

the view of the great body of modern jurists, and also with the practice of nations in recent maritime warfare' (32 T. L. R. 28). The President showed that there was no logical reason for the attempted exclusion of that doctrine in the case of conditional contraband by the Declaration of London. 'If it is right', he said, 'that a belligerent should be permitted to capture absolute contraband proceeding by various voyages or transport with an ultimate destination for the enemy territory, why should he not be allowed to capture goods which, though not absolutely contraband, become contraband by reason of a further destination for the enemy government or its armed forces?' (ibid. 27-8; cf. Scott in 8 A. J. (1914), 315-16).

One cargo of lard was released on the ground that the claimant had proved that it was on its way to Denmark as its real and bona fide destination to a purchaser who intended to put it through a manufacturing process there. Other goods were released on the ground that they had been shipped to the claimants as bona fide neutral purchasers. As to the remaining cargoes, the Court held that it might infer that they were intended for Germany for the following reasons: (1) Because of the quantity of the goods consigned to Copenhagen compared with the average annual quantity of similar goods imported into Denmark from all sources during the three years preceding the war. (2) Because of the convenient situation of Copenhagen for transporting goods to Germany. (3) Because of the circumstances, which had previously (see *infra*, pp. 153-4) been regarded as important in determining the question of the real or ostensible destination at the neutral port, that the goods were consigned 'to order or assigns' without naming any independent consignee. (4) Because of the failure of the claimants to produce evidence to rebut