paddle steamer called the "Vesuvius" of inverted parachute fitted on the poop; in this parachute balloons were which were sent up; to the balloon was attached a bag of powder match, the match calculated to ignite the powder when the balloon was over the town. The match exploded the powder, which blew up the balloon and ignited the released shell, which came whirling down. Several of the shells fell in the town, though none, I think, ever got near Venice itself.

Colonel COLOMB, R.A.: I do not know whether I may make one observation. Unfortunately I did not hear the whole of Lord Dunsany's lecture, but I remember his noble lord's remark that these destructive weapons were not exactly appropriate to this country, and for a very good reason—that they would be directed against our maritime supremacy. With reference to this new development of the torpedo, whatever else it may be called—of which we have heard, I do not know has been legalised, but for my part I hope it will not be adopted by a nation. I think it is the duty of this country, whilst tolerating these new inventions, and using them when they are adopted, at the same time to endeavour to discountenance them altogether. There is no doubt that a torpedo is a very destructive weapon, and all these kinds of destructive weapons militate against our dominion in the sea. The principal business of this country should be to put itself on the defensive against these things. I hope the proper authorities are especially considering the measure to guard against the destruction of our ships by torpedoes.

Captain R. A. E. SCOTT, R.N.: I should not like the meeting to break up saying a word with reference to the idea that the introduction of torpedoes militate against the power of this country. It is just the reverse, for the torpedo is a destructive weapon, the more pluck and dash is required in its use. Speaking the other day to one gentleman largely concerned in the manufacture of torpedoes, and I said to him, "You are sending these weapons to other countries in order that they may destroy us." "My dear sir," he said, "when they get them, they won't be able to use them." The value of the torpedo is in its use on the side of the defence; and to us, with our large mercantile fleet, and our immense flotilla of coasters round our shores, the torpedo will prove a most destructive weapon. Arming these vessels would enable us to send the whole of our commerce by means of the torpedo. Our colonies will be enabled to protect themselves, and hence we shall have a greater superiority at sea than we have at present.

The CHAIRMAN: I should like to ask Lord Dunsany a question before he goes. As I gather from your Lordship's argument, you would treat with stern persons employed in a torpedo-boat. I wanted to ask you this: that if I presume, you send away from a vessel. Supposing subsequently you capture a vessel, in what manner would you treat the Captain or the Admiral flying the vessel from which the torpedo-boat had been sent?

LORD DUNSANY: I will only say that that is one of the innumerable things that do present themselves. One sees many occasions on which a sentence can be given in a moment,—“Hang him!” but when you really come to make a distinction, it is exceedingly hard. And I can tell you more than that I am not of the school of Grotius—not Grotius, he is not one of the mongers—though I am not of the school of those who defend them, I am not perfectly sure that there could not be something said in favour of them. We have heard something about poisoning the air. The other day they had what they called *bullets asphyxiants*. These would be used to poison a whole ship's crew. If those missiles may be used, it is lawful to poison the air, but not lawful to poison the land. It is an exceedingly hard point to deal with, and it was rather with a view to your opinions than of expressing any of my own that I proposed to give it. I should be very sorry indeed if any gentleman, more especially Mr. I am not only a distinguished writer, but a gentleman who has efficient country as a jurist, should think that I spoke of him otherwise than with respect that I feel. With regard to the Officers of the Torpedo School they really comprise some of the flower of our services, and it would be ungrateful on my part, having received great courtesy and hospitality from them, to speak otherwise than with great respect of them. I think they do their duty most zealously and efficiently. I express no opinion as to whether the torpedoes taken in the sense in which we commonly use them, are illegal or not. I am understood me to say that I should hang all the people employed in the torpedo service. I never dreamt of anything of the kind. There seems to me to be no difference between refusing quarter and executing people in cold blood. In practice there are innumerable cases which do not get into the newspapers, which are not dwelt upon as atrocities, where simply the Commanding Officer does not say a word, and where the soldiers engaged give no quarter. I have done over and over again in the Sepoy War, where I think it was just.

THE CHAIRMAN: We have only one more duty to perform. I am sure we tender our best thanks to Lord Dunsany for his lecture. Whatever may have been the manner in which the Officers using torpedoes are employed, we are no doubt unanimous in thanking Lord Dunsany for having so clearly brought this important subject before us.