

false papers or other deceitful practices to elude capture has carried a contraband cargo to the enemy, then it remains subject to confiscation on its return voyage: but he held that, as in the present case notwithstanding the deceit practised the delivery of the cargo to the enemy had in fact been abandoned, the vessel became exempt from capture. At the same time the use of false papers was a sufficient ground for ordering the owners to pay the cost and expenses of and incident to the capture and of the prize proceedings.

PRIZE COURT—CARGO—ANTE BELLUM SHIPMENT—PRODUCE
OF ENEMY SOIL—SEIZURE—NEUTRAL CLAIMANTS.

The Asturian (1916) P. 150. This was another prize case. The facts were as follows. Before the outbreak of the war between Great Britain and Turkey a consignment of sultanas, the produce of Turkish vineyards owned by the consignors, was shipped by a Greek company having its head office in Athens and a branch at Smyrna, on a British vessel at Smyrna. On the arrival of the vessel in England the cargo was seized as a prize. The consignors contended that they had a neutral domicile, that the business at Smyrna was a mere branch and that in regard thereto they were entitled to the benefit of the privileges of the Turkish capitulations system whereby their character as owners of the vineyard was that of neutral subjects. But Evans, P.P.D., said that the capitulations were irrelevant, and that on the broad principle that the goods in question were produce of land in an enemy country, they were subject to confiscation although shipped before the war.

HUSBAND AND WIFE—CRUELTY—CONDONATION—ACTS OF SUB-
SEQUENT CRUELTY SUFFICIENT TO DISPLACE CONDONATION.

Moss v. Moss (1916) P. 155. This was an appeal from a judgment of Horridge, J., granting a wife a judicial separation on the ground of cruelty. The principal acts of cruelty relied on and which would have justified the granting of a separation had been condoned by the wife continuing to live with her husband, but further acts of cruelty subsequently committed by the husband which, though not sufficient in themselves to justify a separation, were relied on by the wife as being sufficient to displace the condonation of the prior acts of cruelty, and the Court of Appeal (Lord Cozens-Hardy, M.R., and Phillimore, L.J., and Sargant, J.) were of the opinion that