Privy Council Appeal No. 123 *of* 1920.

In the matter of the steamship "Pellworm" and other vessels.

His Majesty's Procurator-General - - - - - *Appellant*

v.

The State of Netherlands - - - - - - *Respondent*

The State of Netherlands - - - - - - *Appellant*

v.

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

(*Consolidated Appeals*)

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 13TH FEBRUARY, 1922.

Present at the Hearing:

LORD SUMNER.
LORD PARMOOR.
LORD WRENBURY.
SIR ARTHUR CHANNELL.

[*Delivered by* LORD SUMNER.]

These are consolidated cross-appeals from decisions of Lord Sterndale and of Sir Henry Duke. In the Prize Court, when the Procurator-General claimed the condemnation as good prize, of four German steamers, the "Pellworm," "Marie Horn," "Breitzig," and "Heinz Blumberg," seized on the 16th July, 1917, Lord Sterndale found that they had been captured in Dutch territorial waters and refused condemnation, but at the same time he dismissed the claim for damages put forward by the Dutch Government and adjourned further consideration.

This was in 1919. When the matter came on again, Sir Henry Duke dismissed the claim for delivery up of the ships or their appraised values, ordered that the latter be retained in Court to be dealt with pursuant to the Treaty of Versailles, and directed that consideration of the claims to the cargoes should be reserved for further inquiry. Accordingly their Lordships are not concerned with the cargo claims and do not deal with them. The Procurator-General has appealed against the decision that the captures were made within the territorial waters of Holland and against the refusal to condemn the ships, and there is a cross appeal by the Dutch Government against the refusal to order their delivery or payment of their appraised values with damages and expenses.

The facts were that a flotilla of British destroyers was proceeding along the Dutch coast at no great distance outside the three-mile limit, on the look-out for a number of German vessels, which were also shaping their course as near as they could to that limit, obviously for the purpose of effecting a quick escape into neutral waters in case a British patrol should heave in sight. The destroyers did heave in sight, and closed. The German ships made for Dutch waters, but eventually were signalled to stop their engines and change course to the westward at a moment when they were within too short a range to make it safe to disobey. They hauled down their flags and stopped or appeared to stop their engines, but did not alter course to the westward. The wind and tide were then from the north-west, though of no great strength, and the steamers continued to keep their way and, aided by wind and tide, drew nearer to the shore. The destroyers then sent in their boats. Some of the German steamers were abandoned by their crews. When boarded, as they all eventually were, they had travelled a considerable distance towards the coast of Holland, but no resistance was made, and the prize crews took them out to sea and brought them into an English port.

The questions of fact arising in connection with this story are these: (1) Were any of the German steamers within the three-mile limit (*a*) when ordered to stop their engines; (*b*) when they hauled down their flags and purported to stop their engines; (*c*) when they were abandoned by their crews; (*d*) when they were boarded and taken possession of by the prize crews? (2) If any belligerent act was committed by the British forces within the territorial waters of Holland, was it done intentionally or in the belief that both the British and the German ships were still outside the territorial limit?

The learned President, Lord Sterndale, answered the first of these questions in the following words:—

> "The conclusion to which I come on the evidence is that the German vessels were outside the territorial limit when sighted and signalled to stop, and were close upon it, if not within it, when they stopped, but were well within it when a boarding party was put on board and possession actually taken of them."

After carefully examining the evidence with the assistance of counsel, their Lordships have arrived at the same conclusions. It is unnecessary to recapitulate the particular facts deposed to, or to discuss them in detail, but their Lordships may observe generally, (1) that the German ships, when boarded, were far enough inshore to make it impossible that they should have been first brought to at any considerable distance from the territorial limit; (2) that the wind and tide and the way the ships were carrying were hardly sufficient in themselves to account for the distance, which they eventually covered towards the land, but their Lordships are not to be taken to assert (whatever they may suspect) that, after the order to stop, the engines were kept running, though with calculated unobtrusiveness; and (3) that, whatever may be the effect of it in law, the German steamers in fact disregarded the signal to alter their heading, in order to profit by the forces, natural or artificial, which were seen to be carrying them towards the land. No doubt the contingency of meeting English men-of-war had been carefully considered, for the German vessels, which were all following one another *en échelon*, all promptly acted in the same way and with the same results. It is true that in his evidence one of His Majesty's officers surmised that the signal to alter course to the westward was not readily understood, but no German captain says so, and their Lordships think that the surmise does less than justice to the vigilance and intelligence of the enemy.

