

which are hereditary, such as Baron or Baronet, where the title descends to the son or other male heir of the recipient of the honour. There are many reasons why objections that prevail here are less so in the Motherland. It is obvious that in cases where a son who succeeds to a title may be a misfit, or unworthy, or for some reason be unable to uphold properly the dignity of the title becomes a joke.

#### TRADING WITH THE ENEMY.

The English Court of Appeal (Lord Cozens-Hardy, M.R. Eady, Bankes, Warrington, and Bray, and Scrutton, L.J., dissenting), have recently come to a decision which appears to us somewhat puzzling, and the grounds stated in the *Law Times Journal's* note of the case do not appear to be particularly convincing. The case we refer to is *Tingley v. Miller*, 143 L.T. Jour. 38. The facts appearing by the note were as follows: The defendant was formerly a German resident in England. He was required by the British Government to leave England, and on the 20th day of May, 1915, prior to his departure, he executed a power of attorney whereby he appointed an attorney to sell his house in England. On 26th May, 1915, he left England for Flushing, en route for Germany. On 2nd June, 1915, the attorney offered the house for sale by auction and the plaintiff became the purchaser without notice of the above-mentioned facts. The defendant reached Germany between the 26th May and 11th June, 1915, but there was no evidence as to the exact date of his arrival there. The plaintiff had entered into possession. The action was brought to have the contract declared null and void as being a trading with the enemy, contrary to the common law and the Royal Proclamation of 19th September, 1914. Eve, J., dismissed the action on the ground that he could not infer that defendant had reached Germany by 2nd June, and the plaintiff appealed from his decision. The Court of Appeal held that the defendant must be presumed to have reached Germany by 2nd June, but that great weight must be given to the power of attorney of the 20th May,