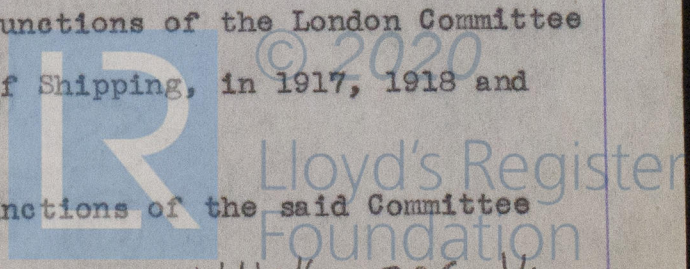


corrected

INTERROGATORIES TO BE PROPOUNDED TO A. SCOTT, a witness  
on behalf of the defendants, under the annexed commission.

1. State your full name and where you reside?
2. State your connection, if any, with Lloyd's Register of Shipping, and how long it has existed?
3. State what position, if any, you held in 1917, 1918 and 1919 in Lloyd's Register of Shipping?
4. State what is Lloyd's Register of Shipping, whether a corporation or unincorporated body or society?
5. State under the laws of what country Lloyd's Register of Shipping was organized or incorporated and the date of such organization or incorporation?
6. State what was the business carried on by Lloyd's Register of Shipping in 1917, 1918 and 1919, according to your knowledge?
7. State the business carried on by Lloyd's Register of Shipping, in 1917, 1918 and 1919 with respect to the classification of vessels?
8. Where is the principal office of Lloyd's Register of Shipping located?
9. State what were your duties in 1917, 1918, and 1919 as Secretary of Lloyd's Register of Shipping?
10. State what were your duties as Secretary in 1917, 1918, and 1919 in respect to the charge or custody of the official records of Lloyd's Register of Shipping?
11. State what are your duties, at the present date, as Secretary in respect to the London Committee of Lloyd's Register of Shipping?
12. State what were the functions of the London Committee of Lloyd's Register of Shipping, in 1917, 1918 and 1919?
13. State what are the functions of the said Committee



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at the present date?

14. If in your answer to the foregoing interrogatories, you have stated, in fact or in substance, that one of the functions or duties of the London Committee of Lloyd's Register of Shipping is the consideration of applications for the classification of vessels by Lloyd's Register of Shipping, state fully what were the functions of said Committee in that respect in 1917, 1918 and 1919 and at the present date?
15. State what were the functions of the said London Committee in 1917, 1918 and 1919, in respect to approval or rejection of applications for the classification of vessels submitted to that Committee?
16. State the procedure of Lloyd's Register of Shipping in respect to the classification of vessels in 1917, 1918 and 1919, explaining the different steps in such classification and the action taken by each or the respective officers and/or Committees of Lloyd's Register of Shipping in performing their respective functions?
17. Had Lloyd's Register of Shipping inspectors or surveyors in 1917, 1918 and 1919?
18. If your answer to the preceding interrogatory is in the affirmative, what were the functions of such surveyors at that time?
19. If your answer is that said surveyors then had the duty of inspecting vessels and reporting to Lloyd's Register of Shipping their recommendations as to classification, state in what manner those inspections were made and in what form those reports were submitted?
20. Had Lloyd's Register of Shipping in 1917, 1918 and 1919 a New York Committee?
21. If so, what were the functions of said New York Committee in 1917, 1918 and 1919?



22. State specifically what were in 1917, 1918 and 1919 the requirements of Lloyd's Register of Shipping in respect to the making of applications in connection with the classification of a vessel?

23. Assuming a contract under which a four-masted auxiliary wooden schooner was being constructed in 1918 at Biloxi, Mississippi, U. S. A. under a contract which provided, among other things, as follows:

"Said schooner shall be \* \* \* built in accordance with the plans and specifications, approved by and now in the possession of Lloyd's Register of Shipping and under the inspection of said Lloyd's Register. The builder shall furnish the purchaser a certificate of class of said schooner of highest class for this type of vessel of Lloyd's Register of Shipping at the time of delivery of said vessel."

Please state what was the procedure, if any, required by Lloyd's Register of Shipping in 1918 and 1919 with regard to the inspection of construction of said vessel, the making of reports in regard thereto, the consideration of and action upon said reports by all officers, bodies and committees of Lloyd's Register of Shipping having jurisdiction thereof, and the action taken by them with respect to the classification or rejection of such vessel from classification, and the issuance of a certificate of class therefor.

24. State in what form the action, if any, taken by Lloyd's Register of Shipping in London in 1918 and 1919 with respect to the consideration of reports and in the classification of a vessel constructed under the contract provisions assumed in the last preceding interrogatory, was recorded?

