

tration six other creditors executed the deed. Subsequently a petition in bankruptcy was presented against the debtor, and he was adjudicated a bankrupt, and a receiving order made, against which the trustee of the creditor's deed appealed; but his appeal was dismissed by the Divisional Court on the ground that the deed was void in consequence of its execution subsequent to registration by the six creditors. The Court of Appeal (Lord Esher, M.R., and Fry and Lopes, L.JJ.), however, held, that having regard to the provisions of the deed, it was properly registered, and its subsequent execution by other creditors did not have the effect of altering it, but was simply carrying out what the deed as registered intended.

MUTUAL INSURANCE—MARINE INSURANCE—LIABILITY OF UNDISCLOSED CO-OWNERS OR CONTRIBUTIONS TO LOSSES.

The short point determined in *Great Britain v. Wyllie*, 22 Q.B.D. 710, by the Court of Appeal (Lord Esher, M.R., and Bowen and Fry, L.JJ.) affirming Day, J., was simply this, that where the managing owner of a ship, having power to insure the vessel in a mutual insurance company, so insures it in his own name, he has authority to bind his co-owners to contribute to losses on other ships just as if they were actual members of the mutual insurance association.

INSURANCE (MARINE)—"IMPROPER NAVIGATION"—"IMPROPER STOWAGE."

In *Canada Shipping Co. v. British Shipowners' Mutual Protecting Association*, 22 Q.B.D. 727, Charles, J., was called on to decide whether a cargo of wheat which was tainted in consequence of the ceiling and limber boards of the vessel being saturated with a composition which had leaked from the previous cargo, was damaged "by improper navigation," and he held that it was not, and was of opinion that it was caused rather "by improper stowage."

SERVICE OUT OF THE JURISDICTION—BANKRUPTCY PROCEEDINGS.

The question *In re Wendt*, 22 Q.B.D. 733, was whether there is any jurisdiction to direct that an order requiring a bankrupt to attend for examination be served on the bankrupt out of the jurisdiction. The Court of Appeal (Lord Esher, M.R., and Fry and Lopes, L.JJ.) were of opinion that the Court had no power to make such an order, because there was no express legislative provision therefor. Lord Esher says, "When the legislature have enacted that a thing is to be done by the Queen's Courts, the meaning is only that the Court may do that thing within the Queen's dominions, unless the legislature have expressly said that it may be done outside those dominions, in which case the Court has only to obey." It is possible that even this is too broad a statement of the rule, and that instead of Queen's dominions he should have said "the territorial jurisdiction of the Court," which is, of course, not a co-extensive term.