

Deane, J., held that they were, and that the words "at shippers' risk" referred to other risks, than that of the fundamental obligation of the shipowner in respect of seaworthiness of the lighter.

ADMIRALTY—SHIP—COLLISION—TOW AND THIRD SHIP TO BLAME—
—DIVISION OF LOSS—MARITIME CONVENTIONS ACT, 1911 (1-2
GEO. V. c. 57), s. 1.

The Cairnbahn (1914) P. 25. In this case, which was one of collision between a barge in tow and a steamship, for which the tug and the steamship were found to be to blame; the Court of Appeal (Lords Parker and Sumner, and Warrington, J.) have affirmed the judgment of Evans, P.P.D., that such a case is not governed by the common law as to there being no contribution between joint tort feorsors, and, therefore, applying the principles laid down by s. 1 of the Maritime Conventions Act, 1911 (1-2 Geo. V. c. 57), the owners of the steamship were entitled as against the owners of the tug, to one-half the amount of the damage sustained by steamship, including therein half the amount of the damage sustained by the barge—the latter having recovered the whole of her damage against the steamship.

TRUSTEE—BREACH OF TRUST—RELIEF OF TRUSTEE FROM LIABILITY
—STATUTE OF LIMITATIONS—TRUSTEE ACT, 1888 (51-52 VICT.
c. 59), s. 8—JUDICIAL TRUSTEES ACT, 1896 (59-60 VICT. c.
35), s. 3—(TRUSTEE ACT, 1 GEO. V. c. 26, s. 36, ONT.—LIMI-
TATIONS ACT, 10 EDW. VII. c. 34, s. 47, ONT.).

In re Allsop, Whittaker v. Bamford (1914) 1 Ch. 1. This is an important decision as to the effect of the Trustee Act, 1888 (51-52 Vict. c. 59) (see 1 Geo. V. c. 26, s. 36, Ont.), and the Judicial Trustees Act (59-60 Vict. c. 35) (see 10 Edw. VII. c. 34, s. 47, Ont.). The facts of the case were that a testatrix, who died in 1887 bequeathed her residuary estate to trustees, upon trust to pay the income in equal third parts to her two nephews and her niece during their respective lives, and, subject thereto, to hold the capital and income of the whole in trust for the children of her said nephews and niece who might be living at the time of the failure of the trust thereinbefore contained. Upon the death, in 1896, of one of the nephews, leaving a widow and children, the trustees acting upon the erroneous advice of their solicitor as to the effect of the will paid the income of the