



**Treatise on International Law and a Short
Explanation of the Jurisdiction and Duty of the
Government of the Republic of the United States:
The Republic Of The United States**

Daniel Gardner

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* Gardner [1799-1863] was an attorney who practiced in Troy, New York, and a local politician who held several minor municipal offices in that city. The first part of this remarkable work argues that international law needs to return to its roots in natural law revealed in Scripture. Two major prejudices are embedded in this argument: the United States has done this, and Great Britain will not, choosing instead to dominate the oceans through force. The brief second part addresses the "internal jurisdiction of our national government over the states, the people of the United States and the Indian tribes possessing a portion of our territory" (269). It dispenses with the theological model of the first section to offer an outline of Federal powers as defined by constitutional law. His analysis of slavery is interesting. Though he clearly despises it, Gardner concludes that it cannot be abolished by Congress. He hopes, however, that the "chivalry of the south" will eventually imitate "Alexander of Russia and nobly set their vassals free" (286).

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