

charterers, and they claimed the loss of the quay berth for the six weeks was due to the collision over which they had no control, but Kennedy J. was of opinion that the case did not come within the exception, that the vessel being absent for repairs without any default of the owners, when she returned, the demurrage obligation was immediately again in force without any break in its continuity.

PRINCIPAL AND AGENT — BROKER LUMPING SEVERAL ORDERS IN ONE CONTRACT—LIABILITY OF PRINCIPAL TO JOBBER ON DEFAULT OF BROKER.

Beckhuson v. Hamblet (1900) 2 Q.B. 18, involved a neat point in the law of principal and agent. A broker having orders from several different customers (including the defendant) to purchase shares for them on the stock exchange, purchased from the plaintiffs who are stock jobbers, 360 shares, 210 of which the brokers apportioned to the defendant in respect of the shares he had ordered to be bought. Before the settling day the brokers failed, and were declared defaulters in accordance with the rules of the stock exchange, and their transaction with the plaintiffs was closed, and the price of the shares was fixed at the price then current. The plaintiffs having ascertained that the broker was acting for the defendant as regarded the 210 shares, tendered those shares to the defendant and demanded payment, and on his refusal, sold them on the settling day and brought the present action for the difference between the contract price and the selling price. The action failed, Kennedy J. holding that as the brokers had lumped the defendant's order with others, and had contracted in a single transaction for the purchase of a larger number of shares than he was authorized to purchase for the defendant, there was no contractual relation between the plaintiffs and defendant, which would support the action. In other words he held that the contract made by the broker was his contract and not a contract of either of his customers.

CONTEMPT OF COURT—SCURRILOUS ABUSE OF JUDGE AS A JUDGE.

The Queen v. Gray (1900) 2 Q.B. 36, was a summary proceeding instituted by the Attorney-General against the defendant for contempt of court in publishing in a newspaper an article containing scurrilous abuse of a judge, with reference to his conduct as a judge in a judicial proceeding which had terminated. The facts