

IN THE COLONIAL COURT OF ADMIRALTY OF THE ISLAND OF
CEYLON IN PRIZE.

1914.

Present: The Hon. Mr. A. Wood Renton, President of Prize Court.

THE SS. "STEINTURM."

Cause No. 4.

An order similar to the one made in the previous cause (No. 6.) but subject to slight modifications, was made in this cause.

The Hon. the Attorney-General, Akbar, C.C., and Obeysekere, C.C.,
for the Crown.

Allan Driberg, for interested consenting parties.

November 19, 1914. WOOD RENTON C. J. and P.—

The Crown moves in this case for a consent order similar to that which I have just made as regards the ss. "Moltkefels," except that the motion contains no proviso as regards goods in respect of which freight is due on delivery at the port of destination, and the captors have the right to complete their title to the freight by conveying the goods to such port. The only difference between the two cases is that, whereas the "Moltkefels" was captured on the high seas, the "Steinturm" was seized by the Principal Collector of Customs in Colombo harbour, and there may therefore, at the close of the war, be some question as to whether or not the enemy owners have an interest in the freight or some portion of it. This is not a matter, however, that need be dealt with at present.

The formal order was as follows:—

The Hon. Mr. Anton Bertram, K.C., Attorney-General, and Mr. S. Obeysekere, Crown Counsel, appearing for the Crown.

The President of the Prize Court made order in the following terms:—

Whereas by an order dated the 2nd day of September, 1914, the Court made order and decree that the Marshal be authorized, for the purpose of the warehousing of the cargo, to put the cargo in the hands of the Crown, the Attorney-General undertaking on behalf of the Crown that in the event of the cargo, or any part of it, being for this purpose removed out of the jurisdiction of the Court, it shall be brought back within the jurisdiction upon the order of the Court:

And whereas the said steamer, except so far as relates to cargo consigned to Colombo, is still unloaded, and contains general cargo consigned to Madras, Calcutta, and Chittagong:

And whereas it is for the interest of all persons concerned that the cargo, entitled to release which is consigned to Madras should be

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there delivered, and the cargo entitled to release which is consigned to Calcutta and Chittagong should be delivered at Calcutta :

It is hereby ordered that in the event of the Crown, in the exercise of its power under the said order of the Court, conveying the said cargo to Madras and Calcutta respectively, the Crown be authorized to recover against all cargo released and delivered at Madras and Calcutta the following expenses, that is to say:—

- (a) In respect of freight Rs. 15.50 per ton, weight or measure.
- (b) In respect of agency charges, such reasonable expenses as may be incurred.

It is further ordered that the steamer shall not depart from Colombo until the expiration of a period of 21 days from the date of this order.

It is further ordered that the steamer shall not depart from order be prepared by the Registrar and supplied to the Attorney-General, who will undertake the responsibility of securing its adequate advertisement in India.

G. HAZLERIGG,
Registrar.

