

and the first defendants published, a book entitled *The Destruction of Convoy P.Q. 17*. The book contained the gravest libels on the plaintiff, a retired naval officer, accusing him of cowardice and disobedience to orders when he had been in command of the convoy. The defendants did not go into the witness box, and did not attempt to justify the really serious parts of the libel. After the first defendants had been served with a writ for libel in respect of the distribution of 60 proof copies they released the hard-back edition to the public. Lord Justice Salmon said: 'It seems obvious to me that they took the risk with their eyes open, judging that they would make more money out of the book than the money which any libel action would be likely to cost them.'

The Court of Appeal held that under the rules laid down by Lord Devlin the jury were entitled to award the plaintiff £40,000 damages, made up of £15,000 compensatory, and £25,000 exemplary, damages. But the Court also said that the rules in *Rookes v. Barnard* gave rise to so many difficulties that the decision itself should not be followed. The question whether the Court of Appeal can, or should, make such a pronouncement about a decision of the House of Lords is now itself under appeal to the House.

Moon-night

Translation from *Tu Fu* (Ch'ang-an, Fall, 756)

Moon of tonight upon Fu Chou
 In the women's quarters she watches alone,
 Far away, I pity the small boy, and the girls
 Who do not know or remember the Capital —
 In a sweet mist her hair-clouds moisten
 In the pure glitter her jade arms are chill
 When shall we leaning by the curtained void
 Shine on each other, our tear-streaks dry?

DAVID LATTIMORE