

Privy Council Appeal No. 51 of 1913.

Bowring Brothers, Limited - - - *Appellants,*
v.
Henry Toke Munn - - - - *Respondent.*

FROM

THE SUPREME COURT OF NEWFOUNDLAND.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF
THE PRIVY COUNCIL, DELIVERED THE 11TH FEBRUARY 1914.

Present at the Hearing :

LORD ATKINSON.	LORD MOULTON.
LORD SHAW.	LORD SUMNER.

[Delivered by LORD ATKINSON.]

Their Lordships have had an opportunity of considering this case. The only question in dispute is the construction of the letter of the 10th June 1912 which, at all events, was intended to be in effect a charter party. It is a dubious document in itself, and it is rendered more so by the interpretation which the parties themselves have put upon it; because they altered it by consent at the time of payment. The point in dispute really is whether the vessel in question was chartered month by month, or chartered for a definite period of three months. The Court below came to the conclusion that it was a monthly hiring. That decision ought not to be overruled unless their Lordships are clearly of opinion that it was wrong. The Appellants have not been able to convince them that it was wrong, and, under those circumstances, their Lordships will humbly advise His Majesty that the Appeal should be dismissed with costs.

In the Privy Council.

BOWRING BROTHERS, LIMITED

v.

HENRY TOKE MUNN.

DELIVERED BY LORD ATKINSON.

LONDON :

PRINTED BY EYRE AND SPOTTISWOODE, LTD.,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

1914.