

REPARATIONS

VOLUME II

THE Report of the Royal Commissioner appointed by His Excellency the Governor General in Council under the provisions of Part I of the Inquiries Act, Chapter 104 of the Revised Statutes of Canada, and Amending Act, Chapter 28, 2 George V, to investigate and report upon all claims which may be submitted to the Commissioner for the purpose of determining whether they are within the first Annex to Section I of Part VIII of the Treaty of Versailles, and the fair amount of such claims; and for the return of sequestrated property in necessitous circumstances.

Dated at Ottawa this 14th day of December, 1927.



OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1928

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CLAIMS AGAINST TURKEY

REPARATIONS

SCHEDULES OF DECISIONS TO THE FINAL REPORT

(Dividing the different claims in categories or classes and setting out the number of claims, the amounts claimed and the decisions).

	Number of Claims	Amount Claimed	Decision
		\$ cts.	\$ cts.
Class A— Claims <i>re</i> Fishing Schooners and Fishermen.....	758	1,113,384 09	572,595 20
Class B— Claims <i>re</i> <i>Lusitania</i>	135	2,175,431 04	840,861 79
Class C— Claims <i>re</i> <i>Hesperian</i>	96	225,018 71	145,952 80
Class D— Claims <i>re</i> other passenger and merchant vessels..	224	530,180 50	334,721 32
Class E— Claims <i>re</i> Merchandise losses.....	72	636,518 08	298,993 13
Class F— Claims <i>re</i> Property destroyed in enemy territory	63	2,027,873 98	78,996 34
Class G— Claims <i>re</i> Internment.....	77	996,823 33	184,729 41
Class H— Claims <i>re</i> Air raid injuries.....	14	53,591 48	18,170 00
Class I— Claims <i>re</i> Effects of deceased soldiers lost at sea while in charge of the Military Estates Directorate.....	5	1,560 50	1,560 50
Class J— Claims <i>re</i> Business losses in Canada.....	9	2,952,784 73	550 00
Class K— Claims <i>re</i> Steamship losses.....	17	26,402,433 56	1,760,140 26
Class L— Claims <i>re</i> Insurance.....	51	17,114,189 91	dismissed
Class M— Claims <i>re</i> Nurses and soldiers on hospital ships..	29	257,025 32	598 00
Class N— Claims <i>re</i> Damage to vessels not by submarine	3	660,642 66	dismissed
Class O— Claims <i>re</i> Missing vessels.....	5	344,601 48	"
Class P— Claims <i>re</i> Loss of life on missing vessels.....	13	53,900 00	"
Class Q— Claims <i>re</i> Halifax explosion.....	18	243,621 00	"
Class R— Miscellaneous claims not properly submitted or not coming within the meaning of the Treaty provisions.....	24	200,281 25	"
	1,613	55,989,893 42	4,240,868 75

CASES 1 TO 6 INCLUSIVE

SCHOONER "MAYOLA"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
1	Harry W. Adams.....	Loss of Schr. "Mayola," Feb. 16/17	\$30,289 22	\$ cts.
2	Richard Silver.....	" "	20/64 share.....	3,896 47
3	Henry Winters.....	" "	20/64 ".....	3,896 00
4	Freeman Anderson.....	" "	20/64 ".....	779 20
5	Harold F. Burke.....	Member of crew of Schr.	4/64 ".....	600 00
6	Nathan Enslow.....	" "	Personal effects and solatium	600 00
			\$30,289 22	13,667 07

DECISION

Cases 1 to 6 Inclusive

Re SCHOONER "MAYOLA"

Harry W. Adams and others

If I have any business to deal with this decision, I would say that I agree in the matter of the allowance to the owners except that I would allow them interest from the date of the loss.

With reference to the allowance to the Captain, Mate and crew, the British scale referred to by the late Commissioner admits of a more generous application.

The Captain of the vessel under 1,000 tons, which was torpedoed in 1916, was allowed \$100.00 for cash, \$400.00 for personal effects, and from \$500.00 to \$1,500.00 maximum as solatium for being torpedoed; the Mate \$75.00 for cash, \$260.00 for personal effects, and from \$250.00 to \$750.00 maximum as solatium; seamen \$50.00 for cash and \$215.00 for personal effects (1918), solatium or torpedo money \$125.00 to \$375.00.

I consider that our seamen and fishermen are entitled to pretty nearly the maximum, and Captains and Mates to something better than average between the maximum and minimum British allowance, and so I allowed Captains \$900.00, Mates \$700.00, and seamen and fishermen \$600.00 to cover allowance for both personal effects and solatium, and I think it would be wise to treat them all alike.

February 15, 1926.

JAMES FRIEL,
Commissioner.

Re SCHOONER "MAYOLA"

Harry W. Adams and others

This claim is submitted by Harry W. Adams, of Lunenburg, N.S., who is the managing owner on behalf of sixty-four shareholders in this schooner.

The schooner was a seven year old fishing vessel which was built in 1910, registered at Lunenburg, gross tonnage 146.42. She left the harbour of St. John's, Newfoundland, on January 30, 1917, consigned to Europe, and was torpedoed on February 16, 1917.

This vessel was carrying a cargo of fish owned by the shippers in Newfoundland and the interest of the owners of the vessel in the cargo of fish is limited to the extent of the freight payable thereupon.

The claim is for:—

1. Value of schooner.....	\$19,000.00
2. Wages paid crew.....	601.55
3. Amount lost by seamen.....	2,000.00
4. Paid by owners for return home of crew.....	441.74
5. Chronometer	175.00
6. Freight lost	6,870.93
7. Provisions and outfits	1,200.00

The members of the crew are as follows:—

\$30,289.22

John Hamilton (Deceased) Capt., Newfoundland.
 J. G. G. Kandel, Newfoundland.
 Harold E. Burke, Portsmouth, N.S.
 Edward Gellam, Newfoundland.
 Nathan Enslow, Shelburne, N.S.

Of the above crew, two men only are Canadian citizens, the remainder being residents of Newfoundland, and will, no doubt, receive consideration at the hands of the Government of Newfoundland.

Claims have been submitted on behalf of these two Canadian members of the crew for the loss of personal effects and for being torpedoed by enemy submarines.

The vessel was, as above stated, torpedoed on February 16, 1917, and she had then on board, as the evidence shows, a cargo of fish in respect to which the claimants have a claim for freight valued at \$6,870.93. The value of the vessel itself is placed at \$19,000.00. I think that \$19,000.00 is a fair amount to allow for the value of the vessel and I allow for the freight lost, the sum of \$6,870.93. I also allow for the expense of bringing the crew home, the sum of \$441.74. I allow for the value of the chronometer \$175.00.

I do not allow the claim for wages paid to the crew, the amount lost by seamen, nor the amount claimed for provisions and outfit, the total of which is \$3,801.55, as the amount allowed for loss of freight will cover the claim in respect of these items, except amount lost by seamen, \$2,000. I can only deal with the claims of two of these. See below.

From the value of the vessel I recommend the deduction of \$15,000.00 being the war risk insurance received, less the sum of \$980.00 which was paid as war risk premium.

The total amount, therefore, that should, I think, be paid to the claimants is \$12,467.67, to which should be added interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10, 1920, to the date of settlement.

With regard to the insurance, as against Germany, the insurance should not be deducted, as Germany in my opinion is liable for the full amount of the damage done.

With regard to the claim of the members of the crew, for loss of personal effects, and any damage they suffered, I allow under the scale, which was approved in Great Britain, as follows:—

For two members of the crew resident in Canada, \$245.00	
each, making a total of.....	\$ 490.00
Total amount of damage by destruction of vessel.....	26,487.67
War risk insurance received, less war risk premium.....	14,020.00
Also to members of crew, as above, \$490.	

WILLIAM PUGSLEY,
 Commissioner.

CASES 7 TO 31 INCLUSIVE
SCHOONER "HARRY W. ADAMS"

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
7	Harry W. Adams.....	Loss of Schr. "Harry W. Adams," Dec. 24/16.	9/64 share.....	\$26,043 27	2,071 08
8	Daniel Zinek.....	" "	9/64 share.....		2,071 08
9	Alex. Knickle.....	" "	4/64 ".....		920 48
10	Richard Silver.....	" "	6/64 ".....		1,370 60
11	William Miller.....	" "	4/64 ".....		920 48
12	Henry Winters.....	" "	4/64 ".....		920 44
13	Edwin Adams.....	" "	4/64 ".....		920 44
14	Freeman Anderson.....	" "	4/64 ".....		920 44
15	George Myra.....	" "	2/64 ".....		460 22
16	George Winters.....	" "	2/64 ".....		460 22
17	George Rhuland.....	" "	2/64 ".....		460 22
18	John Knickle.....	" "	2/64 ".....		460 22
19	Abram Cook.....	" "	2/64 ".....		460 22
20	Samuel Wynaecht.....	" "	2/64 ".....		460 22
21	Arthur Miller.....	" "	2/64 ".....		460 22
22	Dawson Acker.....	" "	2/64 ".....		460 22
23	Stannage Silver.....	" "	2/64 ".....		460 22
24	Bernard E. Zinek.....	" "	2/64 ".....		460 22
25	Fred Acker.....	Captain, Schr. "Harry W. Adams."	Personal effects and solatium		900 00
26	Enoch Tobin.....	Mate, Schr. "Harry W. Adams."	" " "		700 00
27	Moyle Sarty.....	One of crew, "Harry W. Adams."	" " "		600 00
28	Fred. Crouse.....	" "	" " "		600 00
29	Roy Walters.....	" "	" " "		600 00
30	Kenneth Spidle.....	" "	" " "		600 00
31	John Corney.....	" "	" " "		600 00
			26,043 27		19,327 30

DECISION

Cases 7 to 31 Inclusive

Re Schooner "HARRY W. ADAMS"

Harry W. Adams and Others

If I have any business to deal with this decision, I would say that I agree in the matter of the allowance to the owners except that I would allow them interest from the date of the loss.

With reference to the allowance to the Captain, Mate and crew, the British scale referred to by the late Commissioner admits of a more generous application.

The Captain of the vessel under 1,000 tons, which was torpedoed in 1916, was allowed \$100.00 for cash, \$400.00 for personal effects, and from \$500.00 to \$1,500.00 maximum as solatium for being torpedoed; the Mate \$75.00 for cash, \$260.00 for personal effects, and from \$250.00 to \$750.00 maximum as solatium; seamen \$50.00 for cash and \$215.00 for personal effects (1918), solatium or torpedo money \$125.00 to \$375.00.

I consider that our seamen and fishermen are entitled to pretty nearly the maximum, and Captains and Mates to something better than average between the maximum and minimum British allowance, and so I allowed Captains \$900.00, Mates \$700.00, and seamen and fishermen \$600.00 to cover allowance for both personal effects and solatium, and I think it would be wise to treat them all alike.

February 15, 1926.

JAMES FRIEL,
Commissioner.

*Re Schooner "HARRY W. ADAMS"**Harry W. Adams and others*

This is a claim submitted by Harry W. Adams, of Lunenburg, N.S., managing owner on behalf of sixty-four shareholders in this schooner.

The schooner was a five year old fishing vessel which was built in 1911, registered at Lunenburg, gross tonnage 127.42. She left harbour on the 4th December 1916, bound for Corunna, Spain, and was sunk by an enemy submarine on the 24th December 1916.

This vessel was carrying a cargo of fish to the consignees in Spain for the owners, who are residents of Newfoundland, and the interest of the owners of this vessel in the said cargo is limited to the amount which they would receive as freight thereupon.

The claim is for:—

(1) Value of schooner.	\$17,000 00
(2) Freight on cargo of fish.	4,621 00
(3) Expenses of crew home.	651 30
(4) Crews wages.	670 97
(5) Loss by seamen.	2,000 00
(6) Provisions and outfits.	1,100 00

\$26,043 27

The members of the crew are as follows:—

Capt. Fred Acker. Mate Enoch Tobin. Cook Moyle Sarty. Fred Crouse. Roy Walters. Kenneth Spidle. —John Corney.

(The above seven members of the crew are all residents of Lunenburg and district, but are not entitled to a share in the freight award covering this cargo, as this was not an ordinary fishing venture, but a freight carrying enterprise).

Claims have been submitted on behalf of members of the crew for the loss of personal effects and for being torpedoed by enemy submarines.

This vessel was torpedoed on the 24th December 1916, and she had on board, as the evidence shows, a cargo of fish, freight which the claimants valued at \$4,621.00. The value of the vessel itself is placed at \$17,000.00. I think that \$17,000.00 is a fair amount to allow for the value of the vessel and I allow for freight which would have been earned had the vessel not been torpedoed, the sum of \$4,621.00. I allow for the expense of bringing the crew home, the sum of \$651.30. I allow for the chronometer which belonged to the owners of the vessel, the sum of \$175.00.

I disallow the amounts claimed in respect of wages paid to the crew, the amount lost by the seamen and the amount for provisions and outfits, as I am satisfied that these portions of the claim are sufficiently covered by the award made above, and the allowance hereinafter stated.

From the value of the vessel, I recommend the deduction of \$8,000.00 being the war risk insurance received. Upon this insurance war risk premium was paid, amounting to \$280.00, leaving a net amount to be deducted of \$7,720.00. The total amount, therefore, which I think should be paid to the claimants is \$14,727.30 to which amount should I think be added interest at the rate of 5 per cent per annum from the date of the Ratification of the Treaty of Versailles, January 10, 1920, to the date of settlement.

With regard to the insurance, as against Germany, the insurance should not be deducted as Germany in my opinion is liable for the full amount of the damage done.

With regard to the claim of the members of the crew, for the loss of personal effects, and any damage that may have been suffered by them, I allow under the scale which was approved in Great Britain, as follows:—

For the Captain..	\$800 00
For the Mate..	540 00
For each member of the crew \$240.00 each, making a total in the five cases of..	1,200 00
Total damage..	\$22,447 30
Insurance received less war risk premium paid..	7,720 00
Also for the Captain, Mate and Crew, as above..	\$2,540

WILLIAM PUGSLEY,
Commissioner.

CASES 32 TO 50 INCLUSIVE

SCHOONER "NELSON A"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
32	Henry A. Amiro.....	Sole owner, loss of Schr. "Nelson A," 4/8/18.	\$20,291 97	\$ 11,500 00 Canadian Bank of Commerce interested.
33	John Simms.....	Captain, Schr. "Nelson A," has assigned his award for share in catch to Henry Amiro.	Personal effects and solatium Share in catch.....	900 00 83 34
34	Moses Doucette.....	One of crew, Schr. "Nelson A."	Personal effects and solatium	600 00
35	James Moody.....	" "	Share in catch.....	83 34
36	Dennis Muise.....	" "	Personal effects and solatium	600 00
37	Robert Doucette.....	" "	Share in catch.....	83 34
38	Roy Simms.....	" "	Personal effects and solatium	600 00
39	Vernon Killiam.....	" "	Share in catch.....	83 34
40	Monde Muise.....	" "	Personal effects and solatium	600 00
41	Simon Muise.....	" "	Share in catch.....	83 33
42	Edmond Harris.....	" "	Personal effects and solatium	600 00
43	LeCain Risser.....	" "	Share in catch.....	83 33
44	Wm. Muise.....	" "	Personal effects and solatium	600 00
45	Peter Fitzgerald.....	" "	Share in catch.....	83 33
46	Archie Surette.....	" "	Personal effects and solatium	600 00
47	Joseph Roberts.....	" "	Share in catch.....	83 33
48	John Bourque.....	" "	Personal effects and solatium	600 00
49	Celestine Muise.....	" "	Share in catch.....	83 33
50	Joe Watkins.....	" "	Personal effects and solatium Share in catch.....	600 00 83 33
			20,291 27	24,100 00

DECISION

Cases 32 to 50 Inclusive

Re Schooner "NELSON A"

Henry A. Amiro and others

Claimant is a Canadian. The schooner, 72 tons, was captured by enemy submarine August 4, 1918, and sunk by bombs 25 miles from Shelburne. She had sailed from Yarmouth in July and was returning from a fishing trip off the Nova Scotia coast, with a catch of 625 quintals of halibut. The captain and crew numbered 18 all told, all of whom were sharesmen in the catch. She carried 8 dories. There was \$5,000.00 ordinary marine insurance on the vessel but no war risk insurance on the vessel or cargo and nothing was recovered.

The vessel was of oak, built at Shelburne, N.S., in 1903, at a cost of about \$7,000.00. She was bought by claimant in 1913 for \$3,000.00, but apparently there were other considerations. In 1917 he was offered \$6,000.00 or \$7,000.00 to sell. He claims for equipment and stores \$1,689.60.

There is a receipt from the captain for his claim settled with the owner who also claims for settlements with the sharesmen. On the whole this part of the claim is not clearly shown and the Commission is not disposed to go into the accounts of the owner with the crew; neither is it disposed to consider assignments made to the owner by either the captain or any of the crew at the time they could not understand what their rights were or might be. These claims if recommended, will be paid by act and grace of Parliament as there is no legal liability and for that reason I do not think that assignments and settlements which cannot help but be to the disadvantage of the injured parties should be recognized. As to the sharing in the catch, the evidence in that respect being altogether unsatisfactory in this case, I will follow the custom proved in other cases and allow the owner one-half and the sharesmen one-half, and let them settle among themselves.

I would recommend to the owner for value of

Vessel, equipment, stores and everything.. . . .	\$10,000 00
Value one-half the catch	1,500 00
	\$11,500 00

with interest from the date of the loss, August 4, 1918, to date of settlement at the rate of 5 per cent per annum, and to the sharesmen the value of one-half the catch, \$1,500.00, with interest as above, and for personal effects and solatium according to the British Admiralty Scale, the captain \$900.00 and each of the 17 men (as per list attached) \$600.00 with interest from January 10, 1920, at the rate of 5 per cent per annum to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$24,100.00 is fair compensation to the owner and the sharesmen with interest as above outlined.

JAMES FRIEL,
Commissioner.

February 2, 1926.

CASE 51

RE SCHOONERS "L. C. TOWER" AND "LILLIAN H."

