

German ships at sea, and in the second place no English Government could ever stoop to the commission of such outrages as disgraced the flag of Germany. The only possible reprisals were by cutting off the trade of Germany. That trade was carried on entirely through neutrals, as German merchant ships did not venture to cross the seas. Under these circumstances His Majesty's Government passed the order-in-council of March 11, 1915, which was a retaliatory order. It is mild and humane in its provisions, and presents a striking contrast to the German methods.

By this order all vessels sailing after the 1st of March, 1915, for or from any German port, were not allowed to proceed on their voyage—provision was made for their discharge in British or allied ports, and for the cargo being put into the custody of the Marshall of the Prize Court, and the goods or proceeds of the sale were ultimately to be dealt with as appeared just. This order further provided that goods which were enemy property, or of an enemy origin or destination found on any vessel sailing after the 1st March, 1915, from or for any non-German port, should be similarly dealt with.

The validity of this order was attacked in the case of the "Stigstad" (1916), P. 123 and (1919), A.C. 279, but it was upheld as against the neutral by Sir Samuel Evans, whose untimely death we all deplore, and who has left behind him an undying memory as a great Judge in prize cases.

The Stigstad was a neutral ship bound for Rotterdam from Norway. She carried goods intended for Germany and was compelled to discharge them at Middlesborough by an English man-of-war. It was held by the Privy Council affirming in precedent that the neutral shipowner was not entitled to any damages as there had been no unreasonable amount of inconvenience occasioned to him, and the principles laid down in Lord Parker's judgment in the "Zamora" were followed and applied.

In the judgment of the Privy Council, at page 287, after reference to the German outrages at sea, it is said:

"Neutrals whose principles or whose policy led them to refrain from repressive action on their own, may well be called upon to bear a passive part in the necessary suppression of courses which