

"MAGDALENA".

Yesterday at an interview with the Treasury Solicitors, Messrs. Kent and Pitts, I was informed that the Ministry would probably call for the attendance of Mr. Caldwell at the Inquiry into the loss of the above ship to be held in London on the 26th September, 1949. The cost of his transport would in that case probably be met by the Ministry.

In the meanwhile there would be no objection to a new statement being obtained from Mr. Caldwell in which the questionable phrases are omitted. This could be merely a signed statement and not a sworn statement. Copies of it would be circulated to the parties concerned. In the event of Mr. Caldwell not being required to attend the Inquiry, the Solicitors would get Mr. Caldwell to submit a new sworn statement.

IT IS SUBMITTED Mr. Caldwell be informed by Air Mail of the date and place of the Inquiry and warned that the Ministry may require his attendance. If they decide later that his attendance will not be required, it will be necessary for him to forward an amended sworn statement and this would require to be presented and read in open court. It would, therefore, not be possible to treat it as a privileged document, and, from the point of view of the Society's good relationship with the Brazilian Government, it would be desirable that certain passages of the statement sworn by Mr. Caldwell on the 29th June should be deleted.

Mr. Caldwell's statement should, therefore, be returned to him and he should forward as soon as possible, an amended statement and copy, altering or omitting any sentences to which objection might be taken by the Brazilian Authorities, and in particular those passages ringed in red. This statement should be signed by him, but need not be sworn before the British Consul. It will be circulated by the Ministry to all Parties to the Inquiry. As stated above, a sworn statement will only be required in the event of Mr. Caldwell's attendance being dispensed with.

A copy of Mr. Caldwell's sworn statement should be retained.

S.E.B.

[Signature]

5th August, 1949.

*Mr. Hooper
Mr. J.R. Smith*

*Arrangements to be made for
covering the surveying duties at Rio
during Mr. Caldwell's absence. Submitters
to be asked by Cable if efficient
arrangements can be made locally*

Mr. Hooper

*Concur. But Baldwin is
informed that if local arrangements
cannot be made B.A. to request
to keep.*

[Signature]

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