BLOCKADE

Definition.

10. "Blockade" means the effective prohibition of communication of an enemy port with the outside world by a fleet or squadron of ships having the adequate force to enforce the same. "To run blockade" means the attempt of vessels to get through the blockaded zone, for which a notice has already been issued.—China, Reg. 1917.

Declaration and notification.

Art. 8. A blockade, in order to be binding, must be declared in accordance with article 9, and notified in accordance with articles 11 and 16.—D. of L. 1909.

Art. 12. The rules relative to the declaration and to the notification of blockade are applicable in the case in which the blockade may have been extended, or may have been reestablished after having been raised.—D. of L. 1909.

67. Le blocus, pour être obligatoire, doit être déclaré conformément au paragraphe 68 et notifié conformément aux paragraphes 69 et 77.—Fr. Ins. 1912.

64. The declaration and publication of the blockade are made according to 65 and 71, 74 and 75.—Ger. O. 1909.

Art. 38. A blockade, in order to be binding, must be proclaimed in accordance with article 39 and notified in accordance with articles 40 and 45.—Jap. Reg. 1914.

Art. 9. A declaration of blockade is made either by the blockading power or by the naval authorities acting in its name.

It specifies—

(1) The date when the blockade begins;
(2) The geographical limits of the coast blockaded;
(3) The delay to be allowed to neutral vessels for departure.—D. of L. 1909.

68. Si, en l’absence d’une déclaration de blocus faite par le Gouvernement lui-même, vous êtes appelé à établir un blocus de votre propre initiative, vous devez préalablement faire une déclaration précisant: 1. La date du commencement du blocus; 2. Les limites géographiques du littoral bloqué, expressément désignées en latitude et longitude; 3. Le délai de sortie à accorder aux navires neutres.—Fr. Ins. 1912.

Art. XXII. When a blockade is instituted the commanding officer of the squadron or man-of-war shall issue a declaration of blockade by filling out Form I with the area of blockade and the date of the declaration.—Jap. Reg. 1904.

65. The blockade declaration is issued either by the Government of the blockading power or by the naval commander.
It must contain:

(a) The day of beginning of the blockade;
(b) The exact geographical limits of the blockaded coast;
(c) The period of time which will be allowed the neutral ships, and which
must be at least sufficient for them to leave the port.

—Ger. O. 1909.

Art. 39. With regard to proclamation of a blockade when it is not
made by the Imperial Government, it may be made by the com-
mander of a squadron.

Proclamation of a blockade shall be made in Form No. 1 and shall
contain the following items:—

1. The date when the blockade begins.
2. The geographical limits of the coast blockaded.
3. The delay to be allowed to neutral vessels for departure.


66. When the blockade was begun later, or has less wide extent
than is stated in the blockade declaration, the declaration is void and
therewith the whole blockade legally not binding. In such case the
issue of a new declaration is necessary, in order to make the blockade
legally effective at least for the future. If the blockade began
earlier or extended wider than stated in the blockade declaration the
blockade is legally binding only from the time and coastal extent
which were indicated in the blockade declaration. If the declara-
tion omits to state the period for leaving port, a neutral ship has
the right of free passage outward from a blockaded port, unless she
has previously, with knowledge of the blockade, broken it by enter-
ing. The naval commander can supply any data lacking at any time
by publishing and communicating a supplementary declaration to
the local competent authorities.—Ger. O. 1909.

Art. 10. If the blockading power, or the naval authorities acting
in its name, do not establish the blockade in conformity with the
provisions, which, in accordance with article 9 (1) and (2), must
be inserted in the declaration of blockade, the declaration is void, and
a new declaration is necessary in order to make the blockade opera-
tive.—D. of L. 1909.

79. It is not a violation of blockade by entry when the ship is
actually on the way to an open port, even when the ship intends to
proceed thence to a blockaded port or her cargo will be forwarded to
such a port.—Ger. O. 1909.

Art. 53. Whatever may be the ulterior destination of the vessel
or of her cargo, she is not liable to capture as a blockade breaker if
she is at the time bound toward an unblockaded port.—Jap. Reg.
1914.

