

upon the charterers. This clause stated—"but should the steamer be driven into port or to anchorage by stress of weather, or from any accident to the cargo or in the event of the steamer trading to shallow harbours, rivers, or ports where there are bars causing obstruction to the steamer through grounding or otherwise, time so lost and expenses incurred (other than repairs) shall be for charterer's account." The vessel while making its way to port up a river grounded on soft clay and was thereby delayed. This the Court of Appeal (Bankes, Warrington and Atkin, L.JJ.) held was within the clause above quoted and therefore occasioned no cesser of hire, and the judgment of McCardie, J., was therefore reversed.

**Criminal law—Bigamy—Honest belief that former marriage dissolved—Offences against Person Act 1861—(24-25 Vict., c. 100, s. 57—(Crim. Code, s. 307).**

The King v. Wheat (1921) 2 K.B. 119. This was a prosecution for bigamy and the question for the Court of Criminal Appeal (Bray, Avory, Shearman, Salter and Greer, JJ.) was whether the accused's bona fide belief that he had been divorced from the bond of his first marriage was a sufficient defence in view of the fact that that belief was ill-founded. The Court held that it was not a defence and the conviction was affirmed. It may be observed that the jury found as a fact that the accused had the belief, but the Court of Appeal held that there was no evidence on which the jury could so find, but even if the finding were well founded it would be no defence. The Court in arriving at its conclusion discussed the case of *Rex v. Tolson*, 23 Q.B.D. 168, and disagreed with the general principle there laid down by Cave, J. In that case the second marriage had taken place in the bona fide belief that the husband of the first marriage was dead, and there was consequently no intention on the part of the accused to enter into a second marriage while her first husband was living, but in the present case there was that intention, based on the erroneous supposition of the first marriage having been legally dissolved. The case, in their Lordships' opinion, was governed by *Rex v. Lolley*, 2 Clk. & F. 567n, *Earl Russell's Case* (1901), A.C. 446.