The claimants' proof that possession was finally taken well within the territorial waters of Holland makes it incumbent on the captors to establish affirmatively, at least that capture was legally complete while both the captors and the captured were still outside of them. Whether or not, in these or any circumstances, a prize, duly captured outside the three-mile limit, but carried intentionally or by accident or inadvertence across the line before she can be boarded, may nevertheless be legitimately followed up and reduced into possession within the line is a question which need not now be decided. There are observations on the subject by Sir William Scott in the "*Anna*" (5 C. Rob., at p. 385*e*), when discussing the dictum of Bynkershoek in his *Quæstiones Juris Publici*, p. 66; but, besides being unnecessary to the decision in that case, they do not apply to such a case as the present, where the neighbouring shore was inhabited and the actual field of operations was under observation by Dutch officials, stationed there for the very purpose. Such a case bears no analogy, at any rate, to salving a prize, which, after being duly captured, has broken adrift or has otherwise by marine perils come involuntarily within the three-mile limit, a contention advanced by the Procurator-General's counsel. Boarding the prizes within Dutch waters was a belligerent act in any view, and thereafter and in consequence of the boarding, the German ships were taken as captured prizes out of those

waters to British ports. It was not contended that this action could be justified, if what had already been done on the high seas did not amount to capture; but the case for the Crown was that a complete *deditio* had taken place outside the territorial limit.

When completed captures are made on the high seas, it can rarely matter by what steps they become complete or in what the conclusive *indicia* of capture consist. The question, however, becomes material when a series of naval movements take place in such a position that the invisible limit of territorial waters intersects them, for this at once creates the necessity for a logical analysis of them, in order to determine whether or not territorial rights have been violated. Singularly enough, the reported cases on claims of territory throw little or no light on this question. The Scottish Prize Cases, some of very early date, which are reported in Morison, generally turn on circumstances so special as to be of little assistance in solving modern problems. There is one case of a claim of territory by the King of Denmark, viz., *Hunter* v. *De Bothmer*, but there the whole capture was deliberately made within the waters of Norway. The cases before Sir William Scott are of limited application in any case, and do not touch this particular point, nor is it determined by any of the decisions of their Lordships' Board in the recent war. In the unreported case of the *Loekken*, which alone approximates to the present case, it was shown upon the facts that, when in response to a signal to stop and another threatening to fire, if she did not stop, the "Loekken" stopped and reversed, both she and the captor were outside territorial waters, and she was thus captured on the high seas. It was further shown that, when the captors commenced to head her off from escaping into territorial waters, as she tried to do, they were themselves on the high seas, and if the two vessels afterwards drifted accidentally over the line, which was at best doubtful on the facts, this happened at a considerable interval after the completion of the capture.

In principle it would seem that capture consists in compelling the vessel captured to conform to the captor's will. When that is done *deditio* is complete, even though there may be on the part of the prize an intention to seize an opportunity of escape, should it present itself. Submission must be judged by action or by abstention from action; it cannot depend on mere intention, though proof of actual intention to evade capture may be evidence that acts in themselves presenting an appearance of submission were ambiguous and did not result in a completed capture. The conduct necessary to establish the fact of capture may take many forms. No particular formality is necessary (*La Esperanza*, 1 Hagg, at p. 91). A ship may be truly captured, though she is neither fired on nor boarded (*The Edward and Mary*, 3 C. Rob., 305), if, for example, she is constrained to lead the way for the capturing vessel under orders, or to follow her lead, or directs her course to a port or other destination, as commanded. If she has to