4. If a ship is shaping its course toward a blockaded zone in
ignorance of the existence of the blockade, she shall be notified of it
by one of the blockading vessels, entry to that effect, being made, if possible, in her log. Ignorance of the existence of blockade is assumed when this has been declared after the ship left its last port of call.—Italy, P. R. 1915.

Art. 11. A declaration of blockade is notified—

(1) To the neutral powers, by the blockading power by means of a communication addressed to the Governments themselves, or to their representatives accredited to it;

(2) To the local authorities, by the officer commanding the blockading force. These authorities will, on their part, inform, as soon as possible, the foreign consuls who exercise their functions in the port or on the coast blockaded.

—D. of L. 1909.

Par. 4. The existence of a blockade shall be presumed to be known—

(a) To all ships which sailed from or touched at an enemy port a sufficient time after the notification of the blockade to the local authorities to have enabled the enemy Government to make known the existence of the blockade;

(b) To all ships which sailed from or touched at a British or allied port after the publication of the declaration of blockade.

—Br. O. in C., August 20, 1914.

4. The existence of a blockade shall be presumed to be known:

(a) To all vessels which have left a hostile port or have entered such a port during such a period following the notification of the local authorities of the blockade as may appear sufficient in order that the hostile Government may make it known.

(b) To all vessels which have left a Russian or allied port or have entered such a port after the publication of the declaration of blockade.


69. Dans tous les cas, l'établissement d'un blocus devra également faire l'objet d'une notification formelle aux autorités des points bloqués. Cette notification, dont vous trouverez le modèle à l'Annexe III, sera envoyée à ces autorités, en même temps qu'au consul de l'une des Puissances neutres, au moyen d'un parlementaire.—Fr. Ins. 1912.

70. Le cas échéant, vous feriez connaître, par la voie la plus rapide, toute disposition prise de votre propre initiative pour l'établissement d'un blocus, afin de me permettre de compléter, dans le plus bref délai, votre notification aux autorités locales par une notification aux Puissances neutres par la voie diplomatique.—Fr. Ins. 1912.

57. Upon declaring a blockade, the naval commander must report as soon as possible to his superior and besides directly to the chief of the admiralty staff of the navy. He must take all possible steps to make the fact of blockade known generally as quickly as possible.—Ger. O. 1909.

67. The blockade declaration is to be made known:
(a) To neutral powers by the government of the blockading power through diplomatic channels. The neutral powers have to provide for making the blockade known within their borders, especially in their ports.

(b) To the local competent authorities through the commander of the blockading force. These must on their parts as soon as possible communicate the declaration to the foreign consuls of the blockaded ports or coasts for the information of the citizens of the neutral countries and the ships there.

The communication can be made in any way, so far as it is made certain it reaches the hands of the local competent authorities. It is sufficient in any case to inform the port authorities.—Ger. O. 1909.

68. If on account of the omission of the commander of the blockading force the information has not been given to the port authorities, a neutral ship has the right of free passage out of a blockaded port, unless it has, with previous knowledge of the blockade, broken it by entering. The naval commander may make up for the notification in question at any time.—Ger. O. 1909.

Art. XXIV. When the commanding officer of a squadron or a man-of-war declares a blockade, he shall take the following steps:

1. He shall report the declaration of the blockade to the minister of the navy.

2. He shall report the declaration of the blockade to every Japanese minister residing in the countries near the blockaded area, and shall request him to inform the Government of the country and all the foreign ministers and consuls residing in the country to which he is accredited of the establishment of the blockade.

3. He shall communicate the declaration of the blockade to all the foreign consuls residing in neutral districts in the neighborhood of the blockaded area, and shall take any other measures necessary to make known the fact of the blockade.

4. He shall inform as far as possible, by means of a flag of truce, the proper officers and consuls of neutral countries residing within the blockaded area, of the declaration of the blockade.—Jap. Reg. 1904.

Art. 40. When a squadron commander has proclaimed a blockade, he shall immediately take the following steps:

1. He shall report to the Minister of the Navy by the quickest method the declaration of blockade and all the measures taken in regard to the establishment of the blockade.

