

REVIEW OF CURRENT ENGLISH CASES.

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HIGHWAY—WILFULLY OBSTRUCTING HIGHWAY—EVIDENCE.

Gill v. Carson (1917) 1 K.B. 674. This was a case stated by justices. The defendants were prosecuted for breach of a statute, making it unlawful to wilfully cause any obstruction in any public thoroughfare. The evidence adduced shewed that the defendants had, at 4 p. m., allowed two vehicles, each with a horse in the shafts and with a chain horse in front, to stand unattended on the highway in question for five minutes, whilst the defendants were in an inn near by getting refreshments. The street in question was 25 yards wide from kerb to kerb, it had two tramway tracks, so that in order to pass the defendants' vehicles, it would be necessary to draw on to the tram lines. There was no evidence that any person had been actually obstructed. A Divisional Court (Lord Reading, C.J., and Avory and Sherman, JJ.) held that it was unnecessary to shew that any person had actually been obstructed, but that the evidence was insufficient to establish any wilful obstruction of the highway within the meaning of the statute.

SALE OF GOODS—CONTRACT TO SHIP ALUMINIUM—PROHIBITION TO EXPORT WITHOUT LICENSE—PROHIBITION AGAINST BUYING, SELLING OR DEALING IN ALUMINIUM—DEFENCE OF THE REALM REGULATION, 1914, reg. 30A.

Re Anglo-Russian Merchant Traders and Batt (1917) 2 K.B. 679. This was an appeal from an order of Bailhache, J., made on an appeal from an award. The question in dispute was as to whether or not the appellants were liable to the respondents for breach of a contract in the following circumstances: By the contract in question, made in August 1915, the appellants sold to the respondents, both parties being resident in England, 50 tons of aluminium to be shipped by steamers to Vladivostock during the following December and January at a price including freight and insurance. At the date of the contract there was, to the knowledge of both parties, a prohibition against the export of aluminium from England except on license granted by the British Government, and on December 7, 1915, an order was made applying reg. 30a of the Defence of the Realm (Consolidation) Regulation to aluminium.