In the Privy Council.

No. 68 of 1922.

ON APPEAL

FROM THE WEST INDIAN COURT OF APPEAL.

BETWEEN

THE DEMERARA BAUXITE COMPANY, LIMITED - (PLAINTIFFS) APPELLANTS

AND

LOUISA MALVINA HUBBARD, WIDOW, HUGH CHESTER HUMPHRYS, AND LLOYD TILGHMAN EMORY (DEFENDANTS) RESPONDENTS.

Case of the Appellants.

CHARLES RUSSELL & CO.,
37, Norfolk Street,
Strand, W.C.2.

EYRE AND SPOTTISWOODE, LTD., EAST HARDING STREET, E.C. 4.

In the Privy Council.

No. 68 of 1922.

ON APPEAL FROM THE WEST INDIAN COURT OF APPEAL.

BETWEEN

THE DEMERARA BAUXITE COMPANY LIMITED (PLAINTIFFS) *Appellants*

AND

LOUISA MALVINA HUBBARD (Widow) HUGH CHESTER HUMPHRYS AND LLOYD TILGHMAN EMORY (DEFENDANTS) - - - - - - - - - - *Respondents.*

CASE FOR THE RESPONDENTS

LOUISA MALVINA HUBBARD AND LLOYD TILGHMAN EMORY.

RECORD OF PROCEEDINGS. RESPONDENTS' CASE.

1.—This is an appeal by the Demerara Bauxite Company Limited (hereinafter called "the Company") from an order of the West Indian Court of Appeal dated the 1st December 1921 dismissing with costs the Company's Appeal against the Judgment dated the 9th April 1921 of His Honour Mr. Justice Berkeley dismissing with costs as against these Respondents namely the Respondents Louisa Malvina Hubbard and Lloyd Tilghman Emory and without costs as against the Respondent Hugh Chester Humphrys an action brought in the Supreme Court of British Guiana by the Company as Plaintiffs against such Respondents as Defendants wherein the Company claimed (in effect) specific performance of two contracts for the sale of certain pieces of land in the said Colony one entered into on the 18th February 1919 between the Respondent Mrs. Hubbard and the Respondent Humphrys to which the Company were not parties and the other entered into on the 19th February 1919 between the Respondent Humphrys and the Company. The circumstances giving rise to the above-mentioned proceedings and this Appeal are as follows.

R. 102

R 73

R. 1-8

10