2. He shall notify the proper authorities of the blockaded coast and at least one of the consuls of neutral States, if there are such consuls, of the proclamation of blockade, using the flag of truce, according to Form No. 2. If the enemy refuses to receive a military messenger’s vessel or if there are circumstances which make
the use of such vessel impossible, the notification shall be sent as far as possible by any suitable means.—Jap. Reg. 1914.

Art. 14. The liability of a neutral vessel to capture for breach of blockade is contingent on her knowledge, actual or presumptive, of the blockade.—D. of L. 1909.

Art. 43. The liability of a neutral vessel to capture for breach of blockade is contingent on her knowledge, actual or presumptive, of the blockade.—Jap. Reg. 1914.

Art. 15. Failing proof to the contrary, knowledge of the blockade is presumed if the vessel left a neutral port subsequently to the notification of the blockade made in sufficient time to the power to which such port belongs.—D. of L. 1909.

Art. 44. Failing proof to the contrary, knowledge of the blockade is presumed if the vessel left a neutral port subsequently to the notification of the blockade made in sufficient time to the power to which such port belongs. Vessels which left enemy ports after lapse of a proper period from the time when the proper authorities of a blockaded district had been notified of blockade, or vessels which left Japanese ports or ports of an allied power after the proclamation had been published, are presumed to know of the fact of the blockade.—Jap. Reg. 1914.

Art. 16. If a vessel which approaches a blockaded port does not know or can not be presumed to know of the blockade, the notification must be made to the vessel itself by an officer of one of the ships of the blockading force. This notification must be entered in the vessel’s log book, with entry of the day and hour, as also of geographical position at the time. A neutral vessel which leaves a blockaded port must be allowed to pass free if, through the negligence of the officer commanding the blockading force, no declaration of blockade has been notified to the local authorities, or, if, in the declaration, as notified, no delay has been indicated.—D. of L. 1909.

Art. 45. If a vessel which approaches a blockaded port does not know or can not be presumed to know of the blockade, the notification must be made to the vessel itself by an officer of one of the ships of the blockading force. The notification of the preceding paragraph must be entered in the vessel’s log book in accordance with Form No. 3, with entry of the day and hour, as also of the geographical position of the vessel at the time.—Jap. Reg. 1914.

28. Neutral vessels are entitled to notification of a blockade before they can be made prize for its attempted violation. The character of this notification is not material. It may be actual, as by a vessel of the blockading force, or constructive, as by a proclamation or notice of the Government maintaining the blockade, or by common notoriety.—U. S. Ins. 1917.
30. If a neutral vessel attempting to enter a blockaded port has had notice of the blockade in any way, she shall be captured and sent in for adjudication; but should formal notice not have been given, the rule of constructive knowledge arising from notoriety should be construed in a manner liberal to the neutral. Vessels appearing before a blockaded port, having sailed without notification, are entitled to actual notice by a blockading vessel. The boarding officer shall enter in the log and the document fixing the vessel's nationality the fact of such notice, the extent of the blockade, the date, the geographical position, and the name of the blockading vessel, verified by his official signature; and shall furnish the master with copy of the blockade proclamation. The vessel is then to be set free. Should she again attempt to enter the same or any other blocked port as to which she has had notice, she is good prize.—U. S. Ins. 1917.

77. Si le navire qui approche du port bloqué n'a pas connu ou ne peut être présumé avoir connu l'existence du blocus, la notification doit être faite au navire même par un officier de l'un des bâtiments de la force bloquante. Cette notification doit être portée sur le livre de bord avec indication de la date et de l'heure ainsi que de la position géographique du navire à ce moment.—Fr. Ins. 1912.

69. To make the blockade legally binding according to 59, the notification under 67 (a), suffices for in-going ships; as long as this has not been done, the blockade declaration must be especially communicated to each in-going ship, according to 74. For outgoing ships, the notification of 67 (b) is sufficient.—Ger. O. 1909.

Notification, special, inward.