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
51	G. M. Cochrane Estate, H. J. Logan for execu- tors.	Sole owners. Loss of two schooners— "L. C. Tower," July 1/15 "Lillian H.," Jan. 19/17		\$ cts.
			\$50,000 00	38,640 00
			40,000 00	40,000 00
			90,000 00	78,640 00

DECISION

Case 51

RE SCHOONERS "L. C. TOWER" AND "LILLIAN H."

*Claim of Estate of George Melville Cochrane of Port Greville, N.S.,
Ship Builder, Deceased*

Hance J. Logan,
Kenneth J. Cochrane,
Chesley A. Cochrane, } Executors.

The testator was one of the prominent Nova Scotian ship builders. His Executors are British subjects, and the beneficiaries under his will are Canadians. He was sole registered owner of both vessels.

The claim put in by Mr. Logan in March, 1919, is for the difference between the alleged values of the vessels respectively and the amounts received for war risk insurance as follows:—

<i>L. C. Tower</i> (528 tons)—			
Value declared..	\$80,000		
Insurance received..	30,000	\$50,000	
<i>Lillian H.</i> (424 tons)—			
Value declared..	\$70,000		
Insurance received..	30,000	40,000	
Claim..			\$90,000

The three Executors gave evidence before the late Commissioner at Parrsboro, N.S., September 23, 1924.

Dealing first with the

L. C. Tower.

The Board of Trade record has it that this sailing vessel (518 tons) was captured by enemy submarine 30 miles south from Fastnet, and set on fire July 1, 1915.

Said vessel was built by George M. Cochrane at Port Greville, N.S., and launched in May, 1915. She was on her maiden voyage across the Atlantic with a cargo of lumber.

Claimants say that her net tonnage was 528 tons, gross tonnage not known, dead weight tonnage roughly about 1,000 tons. Her cost of building was about \$100.00 a ton. Similar vessels sold in the summer of 1915 at about \$130.00 a ton.

I would accept such selling value and recommend,
 For value of the *L. C. Tower* \$68,640 00
 Deducting insurance 30,000 00

This part of claim allowed at \$38,640 00
 with interest from July 1, 1915.

Lillian H.

The Board of Trade record has it that this sailing vessel, 467 tons, was captured by enemy submarine 15 miles S.E. Old Head of Kinsale, and sunk by bombs January 19, 1917.

Said vessel was built by George M. Cochrane at Port Greville, N.S., and launched April 29, 1916. She had carried one cargo or two. Her net tonnage was 424 tons, and she cost around \$125.00 a ton to build. Similar vessels, one of the witnesses swore, sold in 1917 for \$200.00 a net ton.

I would allow the amount claimed in respect of this vessel at \$70,000
 Deducting insurance 30,000

This part of the claim allowed at \$40,000
 With interest from January 19, 1917.

The claims fall within the First Annex to Section (1) Part VIII of the Treaty of Versailles, category (9), and I find \$78,640.00 in fair compensation to the Estate of George Melville Cochrane, with interest at the rate of 5 per cent per annum as indicated to date of settlement.

JAMES FRIEL,
 Commissioner.

January 23, 1926.

CASES 52 TO 55 INCLUSIVE

Re SCHOONER "LAURA"

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
				\$ cts.
52	Rufus E. Dickie.....	Sole owner. Loss of Schr. "Laura," April 25/17....	\$29,385 75	14,695 75
53	E. H. Kirby.....	Captain, Schr. "Laura"	Personal effects and solatium	900 00
54	L. J. Cooke.....	Mate,	" "	700 00
55	D. C. Kaiser.....	Seaman,	" "	600 00
			\$29,385 75	10,895 75

DECISION

Cases 52 to 55 Inclusive

RE SCHOONER "LAURA"

Rufus E. Dickie and Others

Claimants are all Canadians. The *Laura*, 335 tons, was captured by enemy submarine and destroyed on April 25, 1917, 200 miles off the South West coast

of Ireland while on a voyage from Halifax to Liverpool with a cargo of lumber. The crew got away in their boats and were picked up by a patrol boat after 3½ hours, and landed on Bantry Island. They lost all their effects.

There was \$11,000.00 war risk insurance on the vessel.

The claim as submitted is as follows:—

Value of vessel.	\$35,000.00
Insurance premium.	1,980.00
Stores, including provisions, extra rope, extra sails, etc.	2,560.00
Reimbursed Capt. Kirby for part of his loss.	150.00
	<hr/>
Amount insurance received.	39,690.00
	11,000.00
	<hr/>
Net loss.	\$28,690.00

An item of \$695.75 for transportation of the crew was added later.

The vessel was built at Liverpool, N.S., in the year 1901, and was transferred to the claimant, Rufus E. Dickie, in the year 1916 for about \$9,000.00, the transfer being recorded at Bridgetown, Barbadoes, March 20, 1917. The vessel was thoroughly overhauled and repaired at a cost of from \$3,000.00 to \$4,000.00 shortly before she went on her last voyage. The freight was paid, and for that reason I disallow claim for war-risk premium.

I would allow for value of vessel, stores and equipment.	\$25,000.00
Amount paid for transportation of crew.	695.75
	<hr/>
	25,695.75
Less insurance received.	11,000.00
	<hr/>
	\$14,695.75

With interest at 5 per cent per annum from the date of loss, April 25, 1917, to date of settlement.

To the Captain and Canadian members of the crew the usual allowance for loss of personal effects and solatium and torpedo money as follows:—

Captain E. H. Kirby.	\$900.00	
L. J. Cook—Mate.	700.00	
D. C. Kaizer—Boatswain.	600.00	2,200.00
		<hr/>
		\$16,895.75

With interest at 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

This claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, Categories (1) and (9), and I find that \$16,895.75 is fair compensation to the claimants with interest as above indicated to date of settlement.

JAMES FRIEL,
Commissioner.

February 15, 1926.

CASES 56 TO 122 INCLUSIVE

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN
Re SCHOONER "VERNA D. ADAMS"

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
56	William Duff.....	Loss of Schr. "Verna D. Adams," Aug. 25/18.	\$72,520 00	\$ cts.
57	E. C. Adams.....	" "	4/64 share.....	221 84
58	C. G. Ernst.....	" "	1/64 ".....	55 47
59	S. B. Hirtle.....	" "	2/64 ".....	110 92
60	Wm. Martins.....	" "	1/64 ".....	55 47
61	H. G. Corkum.....	" "	1/64 ".....	55 47
62	C. B. Mason.....	" "	3/64 ".....	136 41
63	S. W. Oxner.....	" "	2/64 ".....	110 92
64	Rodger Mosher.....	" "	2/64 ".....	110 94
65	Estate A. B. Emeno.....	" "	1/64 ".....	55 47
66	R. D. Sperry.....	" "	1/64 ".....	55 47
67	Estate Geo. Winters.....	" "	2/64 ".....	110 94
68	Geo. Baker.....	" "	1/64 ".....	55 47
69	Geo. Smeltzer.....	" "	2/64 ".....	110 94
70	Geo. Blair.....	" "	1/64 ".....	55 47
71	Albert Spindler.....	" "	2/64 ".....	110 94
72	Lawrence Lohnes.....	" "	1/64 ".....	55 47
73	Wm. Mosher.....	" "	1/64 ".....	55 47
74	Samuel Cook.....	" "	3/64 ".....	166 41
75	Solomon Colp.....	" "	1/64 ".....	55 47
76	Daniel Myra.....	" "	2/64 ".....	110 94
77	Henry Demone.....	" "	2/64 ".....	110 94
78	Wm. Nowe.....	" "	1/64 ".....	55 47
79	W. T. Powers.....	" "	2/64 ".....	110 94
80	Anthony Croft.....	" "	1/64 ".....	55 47
81	Alex. Beck.....	" "	1/64 ".....	55 47
82	Robt. Young.....	" "	2/64 ".....	110 94
83	Harris Mosher.....	" "	1/64 ".....	55 47
84	Freeman Mosher.....	" "	1/64 ".....	55 47
85	Henry Mosher.....	" "	1/64 share.....	55 47
86	John Chipman.....	" "	2/64 ".....	110 94
87	James Thurlow.....	" "	1/64 ".....	55 47
88	Herbert Herman.....	" "	1/64 ".....	55 47
89	J. M. Rhodenizer.....	" "	2/64 ".....	110 94
90	C. Edwin Thurlow.....	" "	1/64 ".....	55 47
91	Chas. Thurlow.....	" "	1/64 ".....	55 47
92	Robt. Dale.....	" "	1/64 ".....	55 47
93	W. H. Hebb.....	" "	1/64 ".....	55 47
94	Stanley Rafuse.....	" "	2/64 ".....	110 94
95	Dennis Hirtle.....	" "	1/64 ".....	55 47
96	A. H. Sperry.....	" "	1/64 ".....	55 47
97	Fred Penny.....	" "	1/64 ".....	55 47
98	Alice Menard.....	" "	1/64 ".....	55 47
99	Roger Mosher.....	Captain, "Verna D. Adams"	Personal effects and solatium	900 00
100	Samuel Belong.....	One of crew, "Verna D. Adams"	" " "	600 00
101	Fred Wagner.....	" "	" " "	600 00
102	Samuel Stuart.....	" "	" " "	600 00
103	Robert S. Burke.....	" "	" " "	600 00
104	Robert Burke, Jr.....	" "	" " "	600 00
105	John Wagner.....	" "	" " "	600 00
106	Eldridge Stuart.....	" "	" " "	600 00
107	Jas. Romkey.....	" "	" " "	600 00
108	John Stuart.....	" "	" " "	600 00
109	Edwin McKay.....	" "	" " "	600 00
110	Samuel Cook.....	" "	" " "	600 00
111	Howard Stuart.....	" "	" " "	600 00
112	Len. Morash.....	" "	" " "	600 00
113	Currie Wagner (dec'd).....	" "	" " "	600 00
114	Oscar Belong.....	" "	" " "	600 00
115	Vic. Huskins.....	" "	" " "	600 00
116	Robt. D. Stuart.....	" "	" " "	600 00
117	Geo. Stuart.....	" "	" " "	600 00
118	Park Stuart.....	" "	" " "	600 00
119	John Freeman.....	" "	" " "	600 00
120	Robt. Stuart.....	" "	" " "	600 00
121	Robt. Winslow.....	" "	" " "	600 00
122	Oscar M. Burke.....	" "	" " "	600 00
			\$72,520 00	18,250 00

DECISION

Cases 56 to 122 Inclusive

Re Schooner "VERNA D. ADAMS"

*William Duff, and Others*In respect of the schooner *Verna D. Adams*

Claimants are all Canadians. The *Verna D. Adams*, a two-masted fishing schooner of 132 tons, captured by enemy submarine while fishing, was sunk by bombs August 25, 1918, 35 miles SW. off Little Miquelon Island, coast of Newfoundland. She was built at Chester Basin of native wood, launched in June, 1918, registered at Lunenburg, N.S., and was destroyed on her first trip. She had been out two weeks and had a catch of 620 quintals on board.

The clothing and other personal effects of the crew were lost. There was war risk insurance as follows: On the hull \$20,000.00, premium \$300.00; on the fish \$12,000.00, premium \$150; and on the equipment \$8,000.00, premium \$105.00; one-half of the catch belonged to the vessel and one-half to the sharesmen. Expense of bringing the crew home was \$520.00.

Particulars of Property, etc., in declaration of William Duff, December 26, 1918

Value of vessel at time of loss..	\$35,000 00
Equipment of vessel..	7,000 00
Green fish on board..	9,100 00
Clothing, etc..	5,000 00
Expense getting crew from St. Pierre to their homes..	520 00
War insurance premium paid	
On hull..	300 00
On equipment..	105 00
On cargo..	150 00
	\$57,175 00

The claim eventually presented was one for the value of the vessel and equipment.. \$42,000 00

Cargo (\$9,100) and prospective cargo (catch).. 30,000 00

Expenses of returning the crew home.. 520 00

and on behalf of the crew namely:—

Rodger Mosher, Samuel Belong, Fred Wagner, Samuel Stuart, Robert Burke, Robert Burke, Jr., Jno. Wagner, Eldridge Stuart, Jas. Romkey, John Stuart, Edwin McKay, Samuel Cook, Howard Stuart, Lea Marash, Currie Wagnor, Oscar Belong, Vic Huskins, Robt. D. Stuart, George Stuart, Park Stuart, John Freeman, Robert Stuart, Robert Winslow.

The insurance \$40,000.00 was received of which \$10,000.00 was given the captain and other sharesmen.

Mr. William Duff, M.P., managing owner, supported the claim before the Commissioner at Lunenburg, N.S., August 21, 1923. He claimed a replacement value for the vessel and equipment, at the time of the loss of \$35,000.00 and said she cost less than that but did not say what amount. He claimed that the

prospective catch had she not been torpedoed would have been \$30,000.00, 2,000 quintals fish at \$15.00. He says there were 25 men on the vessel including the captain and mate,—everybody. There is no further evidence in respect to the cost or the value of the vessel.

Oscar M. Burke gave evidence at the hearing. He was cook on board on a hired lay at \$175 per month. He lost the months of September, October and part of November. Robert Burke, another witness at the hearing, gave evidence with reference to the claim on behalf of his father, Robert S. Burke, who died April 4, 1922. Witness requested that anything claimant be paid, be paid to his mother, Hannah Burke, widow. This witness said there were 24 shareholders and two deck boys. Mrs. Ethel Morash gave evidence in respect to the claim of Leander Morash, a sharesman, who died October 1, 1922.

There is no further evidence as to the value of the vessel and I am driven to examine other claims in respect of Nova Scotia fishing schooners and the evidence given in support of same.

The prospective catch is not an element of damage. A claim should be assessed, only, at such sum as might be awarded by a jury in an action of tort.

I would recommend as follows:—

To the owners for value of the vessel and equipment, stores, etc.	\$28,000 00
One-half the value of catch as claimed.	4,550 00
War risk premium paid.	480 00
Expenses of getting crew home.	520 00

\$33,550 00

Less insurance received. 30,000 00

\$ 3,550 00

We do not allow for prospective catch in any of these claims. In this case the sharesmen had the prospective catch insured and I do not feel that I should take into consideration their gain in that respect by withholding their allowance under the British scale for personal effects and torpedo money.

Personal effects and solatium to captain.	\$ 900 00
Members of crew including cook, 23 men at \$600.00.	13,800 00

\$14,700 00

Robert Burke swore that there were two boys in addition to the above, if this is so, I would allow each \$300.00.

The claims fall within the First Annex to Section (I) Part VIII of the Treaty of Versailles categories (I) and (9) and I find \$3,550.00 is fair compensation to the owners as per list attached with interest at the rate of 5 per cent per annum from the date of the sinking August 25, 1918, to date of settlement; and \$14,700.00 to the captain and members of the crew, list attached, with the exception of the two boys whose presence on the vessel seems to be in doubt, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10, 1920, to date of settlement.

JAMES FRIEL,
Commissioner.

January 20, 1926.

CASES 123 TO 171 INCLUSIVE
RE SCHOONER "GLOAMING"
LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case	Claimant	Nature of Claim	Amount Claimed	Decision
123	M. J. Parks.....	Loss of "Gloaming"..... Aug. 20/18	4/64 share..... \$42,200 00	\$ etc. 1,062 52
124	Frederick Richard.....	" "	6/64 ".....	1,593 78
125	Stanley S. Rafuse.....	" "	4/64 ".....	1,062 52
126	Bowan L. Rafuse.....	" "	4/64 ".....	1,062 52
127	William Richard.....	" "	1/64 ".....	1,062 52
128	G. W. Zwicker estate.....	" "	2/64 ".....	531 26
129	Joseph M. Wolfe.....	" "	2/64 ".....	531 26
130	Kenneth Silver.....	" "	2/64 ".....	531 26
131	Harold Richard.....	" "	2/64 ".....	531 26
132	Jeffrey O. Publicover.....	" "	2/64 ".....	531 24
133	Edgar Richard.....	" "	2/64 ".....	531 24
134	Mrs. Laura Richard.....	" "	2/64 ".....	531 24
135	Stephen Richard.....	" "	3/64 ".....	796 86
136	Zenas H. Richard.....	" "	4/64 ".....	1,062 48
137	John Baker.....	" "	2/64 ".....	531 24
138	Frederick Robar.....	" "	2/64 ".....	531 24
139	Kenneth B. Buckman.....	" "	2/64 ".....	531 24
140	Angus Wilkie estate.....	" "	2/64 ".....	531 24
141	J. Gorman Creaser.....	" "	2/64 ".....	531 24
142	Allen Creaser.....	" "	1/64 ".....	265 62
143	Warren Robar.....	" "	2/64 ".....	531 24
144	J. E. Conrad.....	" "	2/64 ".....	531 24
145	Dean Frulick.....	" "	2/64 ".....	531 24
146	Howard Corkum.....	" "	2/64 ".....	531 24
147	Mrs. Ella Geale.....	" "	2/64 ".....	531 24
148	F. Richard.....	Capt. Schr. "Gloaming".....	Personal effects and solatium	900 00
			Share in catch.....	333 34
149	J. Baker.....	Fisherman, Schr. "Gloaming".....	Personal effects and solatium	600 00
			Share in catch.....	333 34
150	T. Gregory.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 34
151	J. S. Baker.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 34
152	W. Bushen.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 34
153	D. Corkum.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 34
154	A. Tumblin.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 34
155	L. Conrad.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
156	C. Hirtle.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
157	J. Belong.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
158	J. M. Mahoney.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
159	C. Richard.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
160	H. Wolfe.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
161	F. Dagley.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
162	I. Robertson.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
163	D. H. Smith.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
164	C. Sperry.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
165	W. Sperry.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
166	W. Wamback.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
167	W. Baker.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
168	N. Himmelman.....	" "	Personal effects and solatium	600 00
			Share in catch.....	333 33
169	C. Wentzell.....	Cook, Schr. "Gloaming".....	Personal effects and solatium	600 00
170	H. Himmelman.....	One of crew, Schr. "Gloaming".....	Personal effects and solatium	600 00
171	Delborne Smith.....	" "	Personal effects and solatium	600 00
			42,200 00	38,700 00

DECISION

Cases 123 to 171 Inclusive

Re FISHING SCHOONER "GLOAMING"

Capt. M. J. Parks, and others

All the claimants are Canadians.

