

this very war. For example, in the case of *The Cygnet* (May 2nd, 1813), 2 Dodson's Admiralty Reports, 299, a British man-of-war had taken an American privateer which had Spanish goods on board; the cargo was sold and the judge ordered seven-eighths to be paid to the Spaniard and one-eighth to the captors as salvage. On appeal, Sir William Scott (Lord Stowell), held that the whole proceeds must go to the Spanish claimant without allowing even expenses.

The doctrine that neutrals' goods were seizable on board an enemy's ship was "unknown to and unpractised by British Courts." (Phillimore, International Law, Vol. III., sec. 166, p. 310.)

"5.—That blockades in order to be binding must be effective, that is to say, maintained by a force sufficient really to prevent access to the coast. . . ."

There was never any dispute as to this. Sir William Scott (afterwards Lord Stowell) had, in 1798, laid it down as clear law that there must be "a number of vessels stationed round the entrance of the port to cut off all communication." *The Betsey*, 1 C. Rob. 93. In 1800 the question in controversy was not whether a blockading force should be capable of completely investing, but whether a temporary absence raised the blockade. (Moore, sec. 1269.) In 1803 an incomplete blockade by a British Admiral of Martinique and Guadeloupe was countermanded on the facts being represented to the British Government by the United States. (Mahan I., 99.) What was claimed by the United States and the result of the claim may be seen from a few extracts from Mahan which I subjoin:

"There was no difference between the two Governments as to the general principle that a blockade to be lawful must be supported by the presence of an adequate force . . . the difficulty turned on a point of definition as to what situation and what size of a blockading squadron constituted adequacy. The United States based themselves resolutely on the position that the blockaders must be close to the ports named for closure