74. Should a neutral ship approach a blockaded port without having knowledge of the existence of the blockade or when such knowledge can not be assumed, the declaration of blockade is to be communicated to it by an officer of one of the blockading ships. He must enter in the ships log book the notification, under the date and hour and the ship's position. Therewith the blockade is legally binding for that ship, so far as declaration and notification come in question. The notification to the commander of the convoy is binding on all the convoyed ships.

If a hostile ship is captured under these circumstances, there is no breach of blockade; the neutral part of the cargo is therefore not confiscated.—Ger. O. 1909.

Art. XXV. In case the master of a vessel receives warning direct from an imperial war vessel, or it is clear that he knows of the existence of the blockade from official or private information or from any other source, such master shall be considered to have received actual notice of the blockade.—Jap. Reg. 1904.

Art. XXVI. In the following cases it shall be deemed that notice of the declaration of the blockade has been received:
1. The case in which the master of a vessel is considered to have received a notice of the blockade whether he has actually received it or not, such notice having been sent to the proper authorities of the country to which the vessel belongs, and there having elapsed a sufficient time for the authorities to notify the residents of their nationality.

2. The case in which the master of a vessel is considered to have received a notice of the blockade, the fact of the blockade having been made public.—Jap. Reg. 1904.

76. The knowledge of the blockade is, save proof of the contrary, presumed when the ship left a neutral port subsequent to the notice in due time, of the blockade to the power on which such port is dependent. The same will apply in the case of a ship that has left a French, allied or enemy port subsequently to the notification in due time to the power of which the ship bears the flag.—Fr. Ins. 1916.

72. A ship can be seized for breach of blockade only when it had knowledge of the blockade, or such knowledge on its part can be assumed.—Ger. O. 1909.

73. In judging whether the knowledge existed or not, are to be considered—

(a) The progress and reach of the notification; (b) that the blockade declaration in German and allied ports will be published as soon as possible; (c) that the existence of the blockade will not be known immediately in the enemy ports.—Ger. O. 1909.

Notification, special, outward.

75. If the enemy has made it impossible for the commander of the blockading force to communicate the declaration to the competent local authorities, every neutral ship leaving a blockaded port is entitled to the special notification provided for under 74. If such is once given and the ship returns to the blockaded port, then all other vessels leaving this port will be assumed to have knowledge of the blockade.—Ger. O. 1909.

Area.

Art. 1. A blockade must be limited to the ports and coasts belonging to or occupied by the enemy.—D. of L. 1909.

Art. 30. Bilocus.—Les ports et côtes de l’ennemi non occupés par lui peuvent être soumis à un blocus conformément aux règles du droit international.—Institut, 1913.

26. A blockade must be limited to the ports and coasts belonging to or occupied by the enemy; must not bar access to neutral ports or coasts. A blockade, to be binding, must be effective. A blockade must be applied equally to the ships of all nations.—U. S. Ins. 1917.

64. Le blocus doit être limité aux ports et aux côtes de l’ennemi ou occupés par lui.—Fr. Ins. 1912.
65. Les forces bloquantes ne doivent pas barrer l'accès aux ports et aux côtes neutres.—Fr. Ins. 1912.

58. The blockade must be limited to the coasts and harbors of the enemy or in his possession; the blockading force must not bar the passages to neutral ports and coasts.—Ger. O. 1909.

Art. 34. A blockade must be limited to the ports and coasts belonging to or occupied by the enemy.—Jap. Reg. 1914.

Impartiality.

Art. 5. A blockade must be applied impartially to the ships of all nations.—D. of L. 1909.

61. The blockade is impartially administered when it is maintained equally against the merchant shipping of all flags.—Ger. O. 1909.

Art. 37. A blockade must be applied impartially to the ships of all nations.—Jap. Reg. 1914.

Effectiveness.

(4) Blockades in order to be binding must be effective—that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.—D. of P. 1856.

Art. 2. In accordance with the Declaration of Paris of 1856, a blockade, in order to be binding, must be effective—that is to say, it must be maintained by a force sufficient really to prevent access to the enemy coast.—D. of L. 1909.

