shall be placed in the custody of the marshal of the Prize Court, and, if not requisitioned for the use of His Majesty, shall be detained or sold under the direction of the Prize Court. The proceeds of goods so sold shall be paid into court and dealt with in such manner as the court may in the circumstances deem just.

"Provided that no proceeds of the sale of such goods shall be paid out of court until the conclusion of peace except on the application of the proper officer of the Crown, unless it be shown that the goods had become neutral property before the issue of this Order.

"Provided also that nothing herein shall prevent the release of neutral property of enemy origin on the application of the proper officer of the Crown."

The first observation which occurs to one who reads this Order-in-Council is that it nowhere uses the term "blockade." With respect to the first two paragraphs which prevent transportation of goods to or from any German port the provisions of the order are in substance, if not in form, equivalent to a notification of the blockade of all the German ports, and there is no doubt as to the reality and effectiveness of this blockade as far as the Atlantic ports are concerned. The British fleet, although not stationed in the vicinity of those ports, is able, by its command of the North Sea and its approaches, to effectively intercept all trade with such ports.

But when we come to paragraphs III and IV, which prevent the transportation in neutral vessels of merchandise (not being contraband of war) from New York to Rotterdam, if the goods are destined for Germany or owned by Germans, or the transportation from Rotterdam to New York of goods coming from Germany or German-owned—we at once get beyond the scope of a blockade, because according to accepted modern practice a blockade cannot be instituted against neutral ports, but only against the enemy's ports. Ever since the declaration of Paris in 1856 the rule "free ship, free goods" has been observed, and the neutral flag has been