be boarded, she is at any rate taken as prize when resistance has completely ceased. It was contended before their Lordships by counsel for the Crown that hauling down the flag was conclusive in the present case, or at least was conclusive when taken in conjunction with stopping the engines as ordered. It was said to be an unequivocal act of submission, as eloquent as the words, " I surrender " could have been, an act which could not be qualified by any intention that did not find expression in action. This is to press the *Rebeckah* (1 C. Rob., 227) beyond what it will bear, for there the facts showed, that, after the act of formal submission by striking colours, there was no discontinuance of that submission either effectively or at all, whereas Sir William Scott intimates that, if any attempt had been made to defeat the surrender, he would not have treated the *deditio* as complete till possession was actually taken. It is true that by tradition, when ships are engaged in combat, striking the colours is an accepted sign of surrender, but to do so without also ceasing resistance is to invite and to justify further severe measures by the victorious combatant. In the case of a merchantman, where the traditions of commissioned men-of-war are not of equal application, the hauling down of the flag, like any other sign or act of submission, is to be tested by inquiring whether the prize has submitted to the captor's will. What a combatant seeks to intimate by acts signifying surrender is first and foremost that he ceases to fight and submits to be taken prisoner ; what a merchantman intimates is, that she means to do as she is told, and that the chattel property may be captured in prize though the seamen in charge of it are not made prisoners or placed under personal restraint. In the present case, according to evidence given for the Crown, the hauling down of their flags by the German steamers was accompanied by a change of course towards the land, and, as it preceded any British signal by flag or cannon shot, it was in the circumstances anything but a clear intimation of submission. On the contrary, it is obvious that the German ships continued to move towards and shortly crossed the three-mile limit, and that this was neither inadvertent nor was incapable of being prevented. They had not abandoned the intention to escape, nor had they arrested their movement towards the region of safety. They submitted just so far as to minimise the risk of being fired on ; they disobeyed orders just so far as to ensure that the ships would of themselves glide or be carried over the line. They were already heading towards the territorial waters, and desired to obtain whatever advantage might be derivable from getting within them. This was why they did not obey the order to alter course to the westward. It is not shown that they could not have done so. Under these circumstances their Lordships see no reason to differ from Lord Sterndale's conclusion, that the vessels were not captured till they had entered Dutch waters, for up to that time they were endeavouring to escape and were resisting or evading submission to the captors' will.

Nor can they differ from his conclusion that the conduct of His Majesty's officers was neither reckless nor careless, and that their violation of Dutch neutrality was inadvertent, since they believed in all good faith that both captors and prizes, throughout and until capture was complete, remained outside the three-mile limit. He saw these officers and judged of their demeanour, and their evidence is quite consistent with his conclusion. It may well be that they were keen in pursuit and determined to make a capture, if it could legitimately be made, but their minds were alive to the question of the rights of Holland, and they are not shown to have allowed meritorious zeal to degenerate into determination to snatch success at all costs. Even if it be taken, that when the German vessels were actually boarded they, or some of them, were obviously within Dutch waters and should have been known to be so by the captors, their Lordships do not think that this alone is a ground for reversing Lord Sterndale's decision apart from the other features of the case, nor indeed were they really pressed by counsel to do so. They are not to be taken to mean that ignorance of the law would excuse improper action, where the facts were or ought to have been known, but it is one thing to say that capture, effected within Dutch waters by boarding or otherwise, involves the restoration of the prize, and quite another to say, that to board within the territorial limits a prize honestly believed to have been captured outside them must necessarily justify a claim for damages by the neutral sovereign concerned. It is not shown that the act of shelling other ships, which went ashore in another part of the area of operations, was connected with the capture of the vessels in question, in any way that ought reasonably to affect the matter. The further contention that a promise to pay costs and expenses can be inferred from a suggestion made in the course of diplomatic correspondence, that the whole matter was one for the Prize Court, is really not worth examination. When, therefore, the case again came up to be dealt with by Sir Henry Duke on Lord Sterndale's findings, it followed that there could be no award of damages in favour of the Dutch Government, but *prima facie* they were entitled to restoration of the ships, which had been wrongly captured within their territorial waters.

Here arise two classes of difficulty. After being brought before the Prize Court, all four ships were duly requisitioned for the use of His Majesty by Order, dated the 31st July, 1917, but made before the Dutch Government had entered an appearance. As to the claim for profits and usufruct, it was not nor could it have been seriously contended, that they were entitled to the profits of or to payment for the use of the ships, but while requisitioned two of them—the " Pellworm " and the " Marie Horn "—were torpedoed and sunk by enemy action, and subsequently, under the Treaty of Versailles, Germany ceded to the Allied and Associated Powers all German ships of over 1,600 tons gross, and undertook to cede an unascertained moiety of certain ships

