

held to cover all merchandise (except contraband of war) even owned by or destined for the enemy, when carried to a neutral port or even to an unblockaded port of the enemy. A very striking example of the application of these principles is to be found in the case of the "Ocean" (3 C. Robinson, 257) decided by Sir W. Scott in the Court of Admiralty in 1801. A cargo had been shipped for America from Rotterdam which was not then blockaded, but the goods had come overland to Rotterdam from Amsterdam, which was under blockade. The cargo, which had been seized by a British vessel, was restored to the owners, because the internal communications of the country were out of reach of the blockade and could not be affected by it.

Relying on these precedents the American Government has challenged the legitimacy of the Order-in-Council, in so far as it purports to prevent the transportation of innocent merchandise from American to Dutch, Danish or Swedish ports, and *vice versa*.

On the other hand, the British Government was able to answer the American protest with arguments drawn from American practice and precedents when the rôles were reversed. During the American Civil War Great Britain was the neutral and the Government of the United States was the belligerent, and during the blockade of the ports of the Southern Confederacy British vessels carrying cargoes to the neutral port of Nassau were captured on the ground that the ultimate destination of the cargoes was a blockaded port of the Confederacy. The doctrine of continuous voyages was applied by the Supreme Court to cases of blockade, and no distinction was made in this respect between contraband and innocent merchandise.

This is the very thing which the Allies are endeavouring to do at present. They are seizing goods shipped to neutral countries adjacent to Germany, when such goods are intended to be forwarded through those countries to Germany. There is no doubt that a blockade of Germany by merely investing her ports would be illusory, in view of her geographical situa-