

vessel and while it was lying at Marseilles discharging her cargo the captain was served with notice from the Greek government ordering him to take the vessel to the Piræus for the purpose of placing the vessel at the disposal of the Greek government. Thereupon the defendant notified the plaintiff that the charter party was cancelled; the vessel had been commandeered. Before the vessel could leave Marseilles, however, the Greek government withdrew their order and released the ship. Atkin, J., who tried the action, held that the vessel had been commandeered within the meaning of the charter party and therefore dismissed the action.

CONTRACT FOR SALE OF GOODS FOR EXPORT—DECLARATION OF WAR—EMBARGO AGAINST EXPORTATION—IMPOSSIBILITY OF PERFORMANCE—TEMPORARY SUSPENSION OF CONTRACT—REASONABLE TIME.

*Millar v. Taylor* (1916) 1 K.B. 402.—The plaintiffs in this case contracted to sell goods to the defendants for exportation to Africa—on the exportation of the goods the plaintiffs were to be entitled to a draw back of duty.—Before the contract could be completely performed, war was declared and an embargo placed on the exportation of *inter alia* goods of the kind in question. This embargo lasted from the 5th to the 20th August, 1914 when it was removed. In the meantime the plaintiffs claimed to treat the contract at an end and brought the action for the goods that had actually been delivered and the defendants counter claimed for damages for breach of the contract. Rowlatt, J. gave judgment for the plaintiff and dismissed the counter claim, but the Court of Appeal (Eady, Warrington, L.J.J., and Bray, J.), reversed his decision holding that the embargo merely caused a temporary suspension of the contract, and as it was removed before a reasonable time for the performance of the contract had taken place, the plaintiffs were not entitled to repudiate it, though it would have been otherwise if the embargo had continued indefinitely and beyond a reasonable time for the performance of the contract.

CRIMINAL LAW—SUMMARY CONVICTION FOR NEGLECTING CHILD IN MANNER LIKE TO CAUSE SUFFERING OR INJURY TO HEALTH—SUBSEQUENT DEATH OF CHILD—INDICTMENT FOR MANSLAUGHTER—INDICTMENT FOR MANSLAUGHTER—AUTREFOIS ACQUIT.

*The King v. Tonks* (1916) 1 K.B. 443. The defendant in this case had been summarily convicted of neglecting her child