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Lloyd's Register of Shipping,

71, Fenchurch Street, E.C. 3.

Enclosures.

2nd January, 1932.

Dear Sir,

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I have just received your letter of the 21st ultimo, acknowledging my letters of the 9th and 10th ultimo, regarding the case of the s.s. "ALABAMA", and asking whether or not the explanation given in your letter of the 8th ultimo, as to the action of the Surveyors in the matter, is satisfactory.

In reply I have to state that the explanation is not considered satisfactory.

The main facts of the case appear to be as follows, viz:-

This vessel sailed with a full cargo of oil from Texas to the U.K., and put in at Philadelphia in March last, on account of bad weather and damage to the steering gear. The cargo was discharged into shore tanks, and eventually certain repairs which the Society's Surveyors had recommended, were carried out at Philadelphia and New York. On completion of the repairs, the vessel re-loaded her cargo, and proceeded to the U.K., but Mr. Chiarella, the Manager of the Owning Company, the "Petroleum" Soc. Anon. di Nav., Genoa, has stated that prior to leaving New York, the Captain called the attention of the Surveyors to the fact that some waving had appeared on the bridge

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deck plating, and that he was assured this would be taken into consideration, but no mention was made of this waving in the Surveyors' reports.

Mr. Chiarella states that he met the ship at Manchester, and called the immediate attention of the Underwriters to the condition of the deck, and an Underwriters' Surveyor was called in to examine this damage. The ship proceeded in ballast to Genoa, and at that port the Society's Surveyors found upon examination that the condition of the deck was such as to necessitate considerable repairs which were duly effected.

The nature and extent of these repairs are shown in the attached extract from the Genoa Surveyors' report.

It now appears that some difficulty has arisen between the Owners and the Underwriters as to the responsibility for the cost of these latter repairs, and the Owners have sent us photographic copies of two certificates which have been handed to them by the hull Underwriters' Representative, one from New York and the other from Philadelphia.

The certificate from Philadelphia, issued by Mr. J. M. Buchanan, the Society's Surveyor at that port, states that with reference to the survey held by him the deck plates were slightly waved, but there was no indication nor did he believe this to be of recent origin, that he did not attribute same to the heavy weather, and for that reason no recommendations were made to deal with them.

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The certificate from New York, signed by a Mr. White, the hull Underwriters' Surveyor, by Mr. Richardson, one of the Society's Surveyors at New York, and by a Mr. Silleman, as Surveyor for Owners, makes a similar statement, using the same words.

Mr. Chiarella has stated that Mr. Silleman was not acting on the Owners' behalf in this matter, and he asks the Committee to answer certain questions, namely:-

New York Certificate. Upon whose request was this certificate issued, and why this is not stated in the certificate as usual?

Has Lloyd's Surveyor authority to express his opinion about a ship classed with Lloyd's and especially to sign a document in conjunction with other private Surveyors, stating such opinion?

To whom was this certificate delivered, and why Owners were not at least notified that such document was being issued?

Are we to consider this certificate as an official certificate issued by Lloyd's?

Philadelphia Certificate. Upon whose request was this certificate issued, and why this is not stated in the certificate as usual (please note that the printed words "At the request of" are crossed out)?

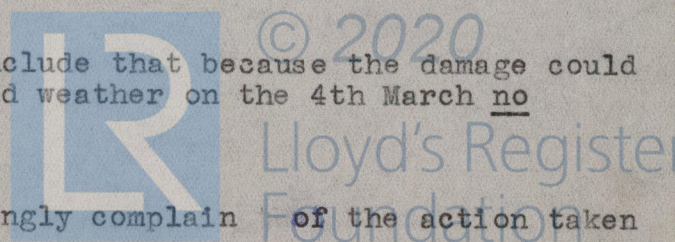
Why the wording of this certificate is exactly the same as that used for the New York Certificate.

Both certificates.

Signs of the recent origin of the waving of the deck have been discovered at Genoa.

Why do the certificates conclude that because the damage could not be attributed to the bad weather on the 4th March no recommendations were made?

The Owners strongly complain of the action taken



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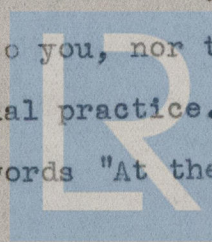
by Mr. Buchanan and Mr. Richardson in the matter, and state that it has seriously prejudiced their position with the Underwriters.

As the action of the Surveyors appears to have been most irregular, I have to request that you will instruct Mr. Buchanan and Mr. Richardson to furnish, for the information of the Committee, a full, detailed, and precise statement, setting forth *seriatim* the whole of the circumstances in connexion with the case, and especially dealing with the following points, viz:-

(1) The waviness of the deck plating having been observed at the surveys held in March and April last at Philadelphia and New York should have received proper mention in the Surveyors' reports to the Committee on these dates.

(2) In March and April last, the usual damage survey was held at the request of the Owners' representative; an interim certificate was issued to the Owners from Philadelphia in March, and a damage report was issued to the Owners from New York in April. The documents issued in October were in the nature of comments upon these reports, and appear to have been issued neither upon the request of the Owners' representative nor with their knowledge or consent.

(3) Notwithstanding the unusual nature of the circumstances of this case, the two Surveyors in question did not consult you before they agreed to the issue of these statements, neither did they arrange for copies to be handed to you, nor to be sent to this office in accordance with the usual practice. Moreover, Mr. Buchanan struck out the printed words "At the request of" from



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his statement, and Mr. Richardson, instead of issuing a statement on the Society's form, joined in a statement which was signed by Mr. T. H. White, who signed as "Hull Underwriters' Surveyor" and Mr. G. E. Silleman, who signed as "Surveyor for Owners".

I have to inquire who drafted or dictated that statement, which is identical, word for word, with that issued by Mr. Buchanan.

The course followed by Mr. Buchanan and Mr. Richardson in this case is quite unusual, and is considered most unsatisfactory, and I shall be glad to receive from them at your early convenience a full explanation of their action in the matter, in the course of which they should show clearly what communications - whether by telephone, telegram or letter or otherwise - took place between them and other interested parties and the names of such parties.

I am, Dear Sir,

Yours faithfully,

Secretary.

James French, Esq.,

NEW YORK.

P.S. I think it well to enclose, for your information, a copy of a letter, dated 2nd September, 1931, addressed from this office to the Society's Surveyors at Genoa, in answer to an enquiry from the Owners as to whether any buckling of the deck was noted by the Surveyors on account of the survey held in October, 1930, or subsequent dates.

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