25. State in what books or records matters testified to by you in answer to the last preceding interrogatory were then recorded?

26. State what duties, if any, you had, in 1918 and 1919,



with respect to those records?

✓  
The Commissioner will please direct the witness to produce the minute book of the London Committee of Lloyd's Register of Shipping containing entries showing the consideration of reports and action taken by any officers or committees of Lloyd's Register of Shipping, with reference to the classification of a wooden auxiliary schooner built at Biloxi, Mississippi, in 1917 and 1918, called the "Elizabeth Ruth".

27. State what, if any, record referred to in the last preceding interrogatory you have produced?
28. State what proceedings are recorded therein?
29. Do you find in the record so produced by you in the last preceding interrogatory, any entries relating to said Schooner "Elizabeth Ruth"?
30. If your answer to the interrogatory No. 29 is "Yea", state whether you will permit the said record to be annexed to the commission and returned to the United States?
31. If your answer to the last interrogatory is "No", please make true copies of any such entries and of the whole thereof and deliver them to the Commissioner. (Commissioner will please identify and annex the same to the Commission.)
32. State, if you know, who was the surveyor, if any, appointed by Lloyd's Register of Shipping in 1917 and 1918 to inspect the construction of the "Elizabeth Ruth"?
33. State in detail what were the duties of said surveyor under the rules and regulations of Lloyd's Register of Shipping in respect to the inspection of said vessel during her construction?
34. State what were the duties, if any, of said surveyor



referred to in your answers to the last preceding interrogatories, in respect to making any certificates, papers, or reports of the results of his inspection?

35. State what papers, certificates or reports, if any, said surveyor was required by the rules and regulations of Lloyd's Register of Shipping to make to the London and/or American Committees of Lloyds' Register of Shipping, in connection with the inspection and classification of said vessel?
36. If in your answer to interrogatory numbered 32, you have stated that one J. M. Buchanan was the surveyor of Lloyd's Register of Shipping who inspected the "Elizabeth Ruth", state what, if any, reports, papers or certificates were made by said Buchanan in reference to the inspection and classification of the "Elizabeth Ruth"?
37. State what, if any, reports, papers or certificates made by said Buchanan, referred to in your answer to the last interrogatory, were received by Lloyd's Register of Shipping?
38. If, in your answer to the last interrogatory, you state that any such reports, papers or certificates were so received, state when they were received and from whom, respectively?
39. State what action, if any, was taken by any officers, board or committee of Lloyd's Register of Shipping in London, on or in respect to the classification of the "Elizabeth Ruth"?
40. State to what extent, if any, the action referred to in your answer to the last interrogatory was influenced by the contents of any report, paper or certificate, referred to in your answer to interrogatory No. 37?
41. State to what extent, if any, the action referred to



in your answer to the interrogatory No. 39, was based upon the contents of any report, paper or certificate, referred to in your answer to interrogatory No. 37?

42. State whether or not the papers, certificates or reports referred to in your answer to interrogatory No.

37, were required by the London Committee to be submitted to and considered by it, under the rules and regulations of Lloyd's Register of Shipping in connection with the classification of the "Elizabeth Ruth"?

43. State whether one of the papers referred to in your answer to interrogatory No. 37 was a paper purporting to be a temporary certificate issued by said J. M. Buchanan recommending the classification of the "Elizabeth Ruth" as \*12A1?

44. State whether one of the papers referred to in your answer to interrogatory No. 37 was a paper purporting to be a final report of said Buchanan, with reference to his inspection of the said "Elizabeth Ruth"?

45. If your answer to interrogatory No. 43, is "Yea", state whether the original paper is now in the possession of Lloyd's Register of Shipping in London?

46. State fully what was done with said paper and when you last saw it?

47. If your answer to the last interrogatory is that such paper is still among the records of Lloyd's Register of Shipping in London, please produce it and state whether you have done so?

48. State in reference to the paper so produced whether Lloyd's Register of Shipping will permit the same to be annexed to the commission and returned to the United States of America?

49. If your answer to the last interrogatory is "No", please make a true copy of the same and deliver it to the



Commissioner to be annexed to the commission.

50. Is the paper so produced by you a true copy of the original and each and every part thereof?

(Commissioner will please identify the paper produced by the witness and annex it to the commission.)

51. If your answer to interrogatory No. 44 is "Yea," please produce the original document before the Commissioner and state whether you have done so?

52. If your answer to the last interrogatory is "Yea", state whether Lloyd's Register of Shipping will permit the original document to be annexed to the commission and return to United States of America?

