

Parmoor, dissenting). With great respect to so distinguished a tribunal, we humbly venture to think that the judgment of the majority proceeds on grounds which do not commend themselves to what appears to us the common sense view of the case. Juries do sometimes arrive at a clearer notion of what is justice between litigants than do lawyers, and this, it seems to us, is one of those cases. Suppose a client writes to his solicitor and admits having committed some criminal act, and the solicitor negligently suffers the letter to be seen by the party injured, and the client is thereupon prosecuted and sent to gaol, according to this decision the client would appear to have no remedy against his solicitor except a claim for nominal damages, because the injury he suffers is the consequence of his own act, and not that of his solicitor. Whereas natural justice seems to require that the solicitor who has thus, by his negligence, brought his client into ruin and disgrace should be held thereby to have been guilty of a wrongful act, for which he ought to make not merely nominal but substantial compensation. This is not the law according to this decision of the House of Lords, but nine persons out of ten, we venture to think, would say, that it ought to be.

SHIPPING—CHARTERPARTY—BREACH BY OWNERS—DETENTION
OF VESSEL FROM CHARTERERS—REQUISITION BY GOVERNMENT
DURING DETENTION—MEASURE OF DAMAGES.

Elliott Steam Tug Co. v. Payne (1920) 2 K.B. 693. This action was brought by charterers of a vessel against the owners to recover damages for detention of the vessel from the charterers in breach of the charterparty; while the vessel was so detained it was requisitioned by the British Government—and the only question discussed is the measure of damages. In the absence of any evidence shewing that the requisitioning arose out of the detention by the defendants, Rowlatt, J., held that the plaintiffs were not entitled to recover from the defendants damages for the period while the vessel was so requisitioned.