

has been settled beyond doubt by the judgment of the court of last resort in *Holliday v. National Telephone Company* above referred to.

SILAS ALWARD.

St. John, N.B.

ENGLISH CASES.

EDITORIAL REVIEW OF CURRENT ENGLISH DECISIONS.

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INSURANCE OF GOODS IN TRANSIT—POLICY—DURATION—CLAUSE ALLOWING DURATION.

In *Hyderabad Co. v. Willoughby* (1899) 2 Q.B. 530, the plaintiffs sought to recover on a policy insuring goods during their transit from India to London. The goods in question consisted of a box containing bars of bullion, and the insurance was "at and from Boodinni to London," including "all risks of every description from the mines by escort to the railway station at Raichur (forty miles) thence by rail (400 miles) to Bombay, thence to London." The policy contained a clause covering the assured in the event of deviation or change of voyage, at a premium to be hereafter arranged." When the box arrived at Raichur in charge of the plaintiff's servant, the railway company improperly refused to accept it except at the owner's risk. The plaintiff's servant was on his way to a place called Secunderabad 170 miles from Raichur, and off the route from that place to Bombay, and took the box there where it was kept for a month in the plaintiff's safe, pending negotiations with the railway company. The company having ultimately agreed to accept the risk of carriage, the box was taken to Raichur, and from thence was forwarded by the prescribed route to London. On its arrival there it was discovered that one of the bars of gold had been abstracted, and Bigham, J., who tried the case found that it had been in fact stolen while the box was in the plaintiff's office at Secunderabad; and the question therefore was whether this was a loss covered by the policy. Bigham, J., held that the deviation was a necessary one under the circumstances, and that the box must be considered still to have been in transit while at Secunderabad, but that an additional premium was payable in respect of such deviation.