

between absolute and conditional contraband; and Article 22 enumerates eleven classes of articles (including saddle, draught, and pack animals suitable for use in war, and clothing, equipment and harness of a distinctively military character) which may without notice (*de plein droit*) be treated as contraband of war, under the name of absolute contraband, when destined to territory belonging to or occupied by the enemy or his armed forces. It is immaterial whether the carriage of the goods is direct or entails transshipment or a subsequent transport by land; ¹ and when the ship's only or first port of call is an enemy one, or she is to meet the armed forces of the enemy before reaching the neutral port for which any suspected goods are documented, there is an irrebuttable presumption that the destination of such goods is hostile.² Articles exclusively used for war may be added to the list of absolute contraband by a declaration to be notified as provided in Article 23.

Article 24 enumerates fourteen classes of articles, including foodstuffs, forage, clothing, money, railway material, and fuel, which may without notice be treated as conditional contraband, and which are liable to capture if shown to be destined for the use of the armed forces or of a government department of the enemy State.³ The burden of proving this destination is thrown, in the first instance, upon the captor; but Article 34 provides that it shall be presumed to exist if the goods are consigned to either (1) enemy authorities; (2) a trader (*commerçant*) established in the enemy country who, as a matter of common knowledge, supplies articles of the kind in question to the enemy; (3) a fortified place belonging to the enemy; or (4) any other place serving

¹ Article 30.

² Article 31 (2).

³ Article 33.