

1 Enclosure

Reference S.

Lloyd's Register of British
and Foreign Shipping.

Belfast

September 30th 1891

The Secretary
Lloyd's Register of Shipping.
London.

Sir,

Your letter of the 24th inst., enclosing one from Mr. John Kelly, having reference to his steamer the "Susannah Kelly", having been received during my absence on leave, I now beg, in compliance with your request, to furnish you with the following particulars and remarks concerning this case. -

The vessel was built by Messrs MacShivaine & MacCott, and sailed early in February, when she proved rather unstable; about 25 tons of ballast was put on board, she then did her work admirably - even in the heaviest weather, this Mr. Kelly himself told me on more than one occasion, and he was continually eulogising

to others the many excellent qualities that his steamer possessed.

Subsequently, in April, in order to do without the iron ballast, the Builders fitted a short tank in the main hold, which was well constructed and satisfactorily tested; a sounding pipe was fitted abaft the main mast - this being considered the most suitable position for it, Mr. Kelly however took exception to this position and requested its removal, the Builders had it removed and were about to fit one, or two sounding pipes, in any position he would wish, and also to fit an angle at the end of the tank to receive the ends of the ceiling, when, for some unaccountable reason, Mr. Kelly suddenly thought proper to take the vessel out of the Builders' hands, and to commence an action against them for damages on the plea - that she was not built in accordance with designs approved by him, that the speed was two knots per hour less than was contracted for, that there was unnecessary delay in the delivery of the vessel, that the necessity for

the tank depreciated the value of the vessel, that additional expense was incurred in pumping and working the vessel, that sundry stores and minor fittings were not supplied, and also that the tank leaked.

The tank was built under the supervision of Mr. Davey, and I also examined it while the work was in progress, it was tested by Mr. Davey, to a greater pressure than required by the Rules, and proved satisfactory, and although the Master stated in his Log book that the tank was leaking, the expert engaged specially by Mr. Kelly could find no leaks. I was not present at the trial, but this came out in the evidence.

It was quite clear that Mr. Kelly wanted to use the Surveyors as a lever to get things done by the Builders which were entirely outside their province; the Builders were willing however, and desirous, to do everything that was necessary to meet Lloyd's requirements and to the entire satisfaction of the Surveyors. And all this they have done, with the exception

of the sounding pipe and angle bearer for the ends of ceiling - which they were not permitted to do - as stated by Mr. Garey in his report No 3954.

It will be clearly seen from the above that the statement as to the Surveyors being responsible for the lawsuit is entirely at variance with the facts, and as to the remarks concerning the status of the Surveyors here, they may be taken for what they are worth - nothing.

Messrs Harland & Wolff are removing the donkey boiler, which was placed above the main boiler, above the R. 2. D., and which contributed largely to her instability.

When the vessel is placed in graving dock, she will receive the necessary attention and be reported in due course.

Mr. Kelly's letter is herewith returned

I am,
Sir,

Your obedient servant
James Curpin

It is submitted that Mr. Turpin's
explanation is satisfactory, and the
Owner, Mr. Kelly, should be informed
that his remarks regarding the
Surveyor do not appear to be justified
by the facts of the case.

Referred to the Chief Surveyor.

CS

11/10/91

W. J. / 5/10/91

LLOYDS' REGISTER,
LONDON.

RECD 1 - OCT. 91

ANSR 8/10/91

Del: 30: 9

Mr. Turpin

Reptd. on case of SS.
"Susannah Kelly"



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Foundation