

Privy Council Appeals Nos. 7 and 8 of 1917.

In the matter of Cargo *ex* Sailing-ship "Sorfareren."

Aktiebolaget Ferrolegeringar - - - - - *Appellants,*

v.

His Majesty's Procurator-General - - - - - *Respondent,*

AND

The Chrome Company (Limited) - - - - - *Appellants,*

v.

Same - - - - - *Respondent,*

FROM

**THE HIGH COURT OF JUSTICE, PROBATE, DIVORCE, AND ADMIRALTY
DIVISION (IN PRIZE).**

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF
THE PRIVY COUNCIL DELIVERED THE 20TH JULY, 1917.

Present at the Hearing :

LORD PARKER OF WADDINGTON.

LORD WRENBURY.

SIR ARTHUR CHANNELL.

[*Delivered by* LORD PARKER OF WADDINGTON.]

Their Lordships need not trouble Counsel for the Crown.

Even if there was no doubt at all as to the *bona fides* of the documents adduced to support the claim of the Swedish Company, their Lordships are of opinion that these documents point simply to a sub-sale, and not to the Germany Company having acted for the Swedish Company so as to create any privity of contract between them and the English Company or to cause the property in the goods, if it passed at all, to pass from the English Company to the Swedish Company.

They are further of opinion that there is no reason to doubt the correctness of the President's view as to the joint effect of

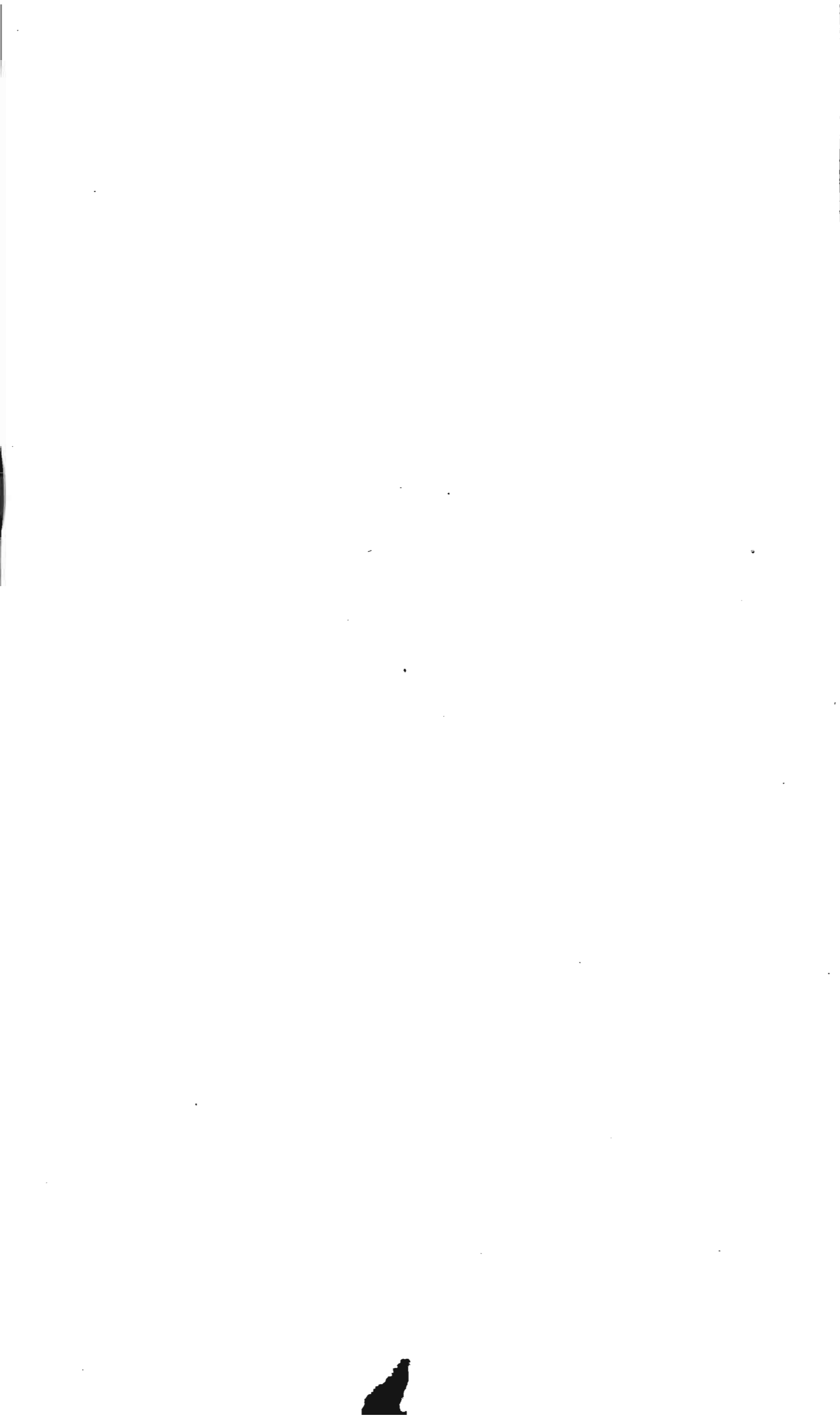
[64 & 65] [141—195]

the Declaration of Paris and article 43 of the Declaration of London.

Under these circumstances, there seems to be no reason why the compromise which the Attorney-General has suggested between the Crown and the English Company should not be given effect to.

The result is that the appeal of the Swedish Company will be dismissed with costs and that the appeal of the English Company will be withdrawn on terms agreed between them and the Crown, which terms the Board are prepared to approve.

Their Lordships will humbly advise His Majesty accordingly.



In the Privy Council.

IN THE MATTER OF CARGO *EX*
SAILING-SHIP "SORFAREREN."

AKTIEBOLAGET FERROLEGERINGAR

v.

HIS MAJESTY'S PROCURATOR-
GENERAL,

AND

THE CHROME COMPANY (LIMITED)

v.

SAME.

DELIVERED BY
LORD PARKER OF WADDINGTON.