Art. 3. The question whether a blockade is effective is a question of fact.—D. of L. 1909.

27. The blockade, to be effective and binding, must be maintained by a force sufficient to render ingress to or egress from the port dangerous. If the blockading vessels be driven away by stress of weather and return thereafter without delay to their station, the continuity of the blockade is not thereby broken. The blockade ceases to be effective if the blockading vessels are driven away by the enemy or if they voluntarily leave their stations, except for a reason connected with the blockade; as, for instance, the chase of a blockade runner. As the suspension of a blockade is a serious matter, involving a new notification, commanding officers will exercise especial care to preserve the continuity and effectiveness of the blockade.—U. S. Ins. 1917.

66. Conformément à la Déclaration de Paris, le blocus pour être obligatoire, doit être effectif, c'est-à-dire maintenu par une force suffisante pour interdire réellement l'accès du littoral à l'ennemi.—Fr. Ins. 1912.

59. To be legally binding, the blockade must be effective, impartially administered, and declared and made known in the manner prescribed.—Ger. O. 1909.
60. The blockade is effective when it is maintained by a force which is sufficient actually to prevent access to the hostile coast. The question whether a blockade according to the number and station of the blockading force with reference to the geographical situation before it is actually effective is subject in every single case to test by prize court. It will be denied when, among other things, the sea traffic of a blockade port with any other not blockaded port can be maintained.—Ger. O. 1909.

Art. 3. (c) A blockade to be binding must be effective; that is to say, maintained with a sufficient force to actually prevent access to the enemy's coast.—Spain, Dec. 1898.

Art. 35. In accordance with the Declaration of Paris of 1856, a blockade, in order to be binding, must be effective—that is to say, it must be maintained by force sufficient really to prevent access to the enemy coast.—Jap. Reg. 1914.

Purpose.

Art. XXI. Blockade is to close an enemy's port, bay, or coast with force, and is effective when the force is strong enough to threaten any vessels that attempt to go in or out of the blockaded port or bay or to approach the blockaded coast. Temporary evacuation of a blockaded area by a squadron or man-of-war on account of bad weather or to attain the object of the blockade does not interfere with the effectiveness of the blockade.—Jap. Reg. 1904.

Suspension.

Art. 4. A blockade is not regarded as raised if the blockading forces are temporarily driven off by bad weather.—D. of L. 1909.

Art. 13. The voluntary raising of a blockade, as also any limitation which may be introduced, must be notified in the manner prescribed by article 11.—D. of L. 1909.

Art. 42. The voluntary raising of a blockade, as also any limitation which may be introduced, must be reported and notified in the manner prescribed by article 40.—Jap. Reg. 1914.

72. Le blocus n’est pas considéré comme levé si, par suite de mauvais temps, les forces bloquantes se sont momentanément éloignées.—Fr. Ins. 1912.

73. La levée volontaire du blocus, aïnse que toute restriction qui y serait apportée, doit être notifiée dans la même forme que ci-dessus.—Fr. Ins. 1912.

71. If a blockade is voluntarily raised, or narrowed in its extent, this is to be made known as provided in 67. A blockade is not raised when the blockading force is temporarily withdrawn on account of heavy weather.—Ger. O. 1909.

Art. XXXI. When a blockade is discontinued the commanding officer of the squadron or the man-of-war shall immediately report
it to the minister of the navy and shall take necessary steps to make it generally known.—Jap. Reg. 1904.

Temporary raising.

Art. 36. A blockade is not regarded as raised if the blockading forces are temporarily driven off by bad weather.—Jap. Reg. 1914.

Notification of extension.

71. Il conviendra de remplir les mêmes formalités si le blocus vient à être étendu à quelque nouveau point de la côte, ou est repris après avoir été levé.—Fr. Ins. 1912.

70. Should a blockade be extended beyond its original limits, a new declaration must be issued and made known, covering the area over which the blockade has extended. When a blockade, after being raised, is again established, a new declaration and notification is necessary.—Ger. O. 1909.