The schooner was sunk by German submarine on St. Pierre Bank, one of the Grand Banks of Newfoundland about 70 miles south-west of St. Pierre Island, on August 26, 1918.

She was 129.87 gross tonnage and had been bought in 1917 at a cost of \$13,500.00. Claimants gave \$28,000.00 as her re-placement value. She was insured for \$14,000.00 war risk, on which a premium of \$210.00 had been paid.

Their fishing trip was about over as they had sailed from La Have on July 11, 1918. They had about 1,000 quintals of fish on board. There was no insurance on this catch. Total insurance on the hull was collected.

I assume as in other cases, the captain and fishermen shared to the extent of half of the catch and the owners took the other half, although there is no evidence about it in this claim.

The captain and all on board are entitled to an allowance for personal effects and solatium for being torpedoed and I would adapt the British Admiralty scale to their case, this in addition to the value of the shares of the captain and fishermen in the catch.

I would allow owners:

For vessel, etc	\$23,790 00
One-half cargo	7,000 00
War-risk premium	210 00
	<hr/>
	\$31,000 00
Less insurance received	14,000 00
	<hr/>
	\$17,000 00

(With interest from date of loss)

Capt. \$900 and \$333.33 for his share in catch..	\$ 1,233 33	
20 Fishermen \$600 and \$333.33.....	18,666 60	
3 wage earners \$600.00.....	1,800 00	21,699 93
	<hr/>	
		\$38,099 93

With interest on share of catch from date of loss: on solatium from January 10, 1920.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$38,700.00 fair compensation to the owners and individual claimants as per list attached, with interest at the rate of 5 per cent per annum, as indicated above, to date of settlement.

JAMES FRIEL,
Commissioner.

December 7, 1925.

CASES 172 TO 231 INCLUSIVE

SCHOONER "POTENTATE"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
172	Fred'k. O. Gerhardt	Loss of Schr. "Potentate", Aug. 30/18.	6/64 share..... \$62,600 00	1,886	76
173	Simon Parks	Loss of Schr. "Potentate"	3/64 "	913	38
174	Milledge Parks	" "	1/64 "	1,257	84
175	Robt. D. Parks	" "	3/64 "	943	38
176	LeRoy Parks	" "	2/64 "	628	92
177	Dawson Wamback	" "	2/64 "	628	92
178	Amiel Corkum	" "	2/64 "	628	90
179	Loraine Corkum	" "	2/64 "	628	90
180	Theodore Corkum	" "	2/64 "	628	90
181	Willis Corkum	" "	2/64 "	628	90
182	Morris Schneisser	" "	2/64 "	628	90
183	Harold Corkum	" "	2/64 "	628	90
184	Edmund Walters	" "	1/64 "	314	45
185	Cyril M. Parks	" "	1/64 "	314	45
186	Gordon Schrader	" "	1/64 "	314	45
187	Maurice Leary	" "	1/64 "	314	45
188	Burnett Conrad	" "	1/64 "	314	45
189	Roseville Conrad	" "	1/64 "	314	45
190	Elijah Schrader	" "	1/64 "	314	45
191	Sidney Walters	" "	1/64 "	314	45
192	Wm. Schrader	" "	1/64 "	314	45
193	E. M. Reinhardt	" "	1/64 "	314	45
194	Guy Parks	" "	1/64 "	314	45
195	Charles Cook	" "	1/64 "	314	45
196	Elias Lohnes	" "	1/64 "	314	45
197	Clarence Gerhardt	" "	1/64 "	314	45
198	Simon Wamback	" "	1/64 "	314	45
199	Wilson Walters	" "	1/64 "	314	45
200	Cyrus Walters	" "	1/64 "	314	45
201	Austin Corkum	" "	1/64 "	314	45
202	Silas Walters	" "	1/64 "	314	45
203	Newton J. Pentz	" "	1/64 "	314	45
204	Wilson Ritecy	" "	1/64 "	314	45
205	Irving D. Corkum	" "	1/64 "	314	45
206	Wallace Zwickler	" "	1/64 "	314	45
207	Edgar Waters	" "	1/64 "	314	45
208	Silvanus Richards	" "	1/64 "	314	45
209	Enos Myra	" "	2/64 "	628	90
210	Barum Bell	" "	1/64 "	314	45
211	Albert Bell	" "	1/64 "	314	45
212	Garrett Wamback	" "	1/64 "	314	45
213	Edwin Ritecy	" "	1/64 "	314	45
214	Obed P. Goucher	" "	1/64 "	314	45
215	F. O. Gerhardt	Captain, Schr. "Potentate"	Personal effects and solatium Share in catch.....	900	00
216	LeRoy Parks	Fisherman, Schr. "Potentate".	Personal effects and solatium Share in catch.....	303	58
217	Wilson Ritecy	" "	Personal effects and solatium Share in catch.....	600	00
218	Sydney Walters	" "	Personal effects and solatium Share in catch.....	303	57
219	Morris Walters	" "	Personal effects and solatium Share in catch.....	600	00
220	Irving Corkum	" "	Personal effects and solatium Share in catch.....	303	57
221	James Shankle	" "	Personal effects and solatium Share in catch.....	600	00
222	Albert Bell	" "	Personal effects and solatium Share in catch.....	303	57
223	Howard Oxner	" "	Personal effects and solatium Share in catch.....	600	00
224	Samuel Oxner	" "	Personal effects and solatium Share in catch.....	303	57
225	Enos Myra	" "	Personal effects and solatium Share in catch.....	600	00
226	Angus Ernst	" "	Personal effects and solatium Share in catch.....	303	57

SCHOONER "POTENTATE"—*Concluded*

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
227	Reg. Rafuso.....	Fisherman, Schr. "Potentate".	Personal effects and solatium	600	00
228	Auburn Hirtle.....	"	Share in catch.....	303	57
			Personal effects and solatium	600	00
229	Ivan Gerhardt.....	Boy, Schr. "Potentate"	Share in catch.....	303	57
230	St. Pierre Wilkie.....	"	Personal effects and solatium	300	00
231	Clarence Gerhardt.....	Cook, Schr. "Potentate"	" " "	300	00
			" " "	600	00
			\$62,600 00	54,275	00

DECISION

Cases 172 to '231 Inclusive

Re FISHING SCHOONER "POTENTATE"*Capt. F. O. Gerhardt and others*

Claim of the Captain, Frederick O. Gerhardt, on behalf of himself and 42 other owners, and the crew, all Canadians.

The schooner was sunk August 30, 1918, by German submarine whilst on passage from the Grand Banks to St. John, Newfoundland. The Germans took all the stores and bombed the vessel 140 miles from the nearest land.

The catch of the trip—about 1,600 quintals of dried fish, was destroyed with the vessel. It belonged one-half to the owners and one-half to the captain and fishermen on board.

This schooner was of 136 gross tons and was launched in October 1917. It cost \$18,000.00 for hull and spars only and \$1,000.00 or more for equipment. A replacement value was claimed of \$38,000.00 for the vessel and supplies.

There was war risk insurance of \$10,000.00 on the hull and \$15,000.00 on the catch, for which premiums of \$275.00 and \$300.00 respectively had been paid. The total insurance was collected and one-half of the amount on the catch was paid to the sharmen.

The captain and crew are entitled to an allowance for loss of personal effects, and solatium for being torpedoed, and I adapt the British Admiralty scale to the case.

I would allow the owners for the value of the vessel, equipment, stores and everything..	\$25,000 00
War-risk premium paid..	275 00
One-half the value of the catch..	11,600 00
Half the premium..	150 00
Expenses of bringing home the crew..	600 00
	\$37,625 00
Less insurance received..	17,500 00
(With interest from date of loss)	\$20,125 00

Crew's share of catch..	\$11,600 00
Premium paid..	150 00
	\$11,750 00
Less insurance received..	7,500 00
	\$ 4,250 00

14 shares at \$303.57 with interest from-date of loss.

Captain gets \$900 and \$303.57..	\$ 1 203 57
13 men get \$600 and \$303.57..	11,746 41
Cook..	600 00

2 boys \$300.00 each.

Interest on solatium from January 10, 1920.

I am not allowing as damages, the value of the probable catch which had not been caught but which it is claimed would have been caught had the vessel not been destroyed; it is not a proper element to be considered in assessing compensation.

The claim falls within the First Annex to Section 1 of Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$34,275.00 is fair compensation to the owners and individual claimants as per lists attached, with interest to the owners at the rate of 5 per cent per annum as above indicated.

I would recommend interest as above on what is allowed each sharesman on account of his share of the catch.

JAMES FRIEL,
Commissioner.

December 12, 1925.

CASES 232 TO 282 INCLUSIVE

Re -SCHOONER "ELSIE PORTER"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
232	W. Norman Reinhardt..	Loss of Schr. "Elsie Porter", Aug. 30, 1918	4/64 share.....	\$77,200 00	437 52
233	Mortimer Reinhardt....	" "	2/64 "		218 76
234	Benjamin Reinhardt....	" "	2/64 "		218 76
235	Irwin Eisenbauer.....	" "	4/64 "		437 52
236	Barnum Bell.....	" "	4/64 "		437 52
237	Gordon Schrader.....	" "	2/64 "		218 76
238	Daniel Schrader.....	" "	2/64 "		218 76
239	Wm. Schrader.....	" "	2/64 "		218 76
240	Norman Smith.....	" "	2/64 "		218 76
241	Reuben Ritcey.....	" "	2/64 "		218 76
242	John Creaser.....	" "	2/64 "		218 76
243	Daniel Lohnes.....	" "	2/64 "		218 76
244	James Lohnes.....	" "	2/64 "		218 74
245	Thos. Romkey.....	" "	2/64 "		218 74
246	Simon Parks.....	" "	2/64 "		218 74
247	Fred'k Wolfe.....	" "	2/64 "		218 74
248	Freeman Himmelman.....	" "	2/64 "		218 74
249	Gabriel Himmelman.....	" "	2/64 "		218 74
250	Eli Ritcey.....	" "	2/64 "		109 37
251	Sydenham Smith.....	" "	1/64 "		218 74
252	John Haughn.....	" "	2/64 "		218 74
253	Amiel Corkum.....	" "	2/64 "		218 74
254	Eli Mosher.....	" "	2/64 "		218 74

Re SCHOONER "ELSIE PORTER"—Concluded

Case	Claimant	Nature of Claim	Amount Claimed	Decision
255	Chas. Creaser.....	Loss of Schr. "Elsie Porter", Aug. 30, 1918	1/64 share.....	\$ 109 37
256	Angus Herman.....		2/64 ".....	218 74
257	Arthur Zinek.....		2/64 ".....	218 74
258	Charles Himmelman.....		2/64 ".....	218 74
259	Ammon Corkum.....		2/64 ".....	218 74
260	Frances R. Shankle.....		2/64 ".....	218 74
261	Chas. Wolfe.....		2/64 ".....	218 74
262	Irving Eisenhauer.....	Captain, Schr. "Elsie Porter".	Personal effects and solatium.	900 00
263	Ira Eisenhauer.....	Mate, Schr. "Elsie Porter"	" "	700 00
264	Bunel Eisenhauer.....	Seaman, Sch "Elsie Porter".	" "	600 00
265	Warren Eisenhauer.....	" "	" "	600 00
266	Angus Lohnes.....	" "	" "	600 00
267	H. Lohnes.....	" "	" "	600 00
268	Abbot Conrad.....	" "	" "	600 00
269	Robt. Corkum.....	" "	" "	600 00
270	Lewis Corkum.....	" "	" "	600 00
271	Chas. Oxner.....	" "	" "	600 00
272	Geo. Smith.....	" "	" "	600 00
273	Enos Wentzell.....	" "	" "	600 00
274	Kenneth Reinhardt.....	" "	" "	600 00
275	W. Publicover.....	" "	" "	600 00
276	H. Richard.....	" "	" "	600 00
277	Cecil Rafuse.....	" "	" "	600 00
278	Parish Cross.....	" "	" "	600 00
279	D. Knock.....	" "	" "	600 00
280	Albert Conrad.....	" "	" "	600 00
281	S. Conrad.....	" "	" "	600 00
282	J. Conrad.....	" "	" "	600 00
			\$77,200 00	20,000 00

DECISION

Cases 232 to 282 Inclusive

Re SCHOONER "ELSIE PORTER"

W. Norman Reinhardt

Claim is on behalf of himself and others, owners, and the Captain and crew of the schooner *Elsie Porter*. Claimants are Canadians.

The *Elsie Porter*, 136 tons, was captured by submarine and sunk by bombs August 30, 1918, 200 miles east from St. John's when on her way from the Grand Banks of Newfoundland where she had been fishing. The vessel had sailed from St. John's, Newfoundland, August 26, and had 1,600 quintals of fish on board and was fishing when ordered off the banks by a patrol boat. The crew reached St. John's in dories September 2, and arrived home September

7. The particulars of claim are as follows:—

Value of ship and fishing outfits..	\$34,000 00
Value of fish cargo..	24,000 00
Equipment of crew (as amended)..	4,200 00
Prospective catch 1,000 quintals..	15,000 00
	\$77,200 00

There was \$15,000.00 insurance on the hull and \$25,000.00 on the cargo and both amounts were collected.

The *Elsie Porter* was built in 1912, at La Have and the owners paid \$7,500.00 for the hull. She cost about \$12,000.00 outside of the fishing equipment.

I would value vessel with equipment and stores at the time of the loss at \$22,000.00. The cargo was fully insured and need not be considered further; the prospective catch cannot be allowed, it is not a proper element of damages. The Captain and First Officer and crew including the wage earners are entitled to the usual allowance and I would adapt the British Admiralty Scale for loss of personal effects and solatium or torpedo money.

I would allow:—

Owners (as per list attached)	\$22,000 00
Less insurance received	15,000 00
	\$ 7,000 00

with interest at the rate of 5 per cent per annum from the date of loss, August 30, 1918, to date of settlement.

I would allow:—

The Captain, Irvin Eisenhauer	\$ 900 00
The Chief Officer, Ira Eisenhauer	700 00
19 men (as per list attached), \$600.00 each	11,400 00
	\$13,000 00

with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty to date of settlement.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$7,000.00 is fair compensation to the owners (as per list attached) and to the captain, chief officer and men as shown above and as per list attached, the sum of \$13,000.00 with interest as indicated.

JAMES FRIEL,
Commissioner.

February 15, 1926.

CASES 283 TO 342 INCLUSIVE

Re SCHOONER "LUCILLE M. SCHNARE"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
283	W. C. Smith.....	Loss of Schr. "Lucille M. Schnare," Aug. 20, 1918	3/64 share.....	\$62,690 00	124 92
284	Artemas Schnare.....	" "	5/64 ".....		208 20
285	Benj. C. Smith.....	" "	2/64 ".....		83 30
286	E. C. Mack.....	" "	2/64 ".....		83 30
287	Edwin Rhodenizer.....	" "	3/64 ".....		124 92
288	Willis Byers.....	" "	2/64 ".....		83 28
289	Bertio Schnare.....	" "	2/64 ".....		83 28
290	Wm. Duff.....	" "	1/64 ".....		41 64
291	Eldridge Spindler.....	" "	2/64 ".....		83 28
292	Arthur Schnare.....	" "	1/64 ".....		41 64
293	Albert Schnare.....	" "	1/64 ".....		41 64
294	Aubroy Anderson.....	" "	1/64 ".....		41 64
295	Warden Tanner.....	" "	1/64 ".....		41 64
296	Thomas Tanner.....	" "	1/64 ".....		41 64

Re SCHOONER "LUCILLE M. SCHNARE"—Concluded

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
297	Geo. Tanner.....	Loss of Schr. "Lucille M. Schnare," Aug. 20, 1918	1/64 share.....	41	04
298	Mrs. Ellen Hebb.....		1/64 ".....	41	04
299	Herbert Heckman.....		2/64 ".....	83	28
300	Isaac Jennings.....		2/64 ".....	83	28
301	Forman Mossman.....		1/64 ".....	41	04
302	Samuel Jennings.....		1/64 ".....	41	04
303	Jos. N. Smith.....		2/64 ".....	83	28
304	Charles Schnare.....		2/64 ".....	83	28
305	Stedman Corkum.....		1/64 ".....	41	04
306	David Heisler.....		1/64 ".....	41	04
307	C. G. Smith.....		1/64 ".....	41	04
308	Ida C. Smith.....		2/64 ".....	83	28
309	Roland Knickle.....		2/64 ".....	83	28
310	Newton Backman.....		1/64 ".....	41	04
311	Abram Cook.....		2/64 ".....	83	28
312	M. M. Gardner.....		2/64 ".....	83	28
313	John Mosher.....		1/64 ".....	41	04
314	Thos. Walters.....		1/64 ".....	41	04
315	H. H. MacIntosh.....		1/64 ".....	41	04
316	Albert Selig.....		2/64 ".....	83	28
317	Geo. Himmelman.....		1/64 ".....	41	04
318	Clarence Myra.....		1/64 ".....	41	04
319	J. E. Backman.....		1/64 ".....	41	04
320	Amiel Corkum.....		2/64 ".....	83	28
321	Theodoro Corkum.....	1/64 ".....	41	04	
322	Willis Corkum.....	1/64 ".....	41	04	
323	Loraine Corkum.....	1/64 ".....	41	04	
324	A. Schnare.....	Captain, Schr. "Lucille M. Schnare."	Personal effects and solatium	900	00
			Share in catch.....	634	38
325	E. Rhodenizer.....	Fisherman, Schr. "Lucille M. Schnare."	Personal effects and solatium	600	00
			Share in catch.....	634	38
326	H. Heckman.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	38
327	A. Schnare.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	38
328	G. Meisner.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	38
329	B. Schnare.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	38
330	A. Demone.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	38
331	B. Lohnes.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	38
332	R. Knickle.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	37
333	W. Byers.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	37
334	S. Corkum.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	37
335	P. Silver.....	" "	Personal effects and solatium	900	00
			Share in catch.....	634	37
336	F. Demone.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	37
337	A. Conrad.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	37
338	G. Tanner.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	37
339	W. Tanner.....	" "	Personal effects and solatium	600	00
			Share in catch.....	634	37
340	J. Jennings.....	Cook, Schr. "Lucille M. Schnare."	Personal effects and solatium	600	00
341	J. Decoursey.....	Boy, Schr. "Lucille M. Schnare."	Personal effects and solatium	300	00
342	H. Decoursey.....	" "	Personal effects and solatium	300	00
			\$62,690 00	23,915	00

DECISION

Cases 283 to 342 Inclusive

*Re Fishing Schr. "LUCILLE M. SCHINARE"**W. C. Smith and Company and Others*

This claim is being put in by W. C. Smith & Co., Limited, of Lunenburg, N.S., a Canadian corporation, managing owner and all the claimants are Canadians.

