

Privy Council Appeal No. 107 of 1916.

In the matter of Part Cargoes ex Steamships "Barenfels" and "Gutenfels,"

Schroder Smidt & Company - - - - - *Appellants*

v.

His Majesty's Procurator in Egypt - - - - - *Respondent*

FROM

HIS BRITANNIC MAJESTY'S SUPREME COURT FOR EGYPT
(IN-PRIZE).

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE
PRIVY COUNCIL, DELIVERED THE 17TH JANUARY, 1919.

Present at the Hearing :

LORD SUMNER.

LORD PARMOOR.

LORD WRENBURY.

LORD STERNDALE.

SIR ARTHUR CHANNELL.

[*Delivered by* LORD SUMNER.]

Their Lordships will humbly advise His Majesty, the Solicitor-General consenting thereto, that the decree appealed against should be varied, so as to make it in terms what is known as the "Chile" order (1914) ^PR. 217. The order will be that the goods in question be pronounced to have belonged at the time of seizure thereof to enemies of the Crown, and as such to have been lawfully seized by the officers of His Majesty as good and lawful prize, and order, the said goods, having already been sold under order of the Court and the proceeds having been brought into Court, that the said proceeds be detained in Court until further order. As it is perfectly manifest that the case as launched was an appeal against the whole of the decision, seeking complete release of the goods to the claimants, a case that is not now maintained, their Lordships are of opinion, and will so humbly advise His Majesty, that the appellants/ should pay the costs of the appeal.

In the Privy Council.

IN THE MATTER OF PART CARGOES EX
STEAMSHIPS "BARENFELS" and "GUTEN-
FELS,"

SCHRODER SMIDT & COMPANY

o.

HIS MAJESTY'S PROCURATOR IN EGYPT.

DELIVERED BY LORD SUMNER.

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