
REVIEW OF CURRENT ENGLISH CASES.

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MATRIMONIAL HOME—RIGHT OF WIFE TO RESIDE IN MATRIMONIAL HOME PENDING SUIT.

Wilmott v. Wilmott (1921), P. 143. This was an action for restitution of conjugal rights. The husband had left his wife alone in the matrimonial home and had refused to live with her on account of her persistent drunken habits. He offered her a weekly allowance and to find her accommodation elsewhere which she refused. The house was the husband's, and the wife moved for an injunction to restrain her husband from preventing her living in the matrimonial home pending the suit. Hill, J., held that she had no such right and refused the motion.

**NEGLIGENCE—DANGEROUS WORK—DUTY TO EXERCISE CARE—
—BENZOL—MOTOR GARAGE—MASTER AND SERVANT—SMOK-
ING—SCOPE OF EMPLOYMENT.**

Jefferson v. Derbyshire Farmers (1921), 2 K.B. 281. The plaintiffs were the lessors and lessees of a motor garage of which the lessees had agreed with the defendants to give them the use, as a garage for motor lorries. A youth employed by the defendant in the garage, while drawing benzol from a drum into a tin, struck a match and lit a cigarette, and then after the manner of smokers, threw the match on the floor. This set light to some oil and petrol lying on the floor, the fire spread to the benzol flowing from the drum, and the garage and its contents were destroyed. Horridge, J., who tried the action held that the youth in lighting a cigarette and throwing the match on the floor was not acting within the scope of his employment and therefore the defendants were not liable on that ground; but he held they were liable on the ground that the bringing of benzol into the garage and filling tins there, was a breach of the defendants' agreement not to store spirit in the garage, and on that ground he held the defendants were