The schooner was sunk by a German submarine while fishing off Quero Bank about seventy miles south of Canso, N.S., on the 20th August 1918. She was of 120 tons gross tonnage and had been built at Mahone Bay in 1917 at a cost of \$12,000.00 or \$13,000.00, for hull and spars. The manager of the company swore that with equipment the vessel cost about \$22,000.00. He claimed a re-placement value of \$30,000.00. The fishing trip was nearly over and the catch of fish on board amounted to about 1,400 quintals and the sale price would be about \$14.50 per quintal, presumably when landed.

There was war risk insurance of \$15,000.00 on the hull on which a premium of \$150.00 had been paid and \$15,000.00 on the cargo, premium \$175.00. The total insurance was collected by the managing owner. The fishermen and apparently the captain shared in one-half the catch, the owners in the other half. Each party would be entitled to half the money received for insurance on the cargo.

The captain and all on board are entitled to an allowance for personal effects and solatium for being torpedoed and I would adapt the British Admiralty Scale to their case and in addition I would allow the fishermen sharers, one-half of the catch, which would mean to each man one-sixteenth of one-half the value allowed for the cargo.

There were two boys on board—members of the crew but not fishermen, and I think for them one-half personal effects and solatium allowance would be fair. I would allow:—

OWNERS

For value of hull, equipment, stores, etc.	\$22,000 00	
War risk premium paid.	150 00	
Half value of catch.	10,150 00	
War risk premium paid.	175 00	
Expense of bringing crew home, paid.	190 00	
	<hr/>	
	32,665 00	
Less insurance received.	30,000 00	
	<hr/>	\$2,665 00

CAPTAIN AND OTHERS

16 sharesmen, half value of catch, \$634.37 each.	\$10,150 00	
Captain, \$634.38 and \$900.00, P.E. and Sol.	900 00	
15 fishermen, \$634.37 and \$600.00, P.E. and Sol.	9,000 00	
Cook, \$600.00, P.E. and Sol.	600 00	
2 boys at \$300.00, \$600.00, P.E. and Sol.	600 00	
	<hr/>	
		\$21,250 00
		<hr/>
		\$23,915 00

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$23,915.00 is a fair compensation to the owners and individual claimants as per lists attached, with interest at the rate of 5 per cent per annum to the owners and to the sharesmen in respect of cargo, from the 18th day of August 1918, and on scale allowance from the 10th day of January 1920, to date of settlement.

JAMES FRIEL,
Commissioner.

January 5, 1926.

CASES 343 TO 351 INCLUSIVE

RE SCHOONER "CORAL LEAF"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
343	Johnson Spicer Estate...	Loss of Schr. "Coral Leaf", July 7/17 with cargo of Lumber.....	\$41,780 18 to 40 Canadian shareholders.. 15/64 shares.....	3,958	20
344	George D. Spicer.....	" "	12/64 "	3,160	50
345	John N. Spicer.....	" "	2/64 "	527	76
346	Edmund Spicer.....	" "	4/64 "	1,055	52
347	Eurias Spicer.....	" "	4/64 "	1,055	52
348	Ethel B. Spicer.....	" "	2/64 "	527	76
349	Percy L. Spicer.....	" "	2/64 "	527	76
350	Chas. E. Huestis.....	" "	4/64 "	1,055	52
351	A. J. LeLacheur.....	" "	1/64 "	203	88
			\$41,586 18	12,138	48

DECISION

Cases 343 to 351 Inclusive

Re Schooner "CORAL LEAF"

Johnson Spicer Estate and Others

This claim was filed in January, 1919, by Johnson Spicer of Parrsboro, N.S., the managing owner of said schooner at the time of her loss. The owners, Canadian citizens except the last two named, and their respective shares, were as follows:—

Johnson Spicer, Parrsboro, N.S.	15	shares.
George D. Spicer, Spencers Island, N.S.	12	"
John N. Spicer.	2	"
Edmund Spicer.	4	"
Eurias Spicer.	4	"
Ethel B. Spicer, Parrsboro, N.S.	2	"
Percy L. Spicer.	2	"
Chas. E. Huestis, St. Stephen, N.B.	4	"
A. J. LeLacheur, St. John, N.B.	1	"
Blanche L. Clark, New York, U.S.A.	3	"
J. F. Whitney & Co.	15	"

Mrs. Clark was a British subject, but married an American.

The *Coral Leaf* was a sailing vessel of 428 tons, built in 1902, 3 masted, captured by enemy submarine and destroyed 18 miles North West of Tereaght, Coast of Ireland, July 7, 1917. The Schooner was on a voyage from Nova Scotia to Barry, Great Britain, with a cargo of spruce lumber. The freight was \$7,243.48 (£1,680-5-0), of which the sum of \$6,525.11 (£1,330-0-0) had been paid. There was insurance on freight and hull from which the owners received \$18,829.80. The vessel was actually sold at the time for \$35,000 for delivery in a port on the west coast of England after discharge of cargo, and 10 per cent of the purchase price had been paid, but was afterwards returned.

The sale establishes value of the vessel at \$35,000 which with the balance of the freight money \$718.37, makes \$35,718.37, from which deducting the insurance received leaves \$16,888.57, or \$263.88 each for each share.

The loss of American owners does not come within the scope of this Commission, and I cannot allow the American shareholders anything. Their claim goes to their own Government.

Johnson Spicer died May 10, 1922, leaving a Will which was duly proved in the Court of Probate for the County of Cumberland, Nova Scotia, May 26, 1924, and letters testamentary thereof granted to Ada Adelia Spicer, widow, Percy L. Spicer, Lumberman, and Hugh E. Mosher, Bank Manager, all of Parrsboro, N.S., the Executors named in the Will.

This claim falls within the Annex to Section 1, part 8, of the Treaty of Versailles (category 9), and I find \$12,138.48 is fair compensation to the Canadian owners, with interest at the rate of 5 per cent per annum from the date of the destruction of the vessel, July 7, 1917, to date of settlement.

JAMES FRIEL,
Commissioner.

CASES 352 TO 361 INCLUSIVE

"RE SCHOONER "ST. OLAF"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
352	J. Newton Pugsley.....	Loss of Schr. "St. Olaf", July 7/17 with cargo of lumber.....	\$15,000 00		
			24/64 share.....	5,024 98	
353	Lorne Pugsley.....	" "	14/64 ".....	3,281 32	
354	Percy B. Evans.....	" "	14/64 ".....	3,281 18	
355	Burnham Tower.....	" "	8/64 ".....	1,875 04	
356	Alonzo O. Seamen.....	" "	4/64 ".....	937 48	
357	Burnham Tower.....	Capt., Schr. St. Olaf".....	Personal effects and solatium	700 00	
358	Wylie Tower.....	Mate, ".....	" " ".....	700 00	
359	Arthur Cook.....	Sailor, ".....	" " ".....	600 00	
360	Benjamin Amiro.....	" ".....	" " ".....	600 00	
361	Wm. White.....	" ".....	" " ".....	600 00	
			\$15,000 00	18,400 00	

DECISION

Cases 352 to 361 Inclusive

Re *SCHOONER "ST. OLAF"**I. Pugsley and others*

The owners are all Canadians and their respective shares are as follows:—

Lorne Pugsley, Five Islands, N.S.	14 shares
Percy B. Evans, St. John, N.B.	14 "
Burnham Tower, Sackville, N.B.	8 "
Alonzo O. Seamen, Parrsboro, N.S.	4 "
J. Newton Pugsley, Parrsboro, N.S.	24 "

The claim filed by Mr. J. Newton Pugsley, is for \$15,000.00, being stated value of the vessel less insurance.

The *St. Olaf*, 277 tons, was captured and sunk by gun fire by enemy submarine 58 miles from Galley Head off the Coast of Ireland, August 19, 1915, while returning light to Parrsboro, N.S., after having taken a cargo of lumber to Great Britain. The captain and crew were permitted to get away in the ship's boat and were picked up by a steamer bound from Cardiff to New York.

The vessel was built in 1903. Mr. J. Newton Pugsley, managing owner, gives her gross tonnage at 323 tons and net tonnage 277, which is the tonnage given in the British Board of Trade list of vessels captured and sunk. She was in good condition and was insured for \$10,000.00, war risk.

I would allow the claim in full.

Value of vessel	\$25,000 00
Less insurance paid	10,000 00

Total	\$15,000 00
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This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (9), and I find \$15,000.00 is fair compensation to the owners, with interest at the rate of 5 per cent per annum from the date of the sinking of the vessel, August 19, 1915, to date of settlement.

January 22, 1926.

JAMES FRIEL,
Commissioner.

FURTHER DECISION

Since the preceding judgment was delivered, inquiries were made concerning the names and addresses of the members of the crew of the above named schooner. This information has now come to hand and I note that of the seven men on board the vessel, five of them appear to be British subjects resident in Canada. They would be entitled to an award for loss of effects and solatium and I adapt the British Admiralty scale as follows:—

Captain Burnham Tower	\$900 00
Wylie Tower, Mate	700 00
Three men, \$600.00 each (as per list attached)	1,800 00

\$3,400 00

to which should be added interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 15, 1926.

JAMES FRIEL,
Commissioner.

CASES 362 TO 410 INCLUSIVE

RE SCHOONER "VERNA M. LOHNES"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
				\$ cts.
			\$31,100 00	
362	Albert V. Conrad.....	Loss of Schr. "Verna M. Lohnes," Oct. 4, 1918.	6/64 share.....	1,073 28
363	Daniel Parks.....	" "	1/64 ".....	178 88
364	Chas. Parks.....	" "	2/64 ".....	357 76
365	Norman Corkum.....	" "	1/64 ".....	178 88
366	Elias Lohnes.....	" "	2/64 ".....	357 76
367	Wilson Ritcey.....	" "	1/64 ".....	178 88
368	Edman Ritcey.....	" "	2/64 ".....	357 76
369	Clyde Bailey.....	" "	1/64 ".....	178 88
370	Clarence Gerhardt.....	" "	1/64 ".....	178 88
371	Mrs. Solomon Corkum..	" "	2/64 ".....	357 76
372	Aubrey Haughn.....	" "	1/64 ".....	178 88
373	John Haughn.....	" "	1/64 ".....	178 88
374	Richard Corkum.....	" "	1/64 ".....	178 88
375	Wallace Knock.....	" "	2/64 ".....	357 76
376	Howard Wynnicht.....	" "	2/64 ".....	357 76
377	Gabriel Mosher.....	" "	2/64 ".....	357 76
378	Ira Corkum.....	" "	1/64 ".....	178 88
379	Warren Robar.....	" "	1/64 ".....	178 88
380	Geo. Randal.....	" "	1/64 ".....	178 88
381	Robt. Crouse.....	" "	1/64 ".....	178 87
382	Chas. Conrad.....	" "	1/64 ".....	178 87
383	Wm. Schneisser.....	" "	2/64 ".....	357 74
384	Guy Mullock.....	" "	1/4 ".....	178 87
385	Clarence Rohdensen..	" "	1/4 ".....	178 87
386	Sidney Corkum.....	" "	2/64 ".....	357 74
387	John Mackinlay.....	" "	1/64 ".....	178 87
388	J. S. Vogler.....	" "	1/64 ".....	178 87
389	Erling Zinck.....	" "	1/64 ".....	178 87
390	Eber Gerhardt.....	" "	1/64 ".....	178 87
391	Paul Randal.....	" "	1/64 ".....	178 87
392	Amos Conrad.....	" "	1/64 ".....	178 87
393	Scott Corkum.....	" "	1/64 ".....	178 87
394	Lysander Meisner.....	" "	1/64 ".....	178 87
395	Lambert Lohnes.....	" "	1/64 ".....	178 87
396	Chas. Mason.....	" "	1/64 ".....	178 87
397	Russel Corkum.....	" "	1/64 ".....	178 87
398	Gabriel D. Pentz.....	" "	1/64 ".....	178 87
399	Harold Corkum.....	" "	1/64 ".....	178 87
400	Ralph Rendel.....	" "	1/64 ".....	178 87
401	Walter Corkum.....	" "	1/64 ".....	178 87
402	Caleb D. Lohnes.....	" "	2/64 ".....	357 74
403	Roseville Conrad.....	" "	1/64 ".....	178 87
404	Fred Robar.....	" "	2/64 ".....	357 74
405	Eber Sarty.....	" "	2/64 ".....	357 74
406	David Westover.....	" "	1/64 ".....	178 87
407	Simeon Robar.....	" "	1/64 ".....	178 87
408	David Hirtle.....	" "	1/64 ".....	178 87
409	Caleb Lohnes deceased..	Captain.	Not stated.	
	Ida M. Lohnes, widow and children.....	"	"	4,000 00
		"	"	6,000 00
410	A. Mackenzie deceased..	Mate.....	"	2,000 00
	Mary Hart Mackenzie..	"	"	1,000 00
	David Mackenzie.....	"	"	1,000 00
	Arch. Mackenzie.....	"	"	1,000 00
	Phillip Mackenzie.....	"	"	1,000 00
	Mary Mackenzie.....	"	"	1,000 00
			31,100 00	27,448 00

DECISION

Cases 362 to 408 Inclusive

Re *SCHOONER "VERNA M. LOHNES"**Albert V. Conrad and others*

Claimants are all Canadians. The schooner *Verna M. Lohnes* sailed from Halifax September 9, 1918, with a cargo of lumber bound for Guadaloupe, French West Indies. The vessel and crew consisting of captain, mate, cook and three seamen were never heard from afterwards. The inference is that she was captured by enemy submarine and destroyed and that the crew having taken to the boat failed to reach land. Several fishing vessels on the Grand Banks were destroyed by enemy submarine between August 20 and 30, 1918, and other vessels, as is shown by the Board of Trade record, were attacked in the West Atlantic during that time and in the month of September, 1918. The vessel had been held up at Halifax for a week and not permitted to sail on account of submarines off the coast. Another vessel out of Halifax about the same time was chased by a submarine. There was no trace of wreckage and it is unlikely that the vessel, lumber laden, would sink unless fired. Other vessels similarly laden were destroyed by bombs and fire.

In the case of the *Industrial* destroyed by explosives October 4, 1918, latitude 37.56 north, longitude 66.41 west, the captain and crew were sent adrift and were seven days in their small boat, 20 feet long. The night of the day they were picked up by a passing steamer was a stormy one and the captain afterwards told that had they not been picked up, their boat would not have lived through the night. This is on record, only as hearsay.

I don't think there is any difficulty about drawing the inference that the *Verna M. Lohnes* was destroyed by enemy action. She was a fishing vessel used on that occasion for cargo purposes, tonnage 140 gross, built April, 1918. She carried about 190,000 feet of lumber at a freight of \$2,500.00 for delivery in Guadaloupe. The hull was insured for \$18,000.00 war risk, and marine \$15,000.00. The companies paid half the policies, the actual credit given for insurance being \$16,052.00. The claim as filed is for:—

Cost of schooner.	\$28,000 00
Value of freight.	2,500 00
Food.	600 00
	<hr/>
	\$31,100 00

I would allow the claim at:—

Value of vessel, equipment, stores, etc.	\$25,000 00
Value of freight.	2,500 00
	<hr/>
Making a total of.	\$27,500 00
Less insurance received.	16,052 00
	<hr/>
	\$11,448 00

with interest at the rate of 5 per cent per annum from the date of the loss, October 4, 1918, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (9), and I find \$11,448.00 is fair compensation to the claimants with interest as indicated.

JAMES FRIEL,
Commissioner.

February 17, 1926.

NOTE.—The dependents of Caleb Lohnes, East LaHave, N.S., 32, Master, who received \$100.00 per month wages, and dependents (if any) of A. McKenzie, Cape Breton, N.S., 40, Mate, and E. Morgan, Cape Breton, 31, Cook, presumably Canadians, are entitled to compensation which can be assessed when we get further information.

DECISION

Case 409

RE SCHOONER "VERNA M. LOHNES"

Mrs. Ida May Lohnes

Claimant is a Canadian. She claims for herself and children on account of the loss of her husband and their father, Caleb Lohnes, master of the schooner *Verna M. Lohnes* which sailed from Halifax, September 9, 1918, with a cargo of lumber, for Guadaloupe, French West Indies. The vessel and crew were never heard from afterwards. The inference is that she was captured by enemy submarine and destroyed, and that the crew having taken to their boat failed to reach land. Compensation to the owners of the vessel has been recommended by this Commission. Captain Lohnes at the time was 32, and left his widow, Ida May Lohnes, 29, and the following children, Verna M. Lohnes, 7, Marion E. Lohnes, 5, C. Melbourn-Lohnes, 3, and Wilson S. Lohnes (baby), all wholly dependent on him. He left no property and apparently no life insurance. He had been earning \$100.00 per month and board. Since his death the widow has been in very straitened circumstances, having to break up her home and go out to work, and the children are distributed among her neighbours.

The basis of the awards in this case must be the losses to claimants resulting from the death of the husband and father, so far as such losses are susceptible of measurement by pecuniary standards. I would allow the widow, \$4,000.00, and each of the children, \$1,500.00.

The claim falls within the First Annex to Section (1) Part VIII, of the Treaty of Versailles, category (1), and I find the sum of \$4,000.00 is fair compensation to the said Mrs. Ida May Lohnes, and \$1,500.00 to each of the children, Verna M. Lohnes, Marion E. Lohnes, C. Melbourn Lohnes and Wilson S. Lohnes, all with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

Payment to the children in each case should be made through a regularly appointed guardian.

JAMES FRIEL,

Commissioner.

April 14, 1926.