Art. XXIII. When enforcing a new blockade after former blockade has lost its effectiveness, or when there is change in the area of blockade, a new declaration must be made according to the preceding article.—Jap. Reg. 1904.

Art. 41. The rules of foregoing articles relative to the declaration and to the notification of blockade are applicable in the case in which the blockade may have been extended, or may have been re-established after having been raised.—Jap. Reg. 1914.

Days of grace.

34. Blockading officers shall observe the terms of special rules adopted by the United States Government regarding days of grace and conditions of lading permitted to neutral vessels that find themselves within the limits of blockade at the time the blockade is established.—U. S. Ins. 1917.

Vessel ignorant of.

75. La saisissabilité d’un navire neutre pour violation de blocus est subordonnée à la connaissance réelle ou présumée du blocus.—Fr. Ins. 1912.

76. La connaissance du blocus est, sauf preuve contraire, présumée lorsque le navire a quitté un port neutre portièrement à la notification, en temps utile, du blocus à la Puissance dont relève ce port.—Fr. Ins. 1912.

Previous offense.

31. The liability of a blockade runner to capture and condemnation begins and terminates with her voyage. If there is good evidence that she sailed with intent to evade the blockade, she is liable to capture from the moment she appears upon the high seas. If a vessel has succeeded in escaping from a blockaded port, she is liable
to capture at any time before she completes her voyage. But with
the termination of the voyage the offense ends.—U. S. Ins. 1917.

**Radius of action.**

Art. 17. The seizure of neutral vessels for violation of blockade
may be made only within the radius of action of the ships of war
assigned to maintain an effective blockade.—D. of L. 1909.

Art. 50. The seizure of neutral vessels for violation of blockade
may be made only within the radius of action of the ships of war
assigned to maintain an effective blockade.—Jap. Reg. 1914.

Art. 18. The blockading forces must not bar access to the ports or
to the coasts of neutrals.—D. of L. 1909.

77. A ship may be captured for breach of blockade not before it
has reached the blockade zone in- or out-going.—Ger. O. 1909.

Art. 46. The blockading forces must not bar access to the ports
or to the coasts of neutrals.—Jap. Reg. 1914.

**Hot pursuit.**

Art. 20. A vessel which in violation of blockade has left a block-
ad port or has attempted to enter the port is liable to capture so
long as she is pursued by a ship of the blockading force. If the
pursuit is abandoned, or if the blockade is raised, her capture
can no longer be effected.—D. of L. 1909.

78. A ship that has committed a breach of blockade is liable to
capture so long as it is pursued by one of the ships of the block-
ad force. Capture is, however, no longer permissible when the
blockade is raised or the pursuit is given up. The latter is not of
itself the case when the ship has reached a neutral port.—Ger. O.
1909.

Art. 51. A vessel which in violation of blockade has left a block-
ad port or has attempted to enter the port is liable to capture so
long as she is pursued by a ship of the blockading force. If the
pursuit is abandoned, or if the blockade is raised, her capture can
no longer be effected.—Jap. Reg. 1914.

**Liability of vessel and cargo.**

Art. 21. A vessel found guilty of violation of blockade is liable
to condemnation. The cargo is also liable to condemnation, unless
it is proved that at the time the goods were shipped the shipper
neither knew nor could have known of the intention to violate the
blockade.—D. of L. 1909.

29. Blockade running is a distinct offense which subjects the ves-
sel attempting to commit it, or sailing with intent to commit it,
to capture without regard to the nature of her cargo.—U. S. Ins.
1917.

78. Tout navire qui force un blocus doit être capturé, fût-il neutre,
allié ou national, sous réserve, à l'encontre de ce dernier, de l’appli-
cation des lois pénales édictées contre ceux qui entretiennent des intelligences avec l'ennemi.—Fr. Ins. 1912.

74. La violation d'un blocus ainsi établi résulte aussi bien de la tentative de pénétrer dans le lieu bloqué que de celle d'en sortir après la notification du blocus, à moins, dans ce cas; que ce ne soit dans le délai fixé et expressément mentionné dans la déclaration de blocus, délai qui devra être suffisant pour protéger la navigation et le commerce de bonne foi.—Fr. Ins. 1912.

