intercourse with the enemy. The only exceptions he has been willing to admit are trade in contraband and with blockaded ports. The issue is therefore very clearly defined, and it has not varied from the time it was first raised to the present day.

It must be obvious that it lies only with the neutrals to put forward this claim of free navigation. If the enemy has any right to claim it, it can only be (in the absence of a treaty) as a derivative from the neutral's right. The historical examination of the question will amply demonstrate the accuracy of this statement.

Our enemy sought at the outset to cloud the issue by confusing the Laws of War with what is popularly called "International Law," and did so with some success. It is suggested that the only sound way of treating the subject is to say that the relations of belligerent and belligerent are governed by the Laws of War; that "International Law" properly applies to the relations between belligerent and neutral States; and that the questions which commonly arise in connection with the "Freedom of the Seas," can only be accurately defined as the relations of belligerents and neutral merchants.

The point need not be laboured, but must be noticed in order to emphasise the importance of preserving an accurate nomenclature in the discussion. Confusion of meaning in the terms used has prevailed since the question was first debated, and the enemy has always availed himself of that confusion.

To make my meaning clear. The question whether it is legitimate in war to destroy the commerce of the enemy can only depend on the Laws of War; the point being whether the effect of this belligerent action does not so affect the civil population as to remove such action from legitimate warfare. The destruction of the enemy's trade with himself—his coasting trade, for example—could not be condemned on any other ground. But when we come to the enemy's trade with the neutrals another factor is introduced into the discussion; the question passes