

Aires, but really to supply German cruisers. On arrival at Teneriffe, the voyage had been abandoned and the cargo was there sold. On the home voyage the vessel was seized as prize. Evans, P.P.D., held that she was not in the circumstances liable to condemnation, but as an attempt had been made to deceive, by use of false papers, he ordered the owners to pay the costs. The Judicial Committee of the Privy Council (Lords Parker, Sumner and Wrenbury, and Sir A. Channell) affirmed his judgment.

COMPANY—TRANSFER OF SHARES—PAID-UP SHARES—REFUSAL OF DIRECTORS TO REGISTER TRANSFER—BY-LAW—ULTRA VIRES—COMPANIES ACT (R.S.C. c. 79), ss. 132, 138, 143, 145.

*Canada National Fire Insurance Co. v. Hutchings* (1918) A.C. 451. The simple question at issue in this case was whether a limited company can, under the Companies Act (R.S.C. c. 79), s. 132, pass a by-law giving its directors an arbitrary discretion to refuse to register a transfer of shares. The Manitoba Court of Appeal had ruled that it cannot, and with this conclusion the Judicial Committee of the Privy Council (Lords Parker and Sumner, and Sir W. Phillimore) agree; their Lordships holding that a by-law purporting to give the directors unrestricted power in this respect must be construed as merely authorizing them to disapprove of transfers in case of shares which are partly paid, or upon which calls are due, or upon grounds of title and conveyance which it is their duty to attend to.

PRIZE COURT—CARGO—CONDITIONAL CONTRABAND—BILL OF LADING—NAMED CONSIGNEE—ORDER-IN-COUNCIL, OCTOBER 29, 1914—DECLARATION OF LONDON, 1909, ART. 35.

*The Louisiana* (1918) A.C. 461. This was an appeal from the unreported decision of Evans, P.P.D. The facts were that neutrals shipped conditional contraband, consisting of fodder, from the United States in a neutral ship under bills of lading which purported to make the goods deliverable to named neutral traders at a neutral port. The learned President found as a fact that the shippers had acted in the transaction by the direction of an agent of the German Government, and that the persons named as consignees had no interest in or control over the goods. An Order-in-Council of 29th October, 1914, had adopted with a modification the declaration of London, art. 35. The modification is as follows: "Notwithstanding the provisions of art. 35 of the said Declaration conditional contraband shall be liable to capture on board vessel bound for a neutral port if the goods are