80. Tout navire qui, après avoir reçu l'avertissement réglementaire, ne s'éloigne pas franchement et est surpris louvoyant autour de la côte bloquée, dans le rayon d'action de la force bloquante, devient suspect de fraude et peut être capturé.—Fr. Ins. 1912.

83. Vous capturerez tout navire reconnu coupable de violation de blocus. Ce navire sera passible de confiscation.—Fr. Ins. 1912.

80. A ship that has made itself liable for violation of blockade is subject, in addition to capture, to condemnation. Her cargo is also confiscable unless it is proved that the shipper at the time of shipping the merchandise neither knew nor could have known of the intention to violate the blockade. In case of doubt, the captain will regard the whole cargo as confiscable.—Ger. P. O. 1912.

3. A ship is liable to be captured for violation of blockade when it endeavors to enter or leave a blockaded zone without being furnished with a formal safe conduct, or when, after having obtained a safe conduct to enter or leave, it does not observe the rules laid down as to the route which it must follow while navigating in the blockaded zone or crossing the line of blockade.—Italy, P. R. 1915.

Art. XLV. A vessel that has broken through a blockade and her cargo shall be forfeited. If the owner of the cargo proves that he is innocent of such breach of blockade, such cargo shall be released.—Jap. Reg. 1904.

79. Toutefois aucune saisie ne peut être pratiquée à l'égard d'un navire qui, après avoir forcé le blocus, a gagné la haute mer et dont la chasse a été abandonnée.—Fr. Ins. 1912.

Art. 49. A vessel which attempts to leave a blockaded port or to enter it in violation of the blockade shall be captured as guilty of blockade breaking no matter to what nationality she may belong.—Jap. Reg. 1914.

45. Vessels in violation of blockade and the cargo on board the same are liable to condemnation unless the owner of such cargo can prove that he had no previous knowledge of the vessel's attempt to run the blockade.—China, Reg. 1917.

Art. 52. A vessel which enters within the radius of action of the blockading squadron and loiters in the neighborhood, is liable to capture, no matter what her destination mentioned in the ship's papers may be.—Jap. Reg. 1914.
Art. 54. A vessel found guilty of violation of blockade is liable to condemnation. The cargo is also liable to condemnation, unless it is proved that at the time the goods were shipped the shipper neither knew nor could have known of the intention to violate the blockade.—Jap. Reg. 1914.

Violation.

76. A breach of blockade is to be assumed as existing when a ship breaks through the blockade zone, or attempts to break through with intent to reach or leave a blockaded port. By blockade zone is to be understood the adjacent sea area which is controlled by the vessels of war which are charged with maintaining effectiveness of the blockade. The width of the blockade zone, and its position as well, depends upon the military and geographical conditions, as also upon the number of the disposable ships; but it may not, according to 58, be so situated that a neutral port or a neutral coast is accessible only by breaking through the blockade zone.—Ger. O. 1909.

Art. XXVII. The following vessels shall be considered to have broken through a blockade outward:

1. A vessel that has issued out of the blockaded area or has attempted to do so.

2. A vessel that has transshipped outside the blockaded area the cargo of a vessel that has broken through a blockade outward, or has attempted to make such transshipment.—Jap. Reg. 1904.

Art. XXIX. Any vessel which has received notification of a blockade shall be considered to have violated the blockade inward in the following cases:

1. When such vessel has passed into the blockaded area, or has attempted to do so.

2. When such vessel, lying in the neighborhood of the blockaded area, is considered to be steering into the area, no matter what port of destination is mentioned in the ship's papers.

3. When such vessel has transported or attempted to transport cargo to a blockaded place, by transshipping to another vessel outside of the blockaded area in order that the latter may pass the line of blockade.

4. When such vessel is bound for the blockaded port.—Jap. Reg. 1904.

Continuous voyage.

Art. 19. Whatever may be the ulterior destination of the vessel or of her cargo, the evidence of violation of blockade is not sufficiently conclusive to authorize the seizure of the vessel if she is at the time bound toward an unblockaded port.—D. of L. 1909.

