

in this case as to what I ought to do. It was suggested in the first instance that there might be a question whether this fund when recovered might not belong in part to the *Cynthia* and in part to the other vessel, but I am unable to follow that. The real questions appear to me to be—first, whether I have jurisdiction under the circumstances to re-open this matter, and, secondly, whether I ought to do so. On the first point I have the gravest possible doubt whether I have the right to re-open this matter. It is quite true that before the Judicature Act cases have been cited to me where the questions were re-opened, and since the Judicature Act the case of the *Thyatira*, a case bearing a resemblance in some respects to this one, was re-opened, but in that case I don't think it could possibly be contended, and it is quite clear that Sir James Hannen did not think so, that the order was a perfected order. The principle seems to me clear that where an order has been perfected, the power of the Court to deal with it ceases. The question here of course is whether it has been perfected. If ever a proceeding of this kind came to an end, I should say this proceeding had come to an end. The Registrar's report was as long ago as May 13, 1891, money was paid on the strength of it, and distributed amongst the underwriters, and the matter came absolutely to an end, and that being so I should have no jurisdiction to interpose upon the other point. The Registrar had the affidavits of the owners before him, and came to a conclusion. The claim was for 26,000*l.*, 120*l.* for spare propellers, 23*l.* 2*s.* for something else, and the Registrar gave a sum of 20,000*l.* in round figures, and I very much doubt if he had known the facts, as we know them, whether that figure would have been substantially varied. But that is not the question I have to decide; the question I have to decide is whether, seeing the mistake was, in any way, a small one, that it was not discovered or thought of for a considerable time by either the owners of the *Cynthia* or by the owners of the other vessel, I ought to set aside an award made so long ago. Under such circumstances I am clearly of opinion that I ought not, and therefore this motion must be refused with costs.