

REVIEW OF CURRENT ENGLISH CASES.

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SHIP—CHARTERPARTY—HIRE PAYABLE IN ADVANCE—DEFAULT
IN PAYMENT OF HIRE—WITHDRAWAL OF SHIP—RE-DELIVERY—
APPORTIONMENT OF FREIGHT.

Italian State Railways v. Mavrogordatos (1919) 2 K.B. 305. A time charterparty of a vessel had been granted to the plaintiffs by the defendants subject to the condition that the hire should be paid monthly in advance, and in default the defendants should be at liberty to withdraw the vessel without prejudice to any claim they might have. The hire was payable until the vessel's re-delivery at a port in west Italy. On 10 January, 1917, a month's hire became due and was not paid; on 11 January, 1917, while the ship was on her way to Barry under the charterers' orders the defendants wrote to the charterers withdrawing the vessel from the service. The ship arrived at Barry on the 23 January, 1918, and the defendants took possession of her there. This action was brought claiming a declaration that the charterparty was still subsisting. The defendants counterclaimed for hire until the 23 January, when as they contended the ship was re-delivered to them; but Sankey, J., held that the defendants had cancelled the charterparty on the 11 January, 1918, and consequently were not entitled to recover any hire after that date; and the Court of Appeal (Banks and Duke, L.JJ., and Lawrence, J.), affirmed his judgment.

ADMIRALTY—SALVAGE OF NEUTRAL VESSEL BY WARSHIP—RESCUE
OF VESSEL FROM GERMAN SUBMARINE—CLAIM OF SALVAGE
BY KING'S SHIP—QUANTUM OF SALVAGE—NAVAL PRIZE ACT,
1864 (27-28 VICT. C. 25), s. 40.

The Svanfos (1919) P. 189. This was an action for salvage by the commander, officers and crew of H. M. Submarine G. 7. The defendants were the owners of the two vessels in question. Both were Norwegian vessels. They were attacked by a German submarine which was making preparation to destroy them when the G. 7 appeared on the scene and drove off the German submarine. One of the vessels on seeing the German submarine retire, steamed away under her own steam, the other was in a leaky condition and a crew was put aboard who with great difficulty stopped the leaks and enabled the boiler fires to be lit, and on a Norwegian war vessel subsequently appearing at the request of