

How to Analyze a Case: 6-part analysis

Raffles v. Wichelhaus

Who?

Plaintiff – seller of cotton

Defendant – buyer of cotton

Where ?

Bombay, India and Liverpool, England

When ?

1864

What ?

Goods to be sent on a ship called 'Peerless'
from Bombay to Liverpool.

2 ships with the same name; one leaving in
October, the other in December.

Buyer meant 'October' Peerless

Seller meant 'December' Peerless

How ?

- No contract (K); therefore neither side prevails

Why ?

- No *consensus ad idem* ('meeting of the minds')