
REVIEW OF CURRENT ENGLISH CASES.

(Registered in accordance with the Copyright Act.)

DOMINION OF CANADA—MUNICIPAL WATER SUPPLY—DOMINION GOVERNMENT BUILDING—IMPLIED OBLIGATION TO PAY FOR WATER SUPPLIED—TAXATION—B.N.A. ACT (30 & 31 VICT. c. 3), s. 125.

Minister of Justice for Canada v. Levis (1919) A.C. 505. This was an action for a mandamus to the City of Levis to compel it to supply water from the municipal waterworks to a building in the city belonging to the Dominion Government. The city was ready and willing to supply the water at and for an annual charge of \$300 which the Courts below found to be a reasonable charge; but the plaintiff claimed that it was a tax, and by the B.N.A. Act, s. 125, the Dominion Government was free from municipal taxation in respect of its property; the plaintiff also claimed that the proposed charge of \$300 was excessive and unreasonable, and that \$35 per annum was all that the supply was actually worth. The Judicial Committee of the Privy Council (Lords Sumner, Parmoor, and Wrenbury, J.), dismissed the appeal agreeing with the Superior Court of Quebec, that the exoneration of the Dominion Government from liability for municipal taxes did not extend to exempt it from liability for charges for water supplied from municipal waterworks, as to which there was an implied obligation on the part of the Government to pay. They also agreed that the proposed charge of \$300 was not, in the circumstances, an excessive or unreasonable charge.

PRIZE COURT—ENEMY SHIP—OUTBREAK OF WAR—SEIZURE IN PORT—DAYS OF GRACE—FORCE MAJEURE—HAGUE CONVENTION NO. VI. ART. 2.

The Turul (1919) A.C. 515. In this case the Judicial Committee of the Privy Council (Lords Sumner, Parmoor, Wrenbury, Sterndale and Sir Arthur Channell), decide that where, on the outbreak of the war, a vessel was seized in an Australian port and her papers and charts were removed and a watchman placed on board; and after the seizure was made a proclamation was issued granting enemy ships a period in which to depart, but the Master was not informed by the proclamation, or otherwise, that upon his applying for a pass the ship would be put in a position to depart in consequence whereof the vessel remained in port beyond the