under 1,600 tons. It was accordingly urged before Sir Henry Duke and again before their Lordships that, as the " Heinz Blumberg " at any rate is over 1,600 tons gross, and both she and the "Breitzig" are ships in the hands of His Majesty's Government under an order of the Prize Court, which by Article 440 Germany undertakes to recognise as valid, the Treaty operated as if there had been a private cession of the property in the two vessels by the German owners to new proprietors ; that under the Treaty the seizing Power had thus acquired an independent title, arising out of matters subsequent and not grounded in any wrongful act or involving the retention of any profit due to that wrong ; that the former owners, having now no interest, could have no cause of complaint against the Dutch Government, and that the Dutch Government being immune from claims had neither occasion nor right to demand redelivery of the vessels. It was urged, on the other hand, on behalf of the Dutch Government, that not only were they entitled to redelivery of the ships which survive, but of the appraised values of those which have been lost ; and that being strangers to the Treaty of Versailles, they were entitled to treat it as irrelevant and *res inter alios acta.*

Their Lordships have already stated in the *Dusseldorf* [1920] A.C. 1034 and the *Valeria* [1921] 1 A.C. 477, and need not now repeat, what is the general position of a sovereign claimant, whose territorial waters have been violated by a belligerent force. In their opinion it follows from that position that changes in the ownership of the vessel, which is the subject of the proceedings in prize, cannot defeat the claim of territory, which is independent of ownership, but that on the other hand, where there has been no intentional misconduct or affront on the part of the captors, and the loss of the vessel in question, without default on the part of those in control of her, has made her return *in specie* impossible, the payment of damages to the claimant is a wholly inappropriate remedy. A separate and much more difficult question, however, arises where prizes have been requisitioned on the terms of bringing, or of undertaking to bring, the appraised values into Court. It is this: Ought a claim to those appraised values, advanced on behalf of the neutral sovereign, to be treated as a claim for a *solatium* in money or as a claim for the *res* itself, in the only form in which it can now be returned ?

In the first aspect the following arguments arise. Where, under orders regularly and lawfully made, money has been substituted for the *res*, which has been brought into prize, the substitution is ordered not only to secure the captors, but also for the benefit of such claimants as have a right of property in the *res*, and whose interest in it is therefore an interest in its value. A claim to the appraised value is a proprietary claim ; a claim by a sovereign in virtue of his violated rights is the antithesis of a proprietary claim, and finds its sole satisfaction in the return of the *res* to enable him to assert his rights

as a sovereign and to discharge his duties as a neutral. The affronted Power had no property in or possession of the ship seized, and cannot assert a claim merely on behalf of or for the benefit of those, who have the ownership or are entitled to the possession. The remedy for taking away the prize from neutral waters, without justification or permission, is the restoration of that which was seized to the waters, whence it was taken, as honourable amends for a belligerent act, which, when once it has been established, a friendly Power cannot seek to profit by or to defend. An offer of money, so far from constituting amends, would rather aggravate the affront; a claim of money, in the absence of misconduct on the part of the captors, could only be a claim in the interest of private owners, which the aggrieved sovereign is not entitled to make. Money was not taken, therefore money has not to be returned. The State, whose officers have captured the prize in neutral waters, cannot retain it consistently with the satisfaction of its obligation to make amends; but the State whose waters have been invaded cannot ask, nor can a Court of Prize grant, the imposition of a money penalty, where no intentional wrong was done, or decree the payment of money as the price of an invasion of sovereignty. In their Lordships' opinion these considerations, which are generally valid, fail to apply in the present case for the following reason. The ships were requisitioned by the Admiralty for the use of His Majesty, but *ex hypothesi* the requisition operated on something, which never should have been brought into the custody of the Prize Court at all. Had it not been for the requisitioning, they would have been restored by decree of the Court. It is true that there is no claim for compensation in respect of the loss, as such, but the requisitioning was ordered at the instance of the Crown and the Court parted with the custody of them in accordance with the regular practice. Thereafter the ships were represented for all ordinary purposes by their appraised values. If a requisitioned ship is condemned, the undertaking to bring her appraised value into Court fails, since the Crown is not bound to pay for her; if she is not condemned, the money is brought into Court and paid to the party entitled to a release of the ship. If the Court were to refuse to release the appraised values in this case when it would have released the ships, if they had remained in the Marshal's custody, the result would be, that the Dutch Government's right to restoration would be defeated merely as a consequence of the British Government's exercise of the right to requisition, and the British Government's obligation to bring the appraised values into Court would cease to be performable. As it is, though the ships are lost there is something to restore, viz., the money which represents them. In their Lordships' opinion this consideration must prevail. It is not a sufficient objection to say that the Dutch Government have no proprietary interest in money, or that they would recover money only as trustees for or for the benefit of ex-enemy owners.