53. If your answer to the last interrogatory is "No", please make a true copy of the original document and each and every part and deliver the same to the Commissioner and state if you have done so?

(Commissioner will please identify the paper delivered to him by the witness and annex it to the commission.)

54. If your answer to interrogatory No. 51 is that Lloyd's Register of Shipping in London has not the original paper in its possession, state when and where you last saw said paper?

55. State what was done with said paper after its consideration by the said Committee?

56. If your answer is that said paper was returned by mail to the New York, U. S. A. office of Lloyd's Register of Shipping, state when this was done and to whom the same was mailed?

57. Have you ever seen said document since it was returned by mail as stated in your answer to interrogatory No.

56 ?

The Commissioner will please exhibit to the witness the document annexed to this commission as Exhibit



"An .

58. Referring to Exhibit "A" , please examine the same and state whether you have done so?

59. If your answer to the last interrogatory is "Yea", state whether said document is, to the best of your knowledge and belief, a true copy of the report of said Buchanan, referred to in your answer to interrogatory No. 44 ?

60. Assuming that the document exhibited to you is a true copy of the final report of said Buchanan, offered in evidence upon the trial of this action, state what reliance, if any, was placed by the London Committee of Lloyd's Register of Shipping upon the statements contained in said document?

61. State if you have read the statement contained in said Exhibit "A" stating:

"This vessel has been built in accordance with the approved plans and in general conformity with the rules for the class contemplated".

62. State whether if, said report had not contained the statement referred to in interrogatory No. 61 , the London Committee of Lloyd's Register of Shipping would have approved the classification of the "Elizabeth Ruth" therein referred to as \*12A1?

63. Examine the paper referred to as Exhibit "A" and state whether you have read the statement therein contained:

"The close ceiling is edgebolted from upper deckclamp to end of thick ceiling at short arm floors extending  $2\frac{1}{2}$  strakes,  $1\frac{1}{4}$  bolts spaced three feet, nine inches."

and state whether you have done so?

64. Please produce the cross-section plan of the hull of the "Elizabeth Ruth" on file with Lloyd's Register of Shipping, if such a paper is among its records, and



state whether you have done so?

65. If your answer is "Yea", please examine said plan to ascertain whether there is any requirement therein contained that the close ceiling should be edgebolted from upper deck clamp to end of thick ceiling at short arm floors?
66. State whether there is in the paper so produced by you any specification or requirement in respect to the edgebolting of the ceiling?
- # 67. If your answer to the last interrogatory is "Yea", state what is the statement or requirement that you find in said plan with reference to edgebolting?
68. State whether if said report of Buchanan referred to in your answer to interrogatory No. 44 , had not included the statement referred to in interrogatory No. 63 , the London Committee of Lloyd's Register of Shipping would have approved the classification of \*12A1 of the "Elizabeth Ruth"?
69. State whether if the report of Buchanan referred to in your answer to interrogatory No. 44 , had not contained the statement that the "Elizabeth Ruth" had been edgebolted as assumed in interrogatory No. 63 , the rules and regulations of Lloyd's Register of Shipping would have permitted the continuance of a temporary classification of the "Elizabeth Ruth"?
70. If you have referred to any rule or regulation of Lloyd's Register of Shipping in your answer to the last interrogatory, please deliver to the Commissioner to be annexed to this commission, the original or a true copy of said rule or regulation.
71. State whether or not, in 1918 and 1919, Lloyd's Register of Shipping had a surveyor in its employ by name of S. Innis Preston?



72. If so, was said Preston at any time directed to make an examination of the "Elizabeth Ruth"?
73. State whether or not it is a function of surveyors of Lloyd's Register of Shipping to issue certificates to vessels?
74. State whether or not you have in your records any certificate relating to the "Elizabeth Ruth" bearing the signature of said Preston?
75. If your answer to the preceding interrogatory is "Yea", state if you are familiar with the signature of said Preston?
76. If your answer to the preceding interrogatory is "Yea", state if you recognize the signature affixed to said paper?
77. If your answer to the preceding interrogatory is "Yea", state whether the signature affixed to said paper is recognized by you to be the true signature of said Preston?
78. If you have produced a paper in answer to interrogatory No. 74, deliver to the Commissioner for annexing to this commission <sup>the original or</sup> a true copy thereof and state whether you have done so?
79. If you have produced a paper in answer to interrogatory No. 78, state the function or purpose of said paper?
80. If you have produced a paper in answer to interrogatory No. 78, state whether said paper had any bearing upon the status of the "Elizabeth Ruth" as a vessel registered by Lloyd's Register of Shipping as fit to carry dry and perishable cargoes.



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