
REVIEW OF CURRENT ENGLISH CASES.

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**SHIP—CHARTER PARTY—IMPLIED CONDITION THAT SHIPOWNER
WILL NOT USE SHIP IN MANNER PREJUDICIAL TO THE CHARTER.**

In *Darling v. Raeburn* (1906) 1 K.B. 572 the plaintiffs had chartered a vessel from the defendants to load "a full and complete cargo . . . not exceeding what she can reasonably stow and carry over her tackle, apparel, provision and furniture," and proceed therewith to two or three ports of discharge. On arrival at the first port of discharge the defendants took on board a large quantity of bunker coal intended to be used upon some prospective voyage after the ship's final discharge. The consequence of thus loading the ship with an excessive quantity of coal was, that in order to enter one of the ports of discharge, she had to be lightened to enable her to get over the bar, which would not have been necessary had the supply of coal been limited to what was necessary for the voyage for which the ship was chartered. The plaintiffs claimed to recover the expense thus incurred from the defendants, and Kennedy, J., held that they were entitled to succeed on the ground that there is an implied condition in such a charter party that the shipowners will not use the ship in a manner prejudicial to the charterer, and that, notwithstanding there was a provision in the charter-party that the expense of lightening the ship to enable her to enter a port was to be borne by the charterers, the expense so occasioned could not be thrown on him.

**ACT OF STATE—ANNEXATION OF TERRITORY TO THE CROWN OF
ENGLAND—CONFISCATION OF PRIVATE PROPERTY OF FORMER
RULER—FRIVOLOUS ACTION—JURISDICTION OF MUNICIPAL
COURTS.**

Solaman v. Secretary of State (1906) 1 K.B. 613 was an action by the trustee in bankruptcy of Prince Duleep Sing, who was the son and residuary legatee of a former Indian potentate whose territories had been annexed by the East India Company as representing the Crown, and whose public and private revenues had been confiscated. The plaintiff claimed that the British government had in effect assumed the guardianship of the dethroned potentate and that they were liable to account as