

of the ship. But in connexion with what is called the rule of the war of 1756, as extended in 1793, whereby Great Britain prohibited neutrals from engaging in the trade between French and Spanish colonies and the mother countries from which they had been excluded in time of peace, it was held that goods which had come from those colonies on a neutral vessel nominally destined for a neutral port might be condemned when there was evidence that they had only been sent to the neutral port in order to be subsequently transhipped or transported further on the same or another ship to the enemy country.¹

This doctrine of 'continuous voyage' or 'ultimate destination', as it is called, was applied to contraband during the Crimean War by the French Council of Prize in the case of the *Frau Houwina*, where a cargo of saltpetre taken in transit from Lisbon to Hamburg was condemned on the ground that it was intended to be sent on to Russia. The United States also adopted this rule for contraband trading in the Civil War, and held that the noxious articles could be condemned, irrespective of the destination, immediate or final, of the vessel carrying them, whenever the circumstances indicated that they were ultimately destined for a hostile country or for the naval or military use of the enemy. The fact that the cargo was simply deliverable 'to order or assigns' was particularly taken as justifying the conclusion that the neutral port to which it was nominally consigned was not its real destination.² The British Government acquiesced in this position, and during the Boer War in 1900 definitely claimed to be entitled to treat articles of warlike use as contraband whenever it could be shown that their ultimate destination was hostile, although the vessel

¹ The *William* (1806), 5 C. Rob. 385 ; 1 E. P. C. 505.

² The *Springbok* (1866), 5 Wallace, 1.