

*Judgment of the Lords of the Judicial Committee
of the Privy Council on the Appeal of The
SS. "Senlac" Company, Limited, and
others v. The SS. "Rosalind" and her
freight, from the Supreme Court of Canada ;
delivered the 26th October, 1909.*

Present :

LORD MACNAGHTEN.

LORD ATKINSON.

LORD COLLINS.

LORD GORELL.

Nautical Assessors:

ADMIRAL SIR ARCHIBALD L. DOUGLAS,
G.C.V.O., K.C.B.

COMMANDER W. F. CABORNE, C.B., R.N.R.,

[Delivered by Lord Macnaghten.]

Their Lordships do not desire to call upon the Respondent in this case.

They think that the Appellants have not shown any ground for disturbing the unanimous judgment of the Supreme Court of Canada. They agree with the Supreme Court in thinking that the "Senlac" was navigated with a reckless disregard of her own safety and the safety of any other vessel which might be approaching her.

Their Lordships have had an opportunity of conferring with the Nautical Assessors, and that is their view also.

Their Lordships will therefore humbly advise His Majesty that this Appeal should be dismissed.

The Appellants must pay the costs.

