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Lloyd's Register of Shipping,

17 Battery Place,

New York.



January 18th, 1932.

Dear Sir:-

I duly received your letters of the 2nd and 5th instant with their several enclosures relating to the case of the Steamer "ALABAMA", and in accordance with your instructions I have obtained from Mr. J. M. Buchanan and Mr. Geo. R. Richardson an explanation of their actions in this matter, and their letters are enclosed herewith.

In reviewing the correspondence on this case and from my conversation with the individuals involved, the action taken by our Surveyors in signing the statement relating to the condition of the deck seems to have been based on the fact that Mr. Silleman in his capacity as Owners' Surveyor was a party to the agreement signed. As Mr. Richardson states in his explanation, Mr. Silleman is well known in this Port as a capable and responsible Official of the Standard Shipping Co., and naturally our Surveyors would assume that he had full authority to act for the Owners.

In my discussions with all of the Surveyors involved in this case, I am impressed with the unanimity of their statements that when the condition of this plating was observed, the Captain dismissed it as having no connection to the damage.

W305-0243 (114)

This is apparently borne out by the list of damage which the Captain prepared at Philadelphia before the survey in dry dock, and I enclose for your information copy of official translation of this list which has been furnished to me by Mr. Thos. H. White, the Underwriters' Surveyor.

The list in your possession refers only to articles of equipment and stores, but the one now enclosed is more complete and includes all damage to hull and machinery (except the underwater damage later found in drydock).

In neither this statement nor in the copy of abstracts from the Master's and Chief Engineer's log, which were visaed by the Royal Italian Consul at Philadelphia last March, is there any mention of damage to the bridge deck plating.

I think it pertinent to say at this time that I have known Mr. White, the Underwriters' Surveyor, since my coming to the States, and he has a reputation for dealing fairly and considerately with Owners on any damage claims they may have. Mr. White states that had the Master of the "ALABAMA" put forward, either verbally or in his list of damage, any claim for repairs to the wavy deck plating, he would have had to consider it, and even if he disagreed with the Master, it would have been his duty to report to his Principals that such a claim had been made.

Referring now to the Master's Affidavit dated the 28th December last, there are some important facts recited there which, to my mind, have a serious bearing on this controversy:-

Paragraph b.

The Master's statement that "the undulations got worse following what happened from 28th to 31st March, 1931, during the voyage from Philadelphia to Manchester".

Paragraph g furnishes further evidence of the severity of the weather on this voyage.

Cont'd:

I submit that the damage to the weather decks detailed in Genoa Report No. 12044 dated August 18th was the result of the heavy weather encountered from the 28th to 31st March, 1931, or at the very least, the wavy condition of the deck plating was accentuated by that storm, so that while the undulations may have been unimportant in the opinion of the Surveyors here, they had become serious on arrival at Manchester. Therefore the Owners would appear to have a legitimate claim against the Underwriters on the basis of the later heavy weather.

Incidentally I am told by Mr. White that another bilge plate was found cracked when the vessel was drydocked at Genoa. This was not existent when the vessel was surveyed on this side.

At the end of Paragraph 8 the Master declares "that, when unloaded, that is, at the arrival at New York, the undulations were not visible".

This declaration, in my opinion, is a mere difference of phraseology and does not really conflict with Mr. Richardson's statement that he noticed slight signs of waving of the deck, but considered them of no importance for reasons explained in his accompanying letter.

In conclusion, I may say that Mr. Buchanan and Mr. Richardson regret very much that they have placed the Society and themselves in such an awkward position with respect to this case, and state that their signing of the statement was done in good faith and with no intention of jeopardising the Owners' claim for damage.

I confirm my cablegram to you of the 16th instant reading as follows:-



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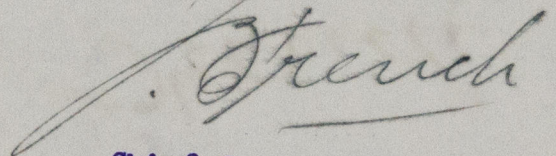
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Cont'd:

"ALABAMA HAVE INTERVIEWED BUCHANAN AND RICHARDSON WHO SIGNED STATEMENTS ON ASSUMPTION SILLEMAN CONSENTED AS OWNERS' REPRESENTATIVE AND WOULD INFORM AGENTS STOP ANSWERING ALL ENQUIRIES FULLY BY LETTER NEXT MAIL STOP IN CAPTAINS AFFIDAVIT ENCLOSED YOUR LETTER OF FIFTH IT IS DECLARED THAT VESSEL AGAIN ENCOUNTERED HEAVY WEATHER BETWEEN PHILADELPHIA AND MANCHESTER AND THAT UNDULATIONS GOT WORSE STOP FROM GENOA REPORT IT APPEARS THAT DAMAGE EXTENDED TO UPPER DECK AND BULWARKS NEITHER OF WHICH WERE AFFECTED AT NEW YORK STOP THEREFORE THINK IT PROBABLE DAMAGE CONSIDERABLY INCREASED DURING EASTERLY VOYAGE AND THIS MAY ACCOUNT FOR PRESENT MISUNDERSTANDING".

I am, Dear Sir,

Yours faithfully,



Chief Surveyor,
U.S.A. & Canada.

The Secretary,
LONDON.



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For the Chief Surveyors

[Handwritten signature]

as.

29/1/32

For Mr Carey
to make

LONDON.

The Secretary,

Mr. S. V. G. Carey,
Chief Engineer,

London (S.V.G. Carey).

I am, Dear Sir,

THIS MAY ACCOUNT FOR THE RECENT MISUNDERSTANDING.
CONSIDERABLELY INCREASED DURING THE PRESENT YEAR AND
NEW YORK CITY. THE REASON FOR THIS IS THE FACT THAT
DECK AND MACHINERY UNLIT OR WHICH WERE FLOORED AT
CEILING LEVEL IN A PLACE THAT DAMAGE EXTENDED TO OTHER
MACHINERY AND THAT UNLIT MACHINERY COULD NOT BE SEEN
ENCLOSURE HEAVY MECHANICAL BELT AND BELT DRIVE AND
YOUR LETTER OF THE 11TH IS RECEIVED THAT A SET OF
THESE NEW MACHINERY IS BEING SUPPLIED BY
A NEW SET OF MACHINERY WITH ENGINES BUILT BY
THE NEW YORK CITY. THE REASON FOR THIS IS THE FACT THAT
WHO SHOULD BE RESPONSIBLE FOR THE DESIGN OF THE
MACHINERY HAVE INTERFERED WITH THE DESIGN OF THE
MACHINERY.



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