DECISION

Case 410

RE SCHOONER "VERNA M. LOHNES"

Mrs. Mary Hart McKenzie

Claimant is a Canadian. She claims for herself and her children on account of the loss of her husband, their father, Archibald MacKenzie, mate of the Schooner, *Verna M. Lohnes*, which sailed from Halifax, September 9, 1918, with a cargo of lumber, for Guadaloupe, French West Indies. The vessel and crew were never heard from afterwards. The inference is that she was captured by enemy submarine and destroyed, and that the crew having taken to their boats failed to reach land. Compensation to the owners of the vessel has been recommended by this Commission.

McKenzie at the time was 40 and left his widow, and four children, David 10 years, Archibald 9, Philip 8, and Mary 7.

He left no property or life insurance and the children have been kept since by their grandfather, Philip Hart.

There is no claim for personal effects.

The widow has had to go out to work.

I would allow the widow, Mrs. Mary Hart McKenzie, \$2,000.00 and each of the children \$1,000.00 namely, David McKenzie, Archibald McKenzie, Philip McKenzie, and Mary McKenzie.

This claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, category (1) and I find \$6,000.00 is fair compensation, with-interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

JAMES FRIEL,

Commissioner.

May 10, 1926.

CASES 411 TO 442-INCLUSIVE

Re SCHOONER "PASADENA"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
			\$48,275 00		
411	Enos Wentzell.....	Pass of Schr. "Pasadena," Aug. 21/18.	8/64 share.....	2,051	92
412	Fred. Burgoyne.....	" "	4/64 ".....	1,025	96
413	Alex. Young.....	" "	4/64 ".....	1,025	96
414	Lavinus Wentzell.....	" "	4/64 ".....	1,025	96
415	Eli Winters.....	" "	4/64 ".....	1,025	96
416	James Ernst.....	" "	4/64 ".....	1,025	96
417	Joshua Zinck.....	" "	4/64 ".....	1,025	92
418	Archib. Wentzell.....	" "	4/64 ".....	1,025	92
419	Robt. Hiltz.....	" "	4/64 ".....	1,025	92
420	Jas. Rafuso.....	" "	4/64 ".....	1,025	92
421	Wm. Kaulbeck.....	" "	2/64 ".....	512	96
422	Albert Kaulbeck.....	" "	2/64 ".....	512	96
423	J. Ernst & Son, Ltd.....	" "	8/64 ".....	2,051	84
424	Albert Young.....	" "	4/64 ".....	1,025	92
425	Kenneth Wentzell.....	" "	4/64 ".....	1,025	92
426	Enos Wentzell.....	Captain, Schr. "Pasadena"	Personal effects and solatium	900	00
			Share in catch.....	290	00
427	Kenneth Wentzell.....	Mate, Schr. "Pasadena"	Personal effects and solatium	700	00
			Share in catch.....	290	00
428	Palmer Hiltz.....	Fisherman, Schr. "Pasadena"	Personal effects and solatium	600	00
			Share in catch.....	290	00
429	Morris Hiltz.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
430	Willis Richardson.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
431	Willis Hatt.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
432	Lennie Richardson.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
433	Samuel Hyson.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
434	James Ernst.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
435	Daniel Rafuso.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
436	Newton Mosher.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
437	Howard Strum.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
438	Irwin Mosher.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
439	George Demil.....	" "	Personal effects and solatium	600	00
			Share in catch.....	290	00
440	Carl Hiltz.....	Boy, Sch. "Pasadena".....	Personal effects and solatium	300	00
441	Linwood Sawler.....	" " " ".....	" " " ".....	300	00
442	Cecil Langrille.....	Cook, Schr. "Pasadena".....	" " " ".....	600	00
			\$48,275 00	30,475	00

DECISION

Cases 411 to 442 Inclusive

Re SCHOONER "PASADENA"

Captain Enos Wentzell and Others

The claim is on behalf of himself and the owners and sharesmen on the fishing schooner *Pasadena*. The claimants are all Canadians. This vessel, 119 gross tons, was captured by enemy submarine and sunk by bombs 70 miles south-east from Cape Canso, N.S., August 21, 1918, while fishing on the Bank Quero.

She left harbour June 5, 1918, and had on board, so it is claimed, 1200 quintals of dried codfish, one-half of which belonged to the owners and one-half to the sharesmen. The hull, cargo, and equipment were insured for \$20,000.00 all of which was recovered, and \$5,000.00 of which was given the fishermen.

Particulars of claim are as follows:

Value of vessel at time of loss..	\$25,000 00
Value of equipment at time of loss..	5,000 00
Value of green fish on board..	18,000 00
Value of clothes lost by crew..	5,000 00
Expense of getting crew to their homes..	275 00
War insurance premium paid on hull..	50 00
War insurance premium paid on cargo..	120 00
War insurance premium paid on equipment..	30 00
	<hr/>
	\$53,475 00

The *Pasadena* was a two masted vessel built at Mahone, N.S., in 1913, of spruce and hardwood. The owners paid \$15,000.00 for her.

The Captain and all on board are entitled to an allowance for personal effects and solatium or torpedo money for being bombed, and I would adapt the British Admiralty scale to their case. There were two boys on board, and I think one-half the amount given the men would be fair for them.

I would allow:—

OWNERS

For value of hull, equipment, stores, etc..	\$22,000 00
War risk premiums paid..	140 00
Expenses taking crew home..	275 00
	<hr/>
	\$22,415 00
Value of one-half the catch of fish..	9,000 00
	<hr/>
	\$31,415 00
Less insurance..	15,000 00
	<hr/>
	\$16,415 00

CAPTAIN, SHARESMEN, CREW

Value one-half catch..	\$ 9,000 00
War risk premium..	60 00
	<hr/>
	\$ 9,060 00
Less insurance received..	5,000 00
	<hr/>
Fourteen sharesmen..	\$ 4,060 00
Captain..	900 00

Mate.....	700 00	
Cook.....	600 00	
Two boys.....	600 00	
Twelve fishermen.....	7,200 00	14,060 00
		<u>\$30,475 00</u>

Interest to owners from date of loss and to sharesmen the same in respect to cargo.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles categories (I) and (9) and I find \$30,475.00 is fair compensation to the owners and individual claimants as per lists attached, with interest to the owners at the rate of 5 per cent per annum from August 21, 1918, to date of settlement, and to the sharesmen in respect to cargo interest at the same rate on \$4,060.00 from date of loss to the date of settlement, and on balances respectively from January 10, 1920, to the date of settlement.

JAMES FRIEL,
Commissioner.

February 9, 1926.

CASES 443 TO 472 INCLUSIVE

Re SCHOONER "WILFRED M"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
443	"Wildred M" Co., Ltd. Wm. Duff, Manager.	Schr. "Wilfred M," Jan. 14/15, crew taken prisoner.	13/64 share \$27,475 00	\$ 5,610 15 cts.
444	D. Backman.....	Schr. "Wilfred M".....	2/64 share.....	749 22
445	G. A. Backman.....	" ".....	1/64 ".....	374 61
446	Abram Cook.....	" ".....	2/64 ".....	749 22
447	Thomas Walter.....	" ".....	2/64 ".....	749 22
448	David Heisler.....	" ".....	2/64 ".....	749 22
449	Freeman Himmelman.....	" ".....	1/64 ".....	374 61
450	Mrs. Ada Kaulbeck.....	" ".....	4/64 ".....	1,498 40
451	Mrs. Mary Young.....	" ".....	2/64 ".....	749 22
452	Charles Smith.....	" ".....	2/64 ".....	749 22
453	Freeman Smith.....	" ".....	2/64 ".....	749 22
454	Austin Young.....	" ".....	4/64 ".....	1,498 44
455	J. J. Kinley.....	" ".....	1/64 ".....	374 61
456	R. C. Durling.....	" ".....	2/64 ".....	749 22
457	Albert Slaughenwhite.....	" ".....	3/64 ".....	1,123 83
458	W. H. Hebb.....	" ".....	2/64 ".....	749 22
459	Edwin Backman.....	" ".....	2/64 ".....	749 22
460	Watson Naas.....	" ".....	2/64 ".....	749 22
461	Peter Heckman.....	" ".....	2/64 ".....	749 22
462	Newton Backman.....	" ".....	2/64 ".....	749 22
463	Walter Spindler.....	" ".....	2/64 ".....	749 22
464	J. E. Backman.....	" ".....	5/64 ".....	1,873 05
465	Fred. Peterkin.....	" ".....	2/64 ".....	749 22
466	Cyrus Parks.....	Captain, Schr. "Wilfred "M.".....	Solatum only.....	800 00
467	Salley Young.....	Mate, Schr. "Wildred M"	".....	500 00
468	Vincent Grupetto.....	Sailor, Schr. "Wilfred M"	".....	375 00
469	Charles Nelson.....	" ".....	".....	375 00
470	Patrick Lundregan.....	" ".....	".....	375 00
471	Stephen Simmons.....	" ".....	".....	375 00
472	Kenneth Iverson.....	" ".....	".....	375 00
			\$ 27,475 00	\$ 27,150 00

DECISION

Cases 443 to 472 Inclusive

Re Schooner "WILFRED M"*Wilfred M. Company and others*

Claimants are a Canadian corporation, all the shareholders in which are Canadians. Their schooner of 251 tons was captured by the German raider *Kronprinz Wilhelm*, January 14, 1915, 625 miles N.E. from Pernambuco, rammed and with cargo destroyed. The crew were taken prisoners, kept on board over four weeks, transferred to another German ship and landed at Buenos Aires about February 20, 1915. They were allowed to take their personal effects. The cargo, which was fish, belonged to parties in Newfoundland and was being carried from St. John's to Brazil. There was no insurance.

Mr. William Duff, manager of the company, gave evidence in support of the claim before the late Commissioner at Lunenburg, August 21, 1923, and the judgment was drawn up but not signed, in which the owners were allowed as follows:—

For vessel and equipment..	\$22,000 00
Freight on cargo..	5,000 00
Expenses paid for return home of crew..	475 00
	<hr/>
	\$27,475 00

with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10, 1920, to date of settlement. The captain was allowed \$750.00 and each of the crew \$235.00.

I do not quite agree with this award.

The claim was first mentioned in a letter dated April 1, 1915, from D. Frank Matheson, K.C., acting for the owners, to Alexander Johnson, Esq., Deputy Minister of Marine and Fisheries, in which the loss is stated as follows:—

Vessel and apparel (fishing schooner 6 years old).. . .	\$20,000 00
Freight..	3,500 00
Expenses getting crew home from South America.. . . .	1,000 00
	<hr/>
	\$24,500 00

This letter was forwarded by the Governor General to the Secretary of State for the Colonies, who sent it to the Foreign Claims Office, which asked for a statutory declaration and certified copies of all material documents, which were duly forwarded by Mr. Matheson, August 7, 1915, and consisted of copy of Note of Protest, made by the captain at Buenos Ayres, February 20, 1915; Extended Protest dated March 29, 1915, of said Note, made by the captain and mate and two seamen; and Solemn Declaration of William Duff, managing owner. In this last mentioned document, Mr. Duff declared:—

"I say that at the time of the loss of the schooner *Wilfred M.* she was worth Twenty Thousand (\$20,000) Dollars, and her freight was worth to the owners, Three Thousand Five Hundred (\$3,500) Dollars, and that the owners were obliged to pay expenses to get the crew home, One Thousand (\$1,000) Dollars, making a total, on account of her loss, of Twenty-four Thousand Five Hundred (\$24,500) Dollars."

There is a copy of declaration of Patrick Lundregen, one of the seamen, who says, among other things: "The crew was given a short time to get ready to leave the schooner." Kenneth Iverson makes a similar declaration, as also do Sedley Young, mate, and Cyrus W. Parks, captain.

The papers were transferred to this Commission in 1922.

I would keep the claim down to the amount claimed originally by Mr. Matheson and Mr. Duff. I would allow the expenses of bringing the seamen home at the amount sworn to by Mr. Duff in giving evidence, namely \$475.00, the actual amount paid, no bill having been put in by the Board of Trade for the passage of the men from Buenos Ayres to New York.

I would allow interest from the time of the destruction of the vessel.

With reference to the claims of the captain, mate and crew, I would apply the British Admiralty scale of solatium without allowance for personal effects which were taken off with them. Considering the circumstances and especially their perilous sojourn on the German ships, I would allow—the captain \$800.00, the mate \$500.00 and each of the seamen \$375.00.

My judgment would be as follows:—

The claims fall within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (I) and (9), and I find \$23,975.00 is fair compensation to the Wilfred M. Company Limited, with interest at the rate of 5 per cent per annum from the date of the destruction of the vessel, January 14, 1915, to date of settlement; and \$800.00 to Cyrus Parks, Captain, and \$500.00 to Sedley Young, Mate, and \$375.00 each to Vincent Gruppette, Charles Nelson, Patrick Lundregen, Stephen Simmons and Kenneth Iverson, as fair compensation to them respectively, all with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

JAMES FRIEL,
Commissioner.

CASES 473 TO 516 INCLUSIVE

Re SCHOONER "E. B. WALTERS"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
473	Zwicker & Co.....	Loss of Schr. "E. B. Walters," Aug. 25/18.	\$64,000 00	\$ cts.
474	Edmund Walters.....	" "	6/64 share.....	1,190 64
475	Cyrus Walters.....	" "	8/64 ".....	1,537 52
476	Stephen Cleversey.....	" "	2/64 ".....	1,537 52
477	Albert Cleversey.....	" "	2/64 ".....	396 88
478	Hibbert Wamback.....	" "	2/64 ".....	396 88
479	Dawson Wamback.....	" "	2/64 ".....	396 88
480	Chas. Zwicker.....	" "	2/64 ".....	396 88
481	Alexs Corkum.....	" "	2/64 ".....	396 88
482	Jas. Wamback.....	" "	4/64 ".....	793 76
483	Wilson H. Walters.....	" "	2/64 ".....	396 80
484	Maurice Leary.....	" "	2/64 ".....	396 80
485	Chas. Walters.....	" "	2/64 ".....	396 80
486	Isaiah Shankle.....	" "	2/64 ".....	396 80
487	Henry Mosher.....	" "	8/64 ".....	1,537 52
488	Hiram Lohnes.....	" "	2/64 ".....	396 80
489	Aubrey Corkum.....	" "	2/64 ".....	396 80
490	Bradford Haughn.....	" "	4/64 ".....	793 76
491	Arthur Haughn.....	" "	2/64 ".....	396 56
492	Cyrus Walters.....	Captain, " "	Personal effects and solatium	900 00
493	Charles Zwicker.....	Fisherman, " "	Share in catch.....	304 55
494	Hibbert Teal.....	" " " "	Personal effects and solatium	600 00
495	Warren Cleversey.....	" " " "	Share in catch.....	304 55
496	Lemeul Weinacht.....	" " " "	Personal effects and solatium	600 00
			Share in catch.....	304 55

Re SCHOONER "E. B. WALTERS"—*Concluded*

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
497	Bradford Haughn.....	Fisherman, Aug. 28/18	Personal effects and solatium	600	00
			Share in catch.....	304	55
498	Fred. Cleversey.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	55
499	Aubrey Corkum.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	55
500	Uriah Smith.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	55
501	Manley Peterson.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	55
502	Asaph Wamback.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	55
503	John Baptiste.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	55
504	Albert Mosher.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
505	Matthias Mosher.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
506	Wm. Spindler.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
507	Clarence Mosher.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
508	Carl Smicer.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
509	Burns Locke.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
510	Erlin Richard.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
511	Cecil Baptiste.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
512	Robert Mosher.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
513	Isaiah Shankle.....	" "	Personal effects and solatium	600	00
			Share in catch.....	304	54
514	Venice Wilneff.....	Boy. Schr. "E. B. Walters".	Personal effects and solatium	300	00
515	Hibbert Croft.....	Wage earner, Schr. "E. B. Walters".	" "	600	00
516	Watson Walters.....	Cook, Schr. "E. B. Walters".	" "	600	00
				\$64,000	00
					34,400

DECISION

Cases 473 to 516 Inclusive

Re FISHING SCHOONER "E. B. WALTERS"

Zwicker and Company and others

Claim of owners, skipper and crew, presented by Zwicker and Co., Limited, of Lunenburg, N.S., a Canadian corporation, managing owner. All the claimants are Canadians.

The schooner was sunk by German submarine August 25, 1918, while fishing on St. Pierre Bank. She had sailed from her fishing trip July 11, 1918.

She was 126 tons gross tonnage and had been built in 1913, at a cost of about \$12,500.00 when fully equipped. The manager of the company claimed re-placement value \$30,000.00.

There were about 1,600 quintals of green fish on board, worth about, so the manager said, \$15.00 per quintal. One half the catch belonged to the owners and one half to the captain and fishermen on board.

There was war risk insurance of \$16,000.00 on the hull \$10,000.00 on the catch for which premiums of \$416.00 and \$200.00 respectively had been paid. Total insurance was collected and one half of the amount on the catch was paid to the sharesmen.

The captain and all on board are entitled to allowance for personal effects and solatium for being torpedoed, and I would adapt the British Admiralty scale to the case.

The sharesmen take one half the value of the catch less insurance received.

I would allow the owners for the value of the vessel, equipment, stores and everything, and war risk premiums on same	\$22,000 00
For half the catch and premium paid.....	11,700 00
	<hr/>
	\$33,700 00
Less insurance received	21,000 00
	<hr/>
	\$12,000 00

(With interest from date of loss)

I allow the 22 sharesmen for the catch and insurance premium paid	\$11,700 00
Less insurance received	5,000 00
	<hr/>
	\$ 6,700 00
Captain \$900.00 solatium and \$304.54 for catch.....	\$ 1,204 50
21 fishermen \$904.54 each	18,995 50
2 men on wages \$600 each.....	1,200 00
1 boy	300 00
	<hr/>
	\$21,700 00
	<hr/>
	\$34,400 00

(Interest on catch from date of loss on solatium
from January 10, 1920)

I am not allowing as damages, the value of the probable catch which had not been caught, but which, it is claimed, would have been caught had the vessel not been destroyed; it is not a proper element to be considered in assessing compensation. The allowance for loss of personal effects and solatium are fairly generous and so, I hope, are the assessments for value of vessel and cargo.

