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SECTION VI.—CONTRABAND OF WAR.

Article 34.

The term "contraband of war" includes only articles having a belligerent destination and purpose. Such articles are classed under two general heads:

(1) Articles that are primarily and ordinarily used for military purposes in time of war, such as arms and munitions of war, military material, vessels of war, or instruments made for the immediate manufacture of munitions of war.

(2) Articles that may be and are used for purposes of war or peace, according to circumstances.

Articles of the first class, destined for ports of the enemy or places occupied by his forces, are always contraband of war.

Articles of the second class, when actually and especially destined for the military or naval forces of the enemy, are contraband of war.

In case of war, the articles that are conditionally and unconditionally contraband, when not specifically mentioned in treaties previously made and in force, will be duly announced in a public manner.

Article 35.

Vessels, whether neutral or otherwise, carrying contraband of war destined for the enemy, are liable to seizure and detention, unless treaty stipulations otherwise provide.

Article 36.

Until otherwise announced, the following articles are to be treated as contraband of war:

Absolutely contraband.—Ordnance; machine guns and their appliances and the parts thereof; armor plate and whatever pertains to the offensive and defensive armament of naval vessels; arms and instruments of iron, steel, brass, or copper, or of any other material, such arms and instruments being specially adapted for use in war by land or sea; torpedoes and their appurtenances; cases for mines, of whatever material; engineering and transport materials, such as gun carriages, caissons, cartridge boxes, campaigning forges, canteens, pontoons; ordnance stores; portable range finders; signal flags destined for naval use; ammunition and explosives of all kinds and their component parts; machinery for the manufacture of arms and munitions of war; saltpeter;

military accouterments and equipments of all sorts; horses and mules.

Conditionally contraband.—Coal, when destined for a naval station, a port of call, or a ship or ships of the enemy; materials for the construction of railways or telegraphs; and money, when such materials or money are destined for the enemy's forces; provisions, when actually destined for the enemy's military or naval forces.

(a) Should there be any change in Article 34?

There seems to be no present need for change in Article 34?

(b) Should there be any change in Article 35?

Article 35 is in accord with general practice and therefore seems to need no change.

(c) Should "vessels adapted for warlike uses" be included under Article 36? Should any changes be made in this article?

It is generally admitted that "vessels adapted for warlike uses," are included under Article 34 (1) as "military material" and there seems to be no necessity for inserting the words under 36, though there could be no particular harm in so doing.

There is no need of immediate change in the article as in accord with the introductory clause change can be made by simple announcement at any time.

(d) Under the clause in regard to "Conditionally contraband" in Article 36, should there be a comma after "ships?"

A comma should be inserted in order that "of the enemy" may more directly limit "naval station" and "port of call" also.

SECTION VII.—BLOCKADE.

Article 37.

Blockades, in order to be binding, must be effective; that is, they must be maintained by a force sufficient to render hazardous the ingress to or egress from a port.

If the blockading force be driven away by stress of weather and return without delay to its station, the continuity of the blockade is not thereby broken. If the blockading force leave its station voluntarily, except