84. La violation du blocus est insuffisamment caratérisée pour autoriser la capture du navire, lorsque celui-ci est actuellement dirigé
Neutral war vessels.

32. Vessels of war of neutral powers have not the positive right of entry to a blockaded port. They should, however, as a matter of courtesy, when practicable, be allowed free passage to and from a blockaded port. Permission to visit the blockaded port is subject to any conditions as to length of stay or otherwise that the senior officer of the blockade may deem necessary and expedient.—U. S. Ins. 1917.

82. Vous pourrez accorder à des navires de guerre la permission d’entrer dans un port bloqué et d’en sortir ultérieurement.—Fr. Ins. 1912.

62. The naval commander of the blockading force may permit neutral ships of war to visit a blockaded port and later to leave it. Permission granted to one ship of war, however, does not furnish any ground for another ship of war to claim a like permission.—Ger. O. 1909.

Art. 47. The commander of a blockading force may grant to a foreign warship permission to enter, and subsequently to leave, a blockaded port.—Jap. Reg. 1914.

Permit to enter.

Art. 7. In circumstances of distress, acknowledged by an authority of the blockading forces, a neutral vessel may enter a place under blockade and subsequently leave it, provided that she has neither discharged nor shipped any cargo there.—D. of L. 1909.

33. In circumstances of urgent distress beyond the possibility of relief by the blockading force, a neutral vessel may be permitted to enter a place under blockade and subsequently to leave it under conditions prescribed by the commanding officer of the blockading force.—U. S. Ins. 1917.

81. Un navire neutre, en cas de détresse constatée par une autorité des forces bloquantes, peut pénétrer dans la localité bloquée et en sortir ultérieurement, à la condition de n’y avoir laissé ni pris aucun chargement.—Fr. Ins. 1912.

Art. 6. The commander of a blockading force may grant to a warship permission to enter, and subsequently to leave, a blockaded port.—D. of L. 1909.

63. A neutral ship in distress has the right, after communication with a commander of the blockading force to enter a blockaded
port, and later to leave it, upon condition, that cargo shall neither be discharged, nor taken on there. The blockading force can instead, however, itself extend the assistance of which the ship is in need.—Ger. O. 1909.

Art. 48. In circumstances of distress, acknowledged by an authority of the blockading forces, a neutral vessel may enter a place under blockade and subsequently leave it, provided that she neither discharges nor ships any cargo there.—Jap Reg. 1914.

Exemption, inward.

Art. XXX. To vessels coming under one of the following heads, the preceding article shall not apply:

1. When a vessel has permission of the Imperial Government or of the commanding officer of the blockading squadron or man-of-war.

2. When the master of the vessel has ventured to make a blockaded port his destination anticipating termination of the blockade and intending to steer for another port in case the blockade is still in force, or when there are extenuating circumstances and the vessel comes from a very distant place.

3. When it is clear that the master of a vessel bound for a blockaded port has abandoned the idea of reaching that port.

4. When a vessel enters a blockaded area, it having become necessary to put into port from want of provisions, rough weather, or any other unavoidable circumstance, and there being no other port or bay to put in.—Jap. Reg. 1904.

Exemption, outward.

Art. XXVIII. In any of the following cases the preceding article shall not be applied—

1. When a vessel comes out of the blockade area having a permit from the Imperial Government or from the commanding officer of the squadron or war vessel on duty of blockade.

2. When a vessel which entered the blockaded port during the existence of the blockade, having received no notice of the fact, sails out of the port without any cargo.

3. When a vessel which was in the port at the time of the declaration of the blockade sails out of the port without any cargo.

4. When a vessel which was in the port and was loaded before the declaration of the blockade sails out.—Jap. Reg. 1904.

CONTRABAND

Supply by neutral government forbidden.

Art. 6. The supply, in any manner, directly or indirectly, by a neutral power to a belligerent power, of warships, ammunition, or war material of any kind whatever, is forbidden.—XIII, H. C. 1907.