The claim falls within the First Annex to Section 1 of Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$34,400.00 is a fair compensation to the owners and individual claimants as per list attached, with interest to the owners at the rate of 5 per cent per annum as above indicated.

I would recommend interest as above on what is allowed each fisherman for his share in the catch.

JAMES FRIEL,
Commissioner.

December 9, 1925.

CASES 517 TO 566 INCLUSIVE

Re SCHOONER "C. M. WALTERS"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
517	Zwicker & Co.....	Loss of Schr. "C. M. Walters", Aug. 25/18	\$50,000 00	\$ cts.
518	Wilson H. Walters.....	" "	0/04 share.....	731 28
519	Edmund B. Walters.....	" "	0/04 ".....	731 28
520	Henry Mosher.....	" "	4/04 ".....	487 52
521	Cyrus Walters.....	" "	4/04 ".....	497 52
522	Chas. R. Walters.....	" "	2/04 ".....	243 76
523	Stannage Walters.....	" "	2/04 ".....	243 76
524	Frederick O. Gerhardt..	" "	2/04 ".....	243 70
525	Chas. Parks.....	" "	2/04 ".....	243 70
526	Emanuel Corkum.....	" "	2/04 ".....	243 70
527	Eric Corkum.....	" "	2/04 ".....	243 76
528	Irving Corkum.....	" "	2/04 ".....	243 74
529	Simpson Corkum.....	" "	2/04 ".....	243 71
530	Chas. Mosher.....	" "	2/04 ".....	243 74
531	Zenas Richards.....	" "	2/04 ".....	243 74
532	Jas. Wambach.....	" "	2/04 ".....	243 74
533	Howard Weinacht.....	" "	2/04 ".....	243 74
534	Wallace E. Knock.....	" "	2/04 ".....	243 74
535	Alfred Dauphinee.....	" "	2/04 ".....	243 74
536	Alfred Mosher.....	" "	2/04 ".....	243 74
537	Allan A. Mosher.....	" "	2/04 ".....	243 74
538	John Bell.....	" "	2/04 ".....	243 74
539	Clarence W. Mosher.....	" "	2/04 ".....	243 74
540	Freeman Publicover.....	" "	2/04 ".....	243 74
541	Gabriel Himmelman.....	" "	1/04 ".....	121 87
542	Aubrey Haughn.....	" "	1/04 ".....	121 87
543	Dennis Hirtle.....	" "	1/04 ".....	121 87
544	C. S. Silver.....	" "	1/04 ".....	121 87
545	Wilson H. Walters.....	Captain, Schr. "C. M. Walters".	Personal effects and solatium.	000 00
546	Caleb Hirtle.....	Fisherman, Schr. "C. M. Walters".	Share in catch.....	200 00
547	Wm. Publicover.....	" "	Personal effects and solatium.	600 00
548	John Publicover.....	" "	Share in catch.....	200 00
549	Freeman Publicover.....	" "	Personal effects and solatium.	600 00
550	Oliver Haywood.....	" "	Share in catch.....	200 00
551	Jas. Publicover.....	" "	Personal effects and solatium.	600 00
552	Irvin Corkum.....	" "	Share in catch.....	200 00
553	Walter Wallfield.....	" "	Personal effects and solatium.	600 00
554	Arthur Baker.....	" "	Share in catch.....	200 00
555	Earl Croft.....	" "	Personal effects and solatium.	600 00
556	Foster Corkum.....	" "	Share in catch.....	200 00
557	Allan Mosher.....	" "	Personal effects and solatium.	600 00
558	Urban Bushen.....	" "	Share in catch.....	200 00
559	Frank Wallfield.....	" "	Personal effects and solatium.	600 00
560	Arch. Wallfield.....	" "	Share in catch.....	200 00
561	John Bell.....	" "	Personal effects and solatium.	600 00
562	Elmer Croft.....	" "	Share in catch.....	200 00
563	Elias Corkum.....	" "	Personal effects and solatium.	600 00
564	Alex. Schmeisser.....	Wage earner, Schr. "C. M. Walters".	Share in catch.....	200 00
565	— Croft.....	Boy, Schr. "C. M. Walters".	Personal effects and solatium.	600 00
566	— Hardy.....	Boy, Schr. "C. M. Walters".	Share in catch.....	200 00
			\$50,000 00	24,500 00

DECISION

Cases 517 to 566 Inclusive

*Re FISHING SCHOONER "C. M. WALTERS"**Zwicker and Company, and others*

Claim of owners, skipper and crew, presented by Zwicker and Co., Limited, of Lunenburg, N.S., a Canadian corporation, managing owner. All the claimants are Canadians.

The schooner, was sunk by German submarine August 25, 1918, while fishing on St. Pierre Bank. She had left harbour July, 1918.

She was 107 gross tons and had been built in 1916 at a cost of about \$12,000.00.

There was a catch of about 1,200 quintals of fish on board when she was sunk, one-half of which belonged to the owners and one-half to the captain and fishermen.

There was a war risk insurance of \$16,000.00 on the hull and \$10,000.00 on the catch, for which premiums of \$416.00 and \$200.00, respectively, had been paid. The total insurance was collected and one-half of the amount on the catch was paid to the sharesmen.

The captain and crew are also entitled to an allowance for loss of personal effects and solatium for being torpedoed, and I adapt the British Admiralty scale to the case.

I would allow the owners for the value of the vessel, equipment, stores and everything, and war risk premium paid	\$20,000 00
For half the catch and premium paid.....	8,800 00
	<hr/>
	\$28,800 00
Less insurance received	21,000 00
	<hr/>

(With interest from date of loss) \$7,800 00

To captain and fishermen half of catch and premium	\$8,800 00
Less insurance received.....	5,000 00
	<hr/>
	\$3,800 00

(19 shares at \$200 each)

Captain \$900 and \$200.....	\$ 1,100 00
18 fishermen \$600 and \$200 each	14,400 00

Wage-earners: men, \$600.00; boys, \$300.00.

Interest from date of loss in shares of catch. From January 10, 1920, on Solatium.

I am not allowing as damages, the value of the probable catch which had not been caught, but which it is claimed would have been caught had the vessel not been destroyed; it is not a proper element to be considered in assessing compensation.

The claim falls within the First Annex to Section 1 of Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$24,500.00 is a fair compensation to the owners and individual claimants as per lists attached, with interest to the crew and to the owners at the rate of 5 per cent per annum as indicated.

I would recommend interest as above on what is allowed each fisherman on account of his share of the catch.

December 9, 1925.

JAMES FRIEL,
Commissioner.

CASES 567 TO 625 INCLUSIVE

Re SCHOONER "UDA A. SAUNDERS"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
				\$ cts.
567	Zwicker & Co., Ltd.....	Loss of Schr. "Uda A. Saunders", Aug. 20/18.	\$43,000 00	
			8/64 share.....	1,781 28
568	Alfred Heisler.....	" "	2/64 ".....	445 32
569	Enos Publicover.....	" "	5/64 ".....	1,113 30
570	Jeffrey Publicover.....	" "	2/64 ".....	445 32
571	Gray Fruser.....	" "	2/64 ".....	445 32
572	Wallace Zwicker.....	" "	1/64 ".....	222 66
573	M. J. Parks.....	" "	2/64 ".....	445 32
574	B. L. Rafuse.....	" "	2/64 ".....	445 32
575	Stanley Rafuse.....	" "	2/64 ".....	445 32
576	Gabriel Himmelman.....	" "	2/64 ".....	445 32
577	Stedman Zellars.....	" "	1/64 ".....	222 66
578	Robt. Croft.....	" "	2/64 ".....	445 32
579	David Backman.....	" "	1 04 ".....	222 66
580	Eva Haines.....	" "	2/64 ".....	445 32
581	Lorne Conrad.....	" "	1/64 ".....	222 66
582	Bernard C. Conrad.....	" "	1/64 ".....	222 66
583	Robert Creaser.....	" "	1/64 ".....	222 66
584	Henry Creaser.....	" "	1/64 ".....	222 66
585	Wm. E. Creaser.....	" "	1/64 ".....	222 66
586	Gordon E. Romkey.....	" "	1/64 ".....	222 66
587	Alvin Himmelman.....	" "	1/64 ".....	222 65
588	Stannage Creaser.....	" "	2/64 ".....	445 30
589	Gabriel Zinck.....	" "	2/64 ".....	445 30
590	Eli Oxner.....	" "	1/64 ".....	222 65
591	Elkanah Mosher.....	" "	1/64 ".....	222 65
592	J. E. Backman.....	" "	2/64 ".....	445 30
593	Herman Hillton.....	" "	1/64 ".....	222 65
594	John D. Sperry.....	" "	1/64 ".....	222 65
595	Frank A. Davis.....	" "	1/64 ".....	222 65
596	Ralph Sperry.....	" "	1/64 ".....	222 65
597	Aubrey Sperry.....	" "	1/64 share.....	222 65
598	George Henley.....	" "	2/64 ".....	445 30
599	L. C. Sperry.....	" "	1/64 ".....	222 65
600	W. E. Kroek.....	" "	2/64 ".....	445 30
601	C. S. Silver.....	" "	2/64 ".....	445 30
602	A. J. Fancy.....	" "	1/64 ".....	222 65
603	Benjamin Zellars.....	" "	2/64 ".....	445 30
604	Enos Publicover.....	Captain Schr. "Uda A. Saunders"	Personal effects and solatium	900 00
			Share in catch	381 58
605	Harold Hemeon.....	Fisherman, Schr. "Uda A. Saunders"	Personal effects and solatium	600 00
			Share in catch	381 58
606	Ernest Baker.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
607	Fred Bush.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
608	John Hemeon.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
609	Thos. Buchanan.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
610	Samuel Williams.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
611	Colin Williams.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
612	Samuel E. Williams.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
613	Isaac Firth.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
614	Harry Hemeon.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
615	Eli Oxner.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
616	Spencer Baker.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
617	Eli Hanes.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
618	James Williams.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
619	Joseph Bush.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58
620	George Firth.....	" "	Personal effects and solatium	600 00
			Share in catch	381 58

Re SCHOONER "UDA A. SAUNDERS"—*Concluded*

Case	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
621	James Firth.....	Fisherman, "Schr. "Uda A. Saunders"	Personal effects and solatium	600	00
622	Louis Firth, Sr.....	" " " " " " " "	Share in catch	381	57
623	Robert Croft.....	Wage-earner, Schr "Uda A. Saunders"	Personal effects and solatium	600	00
624	Edson Oxner.....	Boy, Schr. "Uda A. Saunders"	Share in catch	381	57
625	Lewis Firth.....	" " " " " " " "	Personal effects and solatium	600	00
				43,000	00
				\$34,400	00

DECISION

Cases 567 to 625 Inclusive

*Re Fishing Schooner "UDA A. SAUNDERS"**Zwicker & Company and Others*

Claim of owners, skipper and crew, presented by Zwicker & Co., Limited, of Lunenburg, N.S., a Canadian corporation, managing owner. All the claimants are Canadians.

The schooner sailed July 10, 1918, and was sunk August 20, 1918, by German submarine, off the banks of Newfoundland. There were 1,000 quintals of green fish on board, one-half of which belonged to the captain and 18 fishermen.

She was 125 tons gross tonnage and built in 1910 and was purchased in 1918 for \$18,000.00, ready for sea.

There was war risk insurance of \$13,000.00 on the hull and equipment but no insurance on the catch.

The captain and all on board are entitled to an allowance for personal effects and solatium for being torpedoed, and I adapt the British Admiralty Scale to the case.

I would allow the owners for the value of the vessel, provisions, consumable stores, equipment, etc., including war risk premium paid.	\$20,000 00
for half the catch which I value at \$14,500.00.	7,250 00
	\$27,250 00

Less insurance received.	13,000 00
	\$14,250 00

Sharesmen each \$381.60 ($\frac{1}{10}$ of \$7,250.00)—	
To the captain \$900 and \$381.60.	\$ 1,281 60
18 fishermen \$600 and \$381.60, making \$981.60 each.	17,669 40
Wage earners—men \$600, boys \$300.00 each.	

I am not allowing as damages, the value of the probable catch which had not been caught, but which, it is claimed, would have been caught had the vessel not been destroyed; it is not a proper element to be considered in assessing compensation.

The claim falls within the First Annex to Section 1 of Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$34,400.00 is a fair compensation to the owners and individual claimants as per lists attached, with interest to the crew and owners at the rate of 5 per cent per annum from the date of loss on value of ship and catch, and to the crew on solatium from January 10, 1920, to the date of settlement.

I would recommend interest as above on what is allowed each fisherman on account of his share of the catch.

JAMES FRIEL,
Commissioner.

December 9, 1925.

CASES 626-671 INCLUSIVE

The claims set out in this schedule deal with Canadian fishermen on schooners belonging to other nations as follows:—

United States Schooner *Muriel*,
United States Schooner *Annie M. Perry*,
United States Schooner *J. J. Flaherty*,
French Schooner *Charles Theriault*.

Separate decisions were rendered in each case.

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision
626	Jas. Belliveau (deceased) widow Sarah E. Belliveau.	Fisherman, United States Schr. "Muriel," Aug. 3/18.	\$ 600 00	\$ cts. 600 00
627	Nathaniel Nickerson.....	" " "	720 00	600 00
628	Joseph Crowell.....	" " "	650 00	600 00
629	Calvin Nickerson.....	" " "	7,880 00	600 00
630	Louis D'Entremont.....	" " "	750 00	600 00
631	Elton Smith.....	" " "	600 00	600 00
632	Moses Nickerson.....	" " "	800 00	600 00
633	James Goodwin.....	Captain, United States Schr. "Annie M. Perry," Aug. 3/18.	Personal effects and solatium	900 00
634	Lonzo Goodwich.....	Fisherman, Schr. "Annie M. Perry."	Personal effects and solatium	600 00
635	Richard Hopkins.....	" " "	" "	600 00
636	Arthur Nickerson.....	" " "	" "	600 00
637	Nemiah Worthen.....	" " "	" "	600 00
638	John A. Shole's.....	" " "	750 00	600 00
639	Nimrod Nickerson.....	" " "	750 00	600 00
640	Seth Nickerson.....	" " "	645 00	600 00
641	Moses C. Nickerson.....	" " "	680 00	600 00
642	Erastus Nickerson.....	" " "	Not stated	600 00
643	David H. Blades.....	" " "	500 00	600 00
644	Chas. H. Swain.....	" " "	750 00	600 00
645	Sylvanus Stoddart.....	" " "	600 00	600 00
646	Frank Crowell.....	" " "	650 00	600 00
647	R. A. Matheson.....	" " "	720 00	600 00
648	Ormond Garron.....	" " "	750 00	600 00
649	Chas. W. Nickerson.....	" " "	750 00	600 00
650	John C. Nickerson.....	" " "	1,380 00	600 00
651	Samuel Boutillier.....	" " "	750 00	600 00
652	Rufus Acker.....	Fisherman, United States Schr. "J. J. Flaherty," sunk Aug. 25/18.	Personal effects and solatium Share in catch	600 00 448 00
653	Joseph Acker.....	" " "	Personal effects and solatium Share in catch	600 00 448 00
654	Robt. Farmer.....	" " "	Personal effects and solatium Share in catch	600 00 448 00
655	Austin Shepherd.....	" " "	Personal effects and solatium Share in catch	600 00 448 00

torpedo money and he was allowing \$500.00 for loss of profit and \$250.00 for solatium and torpedo money. In other similar cases Dr. Pugsley allowed only for solatium and torpedo money.

I do not think there is any authority for allowing for the prospective catch, but in assessing compensation to fishermen, I would adopt the scale used by the British Reparations Claims Department, as I understand it. By this scale the solatium for a fisherman ranges from \$125.00 minimum to \$375.00 maximum. A fisherman is in a different position from an ordinary seaman because he has an interest in the catch of the vessel and is often part owner in the same; when, therefore, his fishing vessel is sunk, a fisherman is absolutely without employment until a new vessel is built, as his whole earnings and interest were lost when his former vessel was sunk. In view of this, I have decided to allow solatium at \$350.00 or almost the British maximum.

As regards personal effects, the British scale allows \$215.00 (in the year 1918) for a vessel under 1,000 tons and \$50.00 for cash, being a total of \$265.00. Some slight reduction in this amount was thought necessary because it was improbable that a fisherman would be carrying \$50.00 in cash about his person, and it was, therefore, decided to make an award of \$250.00 for personal effects in the case of such fishermen, and I would award \$250.00 for personal effects.

With reference to the question of interest; where material damage is suffered and the amount is readily ascertained, interest should run from the actual date when the damage was incurred; in these cases, however, I have decided to follow the ruling adopted by the late Dr. Pugsley and allow interest on the total award for personal effects and solatium, from the date of the ratification of the Treaty of Versailles, January 10, 1920, such date being the time at which Germany accepted responsibility and contracted to pay reparation for damages caused by the war.

The claimant, James Belliveau, died April 9, 1923, his widow, Sarah E. Belliveau, appeared before the Commissioner and I would suggest that payment, when made, be made to her.

This claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Sarah E. Belliveau, with interest thereon at the rate of 5 per cent per annum from the date of the ratification of the Treaty, as above, to date of settlement.

JAMES FRIEL,
Commissioner.

February 5, 1926.

DECISION

Case 627

Re UNITED STATES SCHOONER "MURIEL"

Nathaniel Nickerson

The claimant, a Canadian, was one of the fishermen on the United States fishing schooner *Muriel* sunk by enemy submarine August 3, 1918, off the Nova Scotia coast. The claim is for loss of effects, fishing equipment, and loss of salary, and was heard before the late Commissioner at Shelburne, N.S., in August, 1923. It seems that the claimant is now dead.

Remarks made in the James Belliveau case as to compensation in these cases apply in this case.

I would allow for loss of personal effects \$250.00 and torpedo money, \$350.00.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find that \$600.00 is fair compensation to the claimant or his estate with interest at 5 per cent per annum from January 10, 1920, to the date of settlement.