Trustees in strictness they are not, but, even if they were, this would in their Lordships' opinion be less incongruous with principle and more consistent with international amity than that the same law, which requires the return of a prize wrongly captured, should justify the retention of the sum, which is to be deemed to be in Court as representing it. If the prospect of the return of the restored ships to their ex-enemy owners does not prevent their restoration to the neutral Government, no different result should follow from the prospect that the money, when restored, will be handed over likewise. It follows that His Majesty's Government ought to return to the waters of Holland the vessels which survive, let the present rights of property or possession be what they may; and ought to do so free of expense to the Government of the Queen of the Netherlands, and that the like obligation to return applies to the appraised values, which otherwise would be a profit growing out of their own wrong.

Accordingly, in this appeal, their Lordships refrain from expressing any opinion as to the effect of the Treaty of Versailles on the ownership of the "Breitzig" and the "Heinz Blumberg," or the title to the sums representing the appraised values of the "Pellworm" and of the "Marie Horn."

It is true that the general practice has been to use the same form of order, viz., "decreed the same to be restored to the said claimant for the use of the owners and proprietors thereof," both in cases of claims of territory and in cases of claims made by and on behalf of private owners, but this has not been followed without exception; for the order made in the case of the "Dusseldorf" was for release to solicitors, acting "on behalf of the said claimant," viz., the Norwegian Consul-General as representing his Government, and the owners were not mentioned. In either case, however, there is no precedent for an order seeking to fetter the possession of the State, whose claim has been successfully asserted, or to derogate from the full measure of the amends, which the Court of Prize has decided to be due. There appears to be no such settled practice as would affect the principle of the matter. On the other hand, it is necessary to correct the decree actually made by Lord Sterndale to this extent. The questions arising on the effect of the Treaty of Versailles had not at that time been mooted, and accordingly the decree, as drawn up declared in ordinary form, that the ships captured belonged to the enemies of the Crown. Now that these questions have arisen, their Lordships think that, to prevent any appearance of prejudging them, the words "at the time of capture" should be inserted after the word "belonged." If the right of His Majesty's Government to the property in and possession of those ships or sums by virtue of the Treaty of Versailles or otherwise is plain, their Lordships cannot doubt that the Government of the Netherlands will promptly recognise the right of a friendly sovereign and direct their return to this country. If it is

susceptible of doubt, they make no question of the competence and freedom of the Courts of Holland to decide it in proceedings properly commenced for that purpose, or of the willingness of the Dutch Government to abide by their decision, and, pending that decision, merely to retain possession of the ships and sums on behalf of whom it may ultimately prove to concern. It would be little consonant with the principle of honourable amends between friendly Powers, which is the foundation of claims of territory, to clog it with any distrust of the justice and regularity of the proceedings of the successful sovereign. They find nothing in the Treaty, or in the Statute and Order in Council framed to make it executory, to interfere with this view of the matter.