February 5, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 628

Re UNITED STATES SCHOONER "MURIEL"

Joseph Crowell

The claimant, a Canadian, was one of the fishermen on the United States fishing schooner *Muriel*, sunk by enemy submarine, August 3, 1918, off the Nova Scotia coast. The claim is for loss of effects, fishing equipment, and loss of salary, and was heard before the late Commissioner at Shelburne, N.S., in August, 1923.

Remarks made in the James Belliveau case as to compensation in these cases apply in this case.

I would allow for loss of personal effects, \$250.00, and torpedo money, \$350.00.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find that \$600.00 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10, 1920, to date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 629

Re UNITED STATES SCHOONER "MURIEL"

Calvin Nickerson

The claimant, a Canadian, was one of the fishermen on the United States fishing schooner *Muriel*, sunk by enemy submarine, August 3, 1918, off the Nova Scotia coast. The claim is for loss of effects, fishing equipment, and loss of salary, and was heard before the late Commissioner at Shelburne, N.S., in August, 1923.

Remarks made in the James Belliveau case as to compensation in these cases apply in this case.

I would allow for loss of personal effects, \$250.00, and torpedo money, \$350.00.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find that \$600.00 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10, 1920, to date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 630

Re UNITED STATES SCHOONER "MURIEL"

Louis J. D'Entremont

The claimant, a Canadian, was one of the fishermen on the United States fishing schooner *Muriel*, sunk by enemy submarine, August 3, 1918, off the Nova Scotia coast. The claim is for loss of effects, fishing equipment, and loss of salary, and was heard before the late Commissioner at Shelburne, N.S., in August, 1923.

Remarks made in the James Belliveau case as to compensation in these cases apply in this case.

I would allow for loss of personal effects, \$250.00, and torpedo money, \$350.00.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find that \$600.00 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10, 1920, to date of settlement.

JAMES FRIEL,
Commissioner.

February 6, 1926.

DECISION

Case 631

Re UNITED STATES SCHOONER "MURIEL"

Elton Smith

The claimant, a Canadian, was one of the fishermen on the United States fishing schooner *Muriel*, sunk by enemy submarine, August 3, 1918, off the Nova Scotia coast. The claim is for loss of effects, fishing equipment, and loss of salary, and was heard before the late Commissioner at Shelburne, N.S., in August, 1923.

Remarks made in the James Belliveau case as to compensation in these cases apply in this case.

I would allow for loss of personal effects, \$250.00, and torpedo money, \$350.00.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find that \$600.00 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10, 1920, to date of settlement.

JAMES FRIEL,
Commissioner.

February 6, 1926.

DECISION

Case 632

RE U.S. SCHOONER "MURIEL"

Moses Nickerson

The claimant, a Canadian, was one of the fishermen on the United States fishing schooner *Muriel* sunk by enemy submarine August 3, 1918, off the Nova Scotia coast. The claim is for loss of effects, fishing equipment, and loss of

salary, and was heard before the late Commissioner at Shdburne, N.S., in August, 1923.

Remarks made in the James Belliveau case as to compensation in these cases apply in this case.

I would allow for loss of personal effects \$250.00 and torpedo money, \$350.00.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find that \$600 is fair compensation to the claimant with interest at 5 per cent per annum from January 10, 1920, to the date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 633

RE U.S. SCHOONER "ANNIE M. PERRY"

Captain James Goodwin

The claimant, a Canadian, was skipper on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belleveau, case apply to all these cases. I would adopt the British Admiralty scale and allow Captain Goodwin \$900.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$900.00 is fair compensation to Captain Goodwin with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 634

Re U.S. SCHOONER "ANNIE M. PERRY"

Lonzo Goodwich

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Lonzo Goodwich \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Lonzo Goodwich with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

February, 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 635

Re U.S. SCHOONER "ANNIE M. PERRY"

Richard Hopkins

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Richard Hopkins, \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Richard Hopkins, with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 636

Re U.S. SCHOONER "ANNIE M. PERRY"

Arthur Nickerson

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia Coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Arthur Nickerson \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Arthur Nickerson with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 637

Re U.S. SCHOONER "ANNIE M. PERRY"

Nemiah Worthen

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia Coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Nemiah Worthen \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Nemiah Worthen with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 638

Re U.S. Schooner "ANNIE M. PERRY"

John A. Sholds

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia Coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow John A. Sholds \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to John A. Sholds with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty to date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 639

Re U.S. Schooner "ANNIE M. PERRY"

Nimrod Nickerson

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia Coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Nimrod Nickerson \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Nimrod Nickerson with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

February 8, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 640

Re U.S. SCHOONER "ANNIE M. PERRY

Seth Nickerson

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia Coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Seth Nickerson \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Seth Nickerson with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

JAMES FRIEL,
Commissioner.

February 8, 1926.

DECISION

Case 641

Re U.S. SCHOONER "ANNIE M. PERRY"

Moses C. Nickerson

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia Coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Moses C. Nickerson \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Moses C. Nickerson with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

JAMES FRIEL,
Commissioner.

February 8, 1926.

DECISION

Case 642

RE U.S. SCHOONER "ANNIE M. PERRY"

Erastus Nickerson

The claimant, a Canadian, was a fisherman on the United States fishing schooner "*Annie M. Perry*" which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Erastus Nickerson, \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1), Part VIII, of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Erastus Nickerson, with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

JAMES FRIEL,
Commissioner.

February 6, 1926.

DECISION

Case 643

RE U.S. SCHOONER "ANNIE M. PERRY"

David H. Blades

The claimant, a Canadian, was a fisherman on the United States fishing schooner "*Annie M. Perry*" which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow David H. Blades, \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1), Part VIII, of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to David H. Blades, with interest at the rate of 5 per cent per annum from the 30th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

February 6, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 644

RE U.S. SCHOONER "ANNIE M. PERRY"

Chas. H. Swain

The claimant, a Canadian, was a fisherman on the United States fishing schooner "*Annie M. Perry*" which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Chas. H. Swain, \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1), Part VIII, of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Chas. H. Swain, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 8, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 645

RE U.S. SCHOONER "ANNIE M. PERRY"

Sylvannus Stoddart

The claimant, a Canadian, was a fisherman on the United States fishing schooner "*Annie M. Perry*" which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Sylvannus Stoddart, \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1), Part VIII, of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Sylvannus Stoddart, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 8, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 646

RE U.S. SCHOONER "ANNIE M. PERRY"

Frank Crowell

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry* which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case apply to all these cases. I would adopt the British Admiralty scale and allow Frank Crowell, \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1), Part VIII, of the Treaty of Versailles, categories (1) and (9) and I find \$600.00 is fair compensation to Frank Crowell, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 8, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 647

Re U.S. SCHOONER "ANNIE M. PERRY"

R. A. Matheson

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry*, which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case, apply to all these cases. I would adopt the British Admiralty scale and allow R. A. Matheson \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1), Part VIII; of the Treaty of Versailles, categories (1) and (9), and I find \$600.00 is fair compensation to R. A. Matheson, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 8, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 648

Re U.S. SCHOONER "ANNIE M. PERRY"

Ormond Garron

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry*, which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case, apply to all these cases. I would adopt the British Admiralty scale and allow Ormond Garron \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$600.00 is fair compensation to Ormond Garron, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 8, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 649

Re U.S. SCHOONER "ANNIE M. PERRY"

Chas. W. Nickerson

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry*, which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case, apply to all these cases. I would adopt the British Admiralty scale and allow Chas. W. Nickerson \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$600.00 is fair compensation to Chas. W. Nickerson, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 8, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 650

Re U.S. SCHOONER "ANNIE M. PERRY"

John C. Nickerson

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry*, which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case, apply to all these cases. I would adopt the British Admiralty scale and allow John C. Nickerson \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$600.00 is fair compensation to John C. Nickerson, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

February 8, 1926.

JAMES FRIEL,
Commissioner.

DECISION

Case 651

Re U.S. SCHOONER "ANNIE M. PERRY"

Samuel Boutilier

The claimant, a Canadian, was a fisherman on the United States fishing schooner *Annie M. Perry*, which was sunk by enemy submarine August 3, 1918, 35 miles off the Nova Scotia coast.

The remarks made in the James Belliveau case; apply to all these cases. I would adopt the British Admiralty scale and allow Samuel Boutilier \$600.00 for personal effects and solatium or torpedo money.

This claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$600.00 is fair compensation to Samuel Boutilier, with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

JAMES FRIEL,
Commissioner.

February 8, 1926.

DECISION

Case 652

Re U.S. SCHOONER "J. J. FLAHERTY"

Rufus Acker

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00, with interest as in other cases.

The claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Rufus Acker with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

JAMES FRIEL,
Commissioner.

February 8, 1926.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.
— *Commissioner.*

DECISION

Case 653

Re U.S. SCHOONER "J. J. FLAHERTY"

Joseph Acker

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board; and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00, with interest as in other cases.

The claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Joseph Acker with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

JAMES FRIEL,
Commissioner.

February 8, 1926.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

J. F.
Commissioner.

February 10, 1926.

DECISION

Case 654

Re U.S. SCHOONER "J. J. FLAHERTY"

Robert Farmer

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00, with interest as in other cases.

The claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair com-

pensation to Robert Farmer with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

February 9, 1926.

JAMES FRIEL,
Commissioner.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.
Commissioner.

DECISION

Case 655

Re U.S. Schooner "J. J. Flaherty"

Austin Shepherd

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00, with interest as in other cases.

The claim falls within the First Annex to Section (1) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Austin Shepherd with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

February, 9, 1926.

JAMES FRIEL,
Commissioner.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.
Commissioner.

DECISION

Case 656

Re U.S. Schooner "J. J. Flaherty"

Harvey Hallett

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00, with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Harvey Hallett with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

JAMES FRIEL,
Commissioner.

February 9, 1926.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.
Commissioner.

DECISION

Case 657

Re U.S. SCHOONER "J. J. FLAHERTY"

Bertram Pierce

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty*, sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00, with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Bertram Pierce with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

JAMES FRIEL,
Commissioner.

February 9, 1926.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.
Commissioner.

DECISION

Case 658

Re U.S. SCHOONER "J. J. FLAHERTY"

Elwell Pierce

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00 with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Elwell Pierce with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

February 9, 1926.

JAMES FRIEL,
Commissioner.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.
Commissioner.

DECISION

Case 659

Re U.S. SCHOONER "J. J. FLAHERTY"

James Thompson

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00 with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to James Thompson with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

February 9, 1926.

JAMES FRIEL,
Commissioner.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.
Commissioner.

DECISION

Case 660

Re U. S. SCHOONER "J. J. FLAHERTY"

William Henry Scott

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00 with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to William Henry Scott with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

JAMES FRIEL,
Commissioner.

February 9, 1926.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.
Commissioner.

DECISION

Case 661

Re U. S. SCHOONER "J. J. FLAHERTY"

William D. Pierce

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00 with interest as in other cases.

The claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to William D. Pierce, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

JAMES FRIEL,
Commissioner.

February 9, 1926.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

J. F.
Commissioner.

February 10, 1926.

DECISION

Case 662

Re U.S. Schooner "J. J. Flaherty"

Alonzo Buchanan

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00 with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Alonzo Buchanan, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to date of settlement.

JAMES FRIEL,
Commissioner.

February 9, 1926.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

J. F.,
Commissioner.

February 10, 1926.

DECISION

Case 663

Re U.S. SCHOONER "J. J. FLAHERTY"

Manus Hemeon

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00 with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Manus Hemeon, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to date of settlement.

JAMES FRIEL,
Commissioner.

February 9, 1926.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

J. F.,
Commissioner.

February 10, 1926.

DECISION

Case 664

Re U.S. SCHOONER "J. J. FLAHERTY"

Nathaniel Hemeon

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00 with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair com-

pensation to Nathaniel Hemeon, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to date of settlement.

February 9, 1926.

JAMES FRIEL,
Commissioner.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.,
Commissioner.

DECISION

Case 665

Re U.S. SCHOONER "J. J. FLAHERTY"

Ernest Buchanan

The claimant is a Canadian. He was a deck boy on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

His work was to clean the fish, and he was entitled to the tongues and sounds, and to such fish as he caught by line. When the vessel was sunk he had 1,800 fish valued at \$220.00 and about 8 barrels of tongues and sounds valued at \$300.00.

I would allow him for his loss as declared, together with \$50.00 for personal effects and \$250.00 solatium or torpedo money, with interest as in the other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$820.00 is fair compensation to Ernest Buchanan, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to the date of settlement.

February 9, 1926.

JAMES FRIEL,
Commissioner.

I amend this by allowing interest on this man's \$520.00 for fish, tongues and sounds as above, from August 25, 1918.

February 10, 1926.

J. F.,
Commissioner.

DECISION

Case 666

Re U.S. SCHOONER "J. J. FLAHERTY"

Elwell Buchanan

The claimant is a Canadian. He was a fisherman and sharesman in the catch on the American fishing schooner *J. J. Flaherty* sunk by enemy submarine on St. Pierre bank off Miquelon Island, August 25, 1918.

There were 2,000 quintals of fish on board worth \$22,400.00, of which one-half belonged to the crew. The claim is for share of fish lost, share in prospective catch, and for personal effects lost.

The crew numbered twenty-five, of whom fourteen fishermen and one boy were Canadians.

I would allow this claim at \$448.00 for the share of the catch actually on board, and the usual allowance, adapting the British Admiralty scale for personal effects and solatium or torpedo money, namely \$600.00 with interest as in other cases.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,048.00 is fair compensation to Elwell Buchanan, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to date of settlement.

February 9, 1926.

JAMES FRIEL,
Commissioner.

I amend this by allowing interest on each man's \$448.00 for share on the catch, from August 25, 1918.

February 10, 1926.

J. F.,
Commissioner.

DECISION

Case 667

Re FRENCH SCHOONER "CHARLES THERIAULT"

Mrs Rebecca Belmore

Claimant is a Canadian, widow of Thomas Belmore, a Canadian, now deceased, formerly of Dipper Harbour, N.B., who was cook and steward on the schooner *Charles Theriault*, 339 tons, which was attacked by enemy submarine and set on fire in the Bay of Biscay, 150 miles from nearest land, July 10, 1918, while on a voyage from St. Pierre Miquelon, to Bordeaux, France, with a cargo of fish. She was of British register but the owners were French. She was 22 days out from port when attacked. The weather had been rough the night before. The submarine commenced firing and a shell went between the schooner's spars. The captain ordered taking to the boat as quickly as possible which was done. They had time only to take a keg of fresh water and some hard tack. This was between two or three o'clock in the afternoon and about dusk they saw that the schooner had been fired and was burning. (She was afterwards towed into port). The crew, six men, were 75 hours in a little boat without shelter and ran out of food and water. They couldn't ascertain their position. Finally they were picked up by a patrol boat and taken to some place in France and from there transferred to Brest and were sent home by way of Southampton, and New York on a French liner in the steerage.

Thomas Belmore was one of the victims. He reached him home in Dipper Harbour in the late summer of 1916 in greatly impaired health. He had a cold and complained of his kidneys. He used to work out around and kept getting worse and worse and finally died of Brights disease within the year, brought on so the medical record shows, by exposure in the small boat when the vessel was attacked. At that time he was in his 67th year and was in good health. He was earning \$125 a month and found. Belmore filed a claim for gold watch and chain, \$75.00, clothing \$100.00, gold spectacles \$10.00 and wages \$125.00 in all \$310.00.

Mrs. Belmore's claim was heard by the late Dr. Pugsley, at St. John, N.B., August 27, 1924. She was then 63 years old. She had been wholly dependent on her husband for maintenance and he left no property so that at the time of the hearing she had no means of support. She was looking for work and could not get a job. There are no children.

I would allow Mrs. Belmore \$2,000.00 on account of the loss of her husband with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, to date of settlement and \$185.00 on account of the loss of his personal effects with interest at the rate of 5 per cent from the date of the sinking July 10, 1918, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$2,185.00 is fair compensation to the claimant with interest as indicated.

February 10, 1920.

JAMES FRIEL,
Commissioner.

DECISION

Case 668

*Re FRENCH SCHOONER "CHARLES THERIAULT"**Edwin Mitchell*

Claimant is a Canadian, who was mate on the schooner *Charles Theriault*, 339 tons, which was attacked by enemy submarine and set on fire in the Bay of Biscay, 150 miles from nearest land, July 10, 1918, while on a voyage from St. Pierre, Miquelon, to Bordeaux, France, with a cargo of fish. (See particulars in Rebecca Belmore case.)

The claim is filed for personal effects and was afterwards amended for loss of time and wages.

I would adapt the British Admiralty scale and allow the claim at \$700.00 for personal effects and solatium or torpedo money with interest at the rate of 5 per cent annum from the 10th day of January, the date of the ratification of the Treaty, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9) and I find \$700.00 is fair compensation to the claimant with interest as indicated.

JAMES FRIEL,
Commissioner.

February 10, 1926.

DECISION

Case 669

*Re FRENCH SCHOONER "CHARLES THERIAULT"**Vernon J. Hirtle*

Claimant is a Canadian, who was captain on the schooner *Charles Theriault*, 339 tons, which was attacked by enemy submarine and set on fire in the Bay of Biscay, 150 miles from nearest land, July 10, 1918, while on a voyage from St. Pierre, Miquelon, to Bordeaux, France, with a cargo of fish. (See particulars in Rebecca Belmore case.)

The claim is filed for personal effects lost.

I would adapt the British Admiralty scale and allow the claim at \$900 for personal effects and solatium or torpedo money with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9) and I find \$900.00 is fair compensation to the claimant with interest as indicated.

JAMES FRIEL,
Commissioner.

February 10, 1926.

DECISION

Case 670

*Re FRENCH SCHOONER "CHARLES THERIAULT"**William O'Neill*

Claimant is a Canadian, who was a seaman on the schooner *Charles Theriault*, 339 tons, which was attacked by enemy submarine and set on fire in the Bay of Biscay 150 miles from nearest land, July 10, 1918, while on a voyage from St. Pierre, Miquelon, to Bordeaux, France, with a cargo of fish. (See particulars in Rebecca Belmore case.)

The claim is filed for personal effects lost.

I would adapt the British Admiralty scale and allow the claim at \$600.00 for personal effects and solatium or torpedo money with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles categories (1) and (9), and I find \$600.00 is fair compensation to the claimant with interest as indicated.