It has, however, been contended that there is something in the practice of Courts of Prize in this country with regard to requisitioning for the use of His Majesty of ships that are in the custody of the Court pending their adjudication in prize, which is at variance with the principles above stated. Their Lordships think that the contention is fallacious. When a ship is placed in the custody of the Prize Court with a view to adjudication in prize, then and there it is either liable to condemnation or is not. Time is necessary in order that the evidence may be got together on both sides and may be considered in due course by the Court; but if all the evidence were immediately forthcoming and the claimant had a proper opportunity of being fully heard, he would have no grievance if the adjudication were to take place forthwith. Furthermore, pending adjudication he has no benefit from the use of the ship, and she remains at his risk in the Marshal's custody. Accordingly, under Orders and Rules validly made, a practice has been established, which is beneficial alike to the captors, to the Court, and to the claimant. This is no mere matter of municipal law, which does not bind a foreign Government except in virtue of some submission to the jurisdiction; it is part of the practice of a Court which administers the law of nations, none the less so that it is regulated by Orders which are made in virtue of statutory authority. The ship, if requisitioned for the use of His Majesty, may be released to the Admiralty for an indefinite period, on the terms of substituting for the ship in the Marshal's custody her appraised value, paid or payable into Court, or for a short and definite period without any terms requiring appraisement. In the former case, at any rate, which is the case in question, the claimant is thus protected from depreciation and marine risks, and the Court is relieved from the responsibility of her custody. If ultimately a decree is made in his favour, the claimant could desire nothing better than payment of the appraised value; if a decree for condemnation is made, all necessary effects are secured by the release of the Admiralty from the obligation to pay the value into Court, and by the change of property as against all the world by a judgment *in rem*. An order for requisition in itself, however, is not a judgment *in rem*; it does not purport to change property; it authorises use and using up—that is, consumption—but it does

not make the thing requisitioned a subject of sale. The Orders and Rules make separate provision for orders for sale, and their Lordships must not be taken to agree with the statement of Sir H. Duke P. in the Court below that an order for leave to requisition, though followed by delivery, in itself changes the property. In cases where the law of nations requires the return of a ship *in specie*, the Court has no authority to defeat its duty in advance, and an order merely as to the use of the ship does not purport to do so; as Sir William Scott says in the *Vrouw Anna Katerina* (5 C. Rob. at p. 16), "the Court is at all times very much disposed to pay attention to claims of this species, . . . when the fact is established it overrules every other consideration; the capture is done away; the property must be restored, notwithstanding that it may actually belong to the enemy." In fact the order made provides only for release and delivery to the Crown or for temporary delivery, as the case may be. Furthermore, the Court's own rules condition the requisitioning of ships liable to condemnation quite differently from Article II of the Sixth Hague Convention of 1907, which gives a contractual right to requisition detained ships subject to an express condition of paying compensation. They impose no liability to answer for accidental loss, but are fully satisfied by the deposit of the appraised values. Their Lordships can find nothing, either in the decisions or in the words of the Orders and Rules, to warrant the contention that for the purposes of a claim of territory, the appraised value of a ship, when once it has been requisitioned, must be treated in all circumstances as if it were the ship herself, lost or not lost; nor can they find anything to restrict the right of the Prize Court to require the return to its Marshal, of a requisitioned ship, which is still *in specie*, in order that it may decree its release to the claimant Government. The order, giving leave to requisition, which the Court itself made, it is also competent in such a case to revoke. The "Dusseldorf" (*supra*), for which an order of release was made, had herself been requisitioned, and this was not raised as an objection to her release. In the present case the importance of this point has been somewhat removed by the undertaking, given by the Solicitor-General, that, if their Lordships should be of opinion that the ships should be restored, the Admiralty would give them up accordingly.

It may be that if, by arrangement or otherwise, the two ships are returned to Dutch waters by the British Government, no expenditure in the matter will fall on the Government of the Queen of the Netherlands. If so, part of the order which their Lordships think is the right one will become inoperative. The case of such expenditure being incurred ought, however, to be provided for.

Their Lordships will humbly advise His Majesty that, subject to the above-mentioned addition to the decree of Lord Sterndale, the appeal of the Procurator-General should be dismissed with

costs ; and that the cross appeal, so far as concerns damages, should also be dismissed with costs ; but that it should be allowed with costs and the order of Sir H. Duke, which is appealed against, should be set aside, so far as concerns the restoration of the "Breitzig" and "Heinz Blumberg" and the payment over by way of restoration of the appraised values of the "Pellworm" and the "Marie Horn" ; that a decree should be entered for the claimants accordingly, and for payment of the expenses, if any, falling upon the claimants in connection with the return to Dutch territorial waters of the "Breitzig" and the "Heinz Blumberg," and that the cause should be remitted to the Prize Court to make any order required for an inquiry into the fact and the amount of such expenses and for payment of them to the Dutch Government and also for the discharge of any undertaking given by the Admiralty in respect of the appraised value of the ships restored *in specie.*

In the Privy Council.

In the matter of the steamship " Pellworm " and other vessels.

HIS MAJESTY'S PROCURATOR-GENERAL

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