JAMES FRIEL,
Commissioner.

February 10, 1926.

DECISION

Case 671

*Re FRENCH SCHOONER "CHARLES THERIAULT"**Orland Hirtle*

Claimant is a Canadian, who was a seaman on the schooner *Charles Theriault*, 339 tons, which was attacked by enemy submarine and set on fire in the Bay of Biscay 150 miles from nearest land, July 10, 1918, while on a voyage from St. Pierre, Miquelon, to Bordeaux, France, with a cargo of fish. (See particulars in Rebecca Belmore case.)

The claim is filed for personal effects lost.

I would adapt the British Admiralty scale and allow the claim at \$600.00 for personal effects and solatium or torpedo money with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles categories (1) and (9), and I find \$600.00 is fair compensation to the claimant with interest as indicated.

JAMES FRIEL,
Commissioner.

February 10, 1926.

CASES 672 TO 678 INCLUSIVE

Re SCHOONER "PERCE"

Case No.	Claimant	Nature of Claim	Amount Claimed		Decision	
			\$	cts.	\$	cts.
672	Robins, Jones & Whitman, Limited.....	Loss of Schr. "Perce", Jan. 28/17. Cargo of fish and lumber, 40/64 share.....	102,437	00	6,835	00
673	A. E. Jones.....	Owner Schr. "Perce", 8/64 share.....	5,000	00	1,367	00
674	A. H. Whitman.....	Owner of Schr. "Perce", 8/64 share.....	5,000	00	1,367	00
675	Andrew King.....	Owner Schr. "Perce", 8/64 share.....	5,000	00	1,367	00
676	Carl Johann Robert Kohler.	Master Schr. "Perce".....			Personal effects and solatium	900 00
677	George H. Corkum.....	Mate, Schr. "Perce".....			"	700 00
678	Win. H. Tanner.....	Cook, Schr. "Perce".....			"	600 00
			\$ 117,437	00	\$ 13,136	00

DECISION

Case 672

Re SCHOONER "PERCE"

Robin, Jones & Whitman, Limited, and others

The claimant Company is a Canadian corporation, incorporated by Dominion Charter, the shareholders in which are all Canadians. Their first claim is in respect of 40 sixty-fourth shares owned by them in the schooner *Perce*, 364 tons, of Liverpool, N.S., which sailed from Halifax January 6, 1917, with a cargo of dried fish and a deck load of lumber, bound for Santos, Brazil, and was captured and destroyed by a German raider, the *Seeadler*, 150 miles northeast of St. Paul's Rocks, Lat. 2.49 North, Long. 27.16 West, January 28, 1917.

The vessel is valued in the declaration at \$40,000.00, and I would approve that value. She was built in 1916, and the owners paid \$24,000.00 for her. They had an offer to sell at \$40,000.00, for delivery at the expiration of the voyage. The insurance received was \$29,063.00, leaving a net balance claimed in respect of the vessel of \$10,937.00, to be divided in proportion to the shares.

The cargo, at invoice prices at time of shipment, was valued at \$77,437.00, and belonged wholly to the Company. The freight was prepaid, and the value of the cargo was based on invoice prices. There was war risk insurance of \$78,669.00, and there is no claim in respect of the cargo which was mentioned only in view of possible claim for subrogation.

I would allow claimants in respect of their 40 shares the sum of \$6,835.00 with interest at 5 per cent per annum from the date of loss of vessel, January 28, 1917.

2. The Company claims also for loss of a shipment of fish from Halifax to New York on the ss. *Stephano*, captured and sunk by enemy submarine October 8, 1916, the declared value of which is \$8,823.25. There is no insurance. I would allow this claim as declared and approved, with interest at 5 per cent per annum from date of loss, October 8, 1916.

These claims fall within the First Annex to Section (I), Part VIII of the Treaty of Versailles, Category 9, and I find that \$15,658.25 is fair compensation to the claimant Company, with interest as above indicated to date of settlement.

JAMES FRIEL,
Commissioner.

February 17, 1926.

DECISION

Case 673

Re A. E. JONES

Claimant is a Canadian who owned 8 sixty-fourth shares in the schooner *Perce*, 364 tons, of Liverpool, N.S., which sailed from Halifax on January 6, 1917, with a cargo of dried fish and a deck load of lumber, bound for Santos, Brazil, and was captured and destroyed by a German Raider, the *Seeadler*, 150 miles North East of St. Paul's Rocks, Lat. 2.49 North, Long. 27.16 West, January 28, 1917. The vessel is valued in the declaration at \$40,000.00, and I would approve that value. She was built in 1916, and the owners paid \$24,000.00 for her. They had an offer to sell at \$40,000.00, for delivery at the expiration of the voyage. The insurance received was \$29,063.00, leaving a net balance of \$10,937.00, to be divided in proportion to the shares.

I would allow this claim at the amount declared, \$1,367.00, with interest at 5 per cent per annum from date of loss of the vessel, January 28, 1917.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, Category (9), and I find that \$1,367.00 is fair compensation to the claimant with interest as above indicated to date of settlement.

JAMES FRIEL,
Commissioner.

February 17, 1926.

DECISION

Case 674

Re A. H. WHITMAN

Claimant is a Canadian who owned 8 sixty-fourth shares in the schooner *Perce*, 364 tons, of Liverpool, N.S., which sailed from Halifax on January 6, 1917, with a cargo of dried fish and a deck load of lumber, bound for Santos, Brazil, and was captured and destroyed by a German Raider, the *Seeadler*, 150 miles North East of St. Paul's Rocks, Lat. 2.49 North, Long. 27.16 West, January 28, 1917. The vessel is valued in the declaration at \$40,000.00, and I would approve that value. She was built in 1916, and the owners paid \$24,000.00 for her. They had an offer to sell at \$40,000.00, for delivery at the expiration of the voyage. The insurance received was \$29,063.00, leaving a net balance of \$10,937.00, to be divided in proportion to the shares.

I would allow this claim at the amount declared, \$1,367.00, with interest at 5 per cent per annum from date of loss of the vessel, January 28, 1917.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, Category (9), and I find that \$1,367.00 is fair compensation to the claimant with interest as above indicated to date of settlement.

JAMES FRIEL,
Commissioner.

February 17, 1926.

DECISION

Case 675

Re Andrew King

Claimant is a Canadian who owned 8 sixty-fourth shares in the schooner *Perce*, 364 tons, of Liverpool, N.S., which sailed from Halifax on January 6, 1917, with a cargo of dried fish and a deck load of lumber, bound for Santos, Brazil, and was captured and destroyed by a German Raider, the *Seeadler*, 150 miles North East of St. Paul's Rocks, Lat. 2.49 North, Long. 27.16 West, January 28, 1917. The vessel is valued in the declaration at \$40,000.00, and I would approve that value. She was built in 1916, and the owners paid \$24,000.00 for her. They had an offer sell at \$40,000.00, for delivery at the expiration of the voyage. The insurance received was \$29,063.00, leaving a net balance of \$10,937.00, to be divided in proportion to the shares.

I would allow this claim at the amount declared, \$1,367.00, with interest at 5 per cent per annum from date of loss of the vessel, January 28, 1917.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, Category (9), and I find that \$1,367.00 is fair compensation to the claimant with interest as above indicated to date of settlement.

JAMES FRIEL,
Commissioner.

February 17, 1926.

DECISION

Cases 676 to 678 Inclusive

CARL JOHANN ROBERT KOHLER, MASTER

GEORGE H. CORKUM, MATE

WILLIAM HAYWARD TANNER, COOK

These men, Canadians, were on the schooner *Perce*, 364 tons, of Liverpool, N.S., which sailed from Halifax January 6, 1917, bound for Santos, Brazil, and was captured and destroyed by a German raider, the *Seeadler*, 150 miles north-east of St. Paul's Rocks, January 28, 1917.

The other members of the crew belonged to Newfoundland.

Claimants are entitled to solatium or torpedo money according to the British Admiralty Scale, and an allowance for loss of their effects when the ship was destroyed.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories 1 and 9, and I find as fair compensation \$900.00 to Carl Johann Robert Kohler, Master, \$700.00 to George H. Corkum, Mate, and \$600.00 to William Hayward Tanner, Cook, all with interest at 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to the date of settlement.

JAMES FRIEL,
Commissioner.

February 17, 1927.

CASES 679 TO 681 INCLUSIVE

Re SCHOONER "MINAS QUEEN"

Case No.	Claimant	Nature of Claim	Amount Claimed		Decision	
			\$	cts.	\$	cts.
679	Estate George Kay for 3 children—	Father, mate Schr. "Minas Queen", August 26/17, drowned.				
	George Kay, aged 2½ years.		2,600	00	2,000	00
	Frances Kay, aged 1½ years.		3,100	00	2,000	00
	Chipman Kay, aged 1 month.		3,200	00	2,000	00
680	Mrs. Maudo Loomer, Widow and 3 children	Husband, Captain Schr. "Minas Queen", August 26/17, drowned.	25,000	00		
	Mrs. Loomer.....				4,000	00
	Annie E. Loomer.....				2,000	00
	Pauline A. Loomer.....				2,000	00
	Lorne B. Loomer.....				2,000	00
681	Arch. H. Lewis.....	Bos'm Schr. "Minas Queen".....			Personal effects and solatium.	600
			\$	33,900	00	\$ 16,600

DECISION

Case 679

Re SCHOONER "MINAS QUEEN"

George Kay, Frances Kay, Chipman Kay

Claimants are Canadians. They are the children of George Kay, also a Canadian who was mate on the Nova Scotia schooner *Minas Queen*, 492 tons, when that schooner was sunk by German submarine off the coast of France, August 26, 1917, while on its way back to New York, in ballast, after a voyage to Rochefort, with a cargo of oil in barrels.

The captain, Wilbert L. Loomer, and crew of the schooner took to the small boat. They saw their vessel fired and sunk by three shots into the hull. They made for the northern coast of Spain. That night the boat capsized and all of its occupants were thrown into the sea. Kay who was unable to secure a hold on the boat was drowned. The others except the boatswain, Lewis, perished the following day.

Deceased at the time of his death was 37 years. He was the sole support of his wife and the three claimants, whose ages were then as follows: George 2½ years, Frances 1½ years and Chipman 1 month.

Deceased left no property and no life insurance.

The widow died January, 1921, leaving the children dependent upon relatives.

Kay at the time of his death was making about \$600.00 and found.

I would allow the children \$2,000.00 each.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (1) and I find \$2,000.00 to George Kay, and \$2,000.00 to Frances Kay and \$2,000.00 to Chipman Kay is fair compensation,

to the claimants, with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

Payment in each case should be made to a regularly appointed guardian.

JAMES FRIEL,
Commissioner.

March 18, 1926.

DECISION

Case 680

Re SCHOONER "MINAS QUEEN"

Mrs. Maude Loomer

On behalf of herself, widow, and the three infant children of the late Wilbert Leslie Loomer.

Captain Loomer, a Canadian seaman, was master of the Nova Scotia schooner, *Minas Queen*, 492 tons, sunk by German submarine about 320 miles N.W. of the coast of France on Sunday morning, August 26, 1917, while on its way back to New York in ballast after a voyage to Rochefort, France, with a cargo of oil in barrels. The captain and crew of the schooner took to the small boat. They saw their vessel fired and sunk by three shots into the hull. They made for the northern coast of Spain. That night the boat capsized and all the occupants were thrown into the sea but managed to right the craft. During the night and the following day one by one they perished except boat-swain, Lewis, who tells the tale. Captain Loomer died in the afternoon of August 27.

The deceased at the time of his death was 42 years old and was in good health. He was the sole support of his wife and children whose ages were then 35 years, 5 years, 3 years and nine months, and three months respectively. His wages were about \$1,200.00 per year in addition to board while on ship. He left property of the probate value of \$7,000.00. He had no life insurance. His personal effects were insured for \$500.00. Captain Loomer's father owned the home they lived in and on his death left it to claimants. The Navy League of Canada has been paying \$25.00 per month for the support of the children.

The basis of the awards in this case must be the losses to claimants resulting from the death of the husband and father, so far as such losses are susceptible of measurement by pecuniary standards. I would allow the widow \$4,000.00 and each of the children \$2,000.00.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (1) and I find the sum of \$4,000.00 is fair compensation to the said Mrs. Maude Loomer, and \$2,000.00 to each of the children, Pauline Allen Loomer, Lorna B. Loomer, and Annie Elizabeth Loomer, all with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

Payment to the children in each case should be made through a regularly appointed guardian.

JAMES FRIEL,
Commissioner.

January 8, 1926.

DECISION

Case 681

Re SCHOONER "MINAS QUEEN"

Archibald Herbert Lewis, Seaman

Claimant is a Canadian. He was boatswain on the Nova Scotia schooner *Minas Queen*, Loomer, Master, sunk by a German submarine off the coast of France August 25, 1917, and the only survivor of a crew of seven (see Decision 17).

I would adapt the British Admiralty scale to this claim and allow the claimant \$600.00 for solatium or torpedo money and loss of personal effects, according to his rating, as in other claims of this kind.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$600.00 is fair compensation to the claimant, Archibald H. Lewis, with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

JAMES FRIEL,
Commissioner.

April 8, 1926.

CASE 682

Re SCHOONER "CORAL LEAF" (SUPPLEMENTARY)

Case No.	Claimant	Nature of Claim	Amount Claimed		Decision	
			\$	cts.	\$	cts.
682	Charles E. McDade.....	Capt. Schr. "Coral Leaf", July 2/17.....	Not stated..		900 00	
					\$ 900 00	

NOTE.—Case No. 682 was not submitted to the Commissioner until after the Schedule dealing with the cases 343 to 351 of the "Coral Leaf" had been completed.

DECISION

Case 682

Re SCHOONER "CORAL LEAF"

Charles E. McDade, Master Mariner

Claimant is a Canadian. He was master of the Nova Scotia schooner *Coral Leaf* 428 tons, when that vessel was captured by enemy submarine and destroyed off the Coast of Ireland, July 7, 1917.

The schooner was on a voyage from Port Greville, N.S., with a cargo of spruce lumber to Great Britain.

The captain and crew left the vessel in their own boats after heavy shelling by the submarine and were picked up afterwards by a Welsh trawler.

I would adapt the British Admiralty scale and allow the claimant \$900.00 for solatium or torpedo money, and loss of personal effects.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$900.00 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

April 6, 1926.

JAMES FRIEL,
Commissioner.

CASES 683 TO 758 INCLUSIVE

R^e SCHOONER "INDUSTRIAL"

LOSSES OF FISHING SCHOONERS, SAILING VESSELS AND TO FISHERMEN

Case	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
682	Joshua E. Backman.....	Loss Schr. "Industrial", October 4/18.	31/64 share.....	\$ 98,600 00	366 41
684	Stephen Slaughe, white.	" "	1/64 "		52 35
685	Milligde J. Parks.....	" "	1/64 "		418 76
686	Fraser Fray.....	" "	3/64 "		314 07
687	David Backman.....	" "	2/64 "		209 38
688	Martin C. Pentz.....	" "	3/64 "		314 07
689	Simon Parks.....	" "	2/64 "		209 38
690	Daniel Lohnes.....	" "	1/64 "		104 69
691	Stanley S. Rafuse.....	" "	2/64 "		209 38
692	Bowan L. Rafuse.....	" "	2/64 "		209 38
693	Norman W. Rafuse.....	" "	2/64 "		209 38
694	Arthur Ritcey.....	" "	1/64 "		104 69
695	Daniel Romkey.....	" "	1/64 "		104 69
696	Newton Pentz.....	" "	1/64 "		104 69
697	Albert V. Conrad.....	" "	1/64 "		104 69
698	Wallace Zwicker.....	" "	1/64 "		104 69
699	Robert D. Parks.....	" "	1/64 "		104 69
700	J. Dean Fralick.....	" "	1/64 "		104 69
701	Leo Corkum.....	" "	1/64 "		104 69
702	Elkanah Mosher.....	" "	1/64 "		104 69
703	William Deal.....	" "	1/64 "		104 69
704	James Romkey.....	" "	1/64 "		104 69
705	Leander Corkum.....	" "	1/64 "		104 69
706	Laure Richard.....	" "	1/64 "		104 69
707	Edwin Ritcey.....	" "	1/64 "		104 69
708	C. B. Mason.....	" "	1/64 "		104 69
709	Chas. W. Thurlow.....	" "	1/64 "		104 69
710	Leman Naugler.....	" "	1/64 "		52 35
711	Chas. Conrad.....	" "	1/64 "		52 34
712	Jacob W. Sarty.....	" "	1/64 "		52 35
713	Kenneth Backman.....	" "	1/64 "		104 69
714	Joseph E. Conrad.....	" "	1/64 "		52 34
715	Chas. Feener.....	" "	1/64 "		53 35
716	Isabel L. MacGregor.....	" "	1/64 "		52 34
717	Wesley J. Corkum.....	" "	1/64 "		52 35
718	Chas. W. Himmelman.....	" "	1/64 "		52 34
719	Freeman Zwicker.....	" "	1/64 "		52 35
720	Laurence Ritcey.....	" "	1/64 "		52 34
721	Aubrey Oxner.....	" "	1/64 "		52 35
722	John S. Spindler.....	" "	1/64 "		52 34
723	Chas. Parks.....	" "	1/64 "		52 34
724	St. Clair Wegner.....	" "	1/64 "		52 34
725	Gordon Schrader.....	" "	1/64 "		52 34
726	Roger Mosher.....	" "	1/64 "		52 34
727	Emanuel Corkum.....	" "	1/64 "		52 34
728	E. C. Gerhardt.....	" "	1/64 "		53 34
729	Ira J. Corkum.....	" "	1/64 "		52 34
730	Arthur Creaser.....	" "	1/64 "		52 34
731	Wm. Deal.....	" "	1/64 "		52 34
732	Robt. Richardson.....	" "	1/64 "		52 34
733	Elijah S. Ritcey.....	" "	1/64 "		52 34
734	Chas. Langelle.....	" "	1/64 "		52 34
735	G. Himmelman.....	" "	1/64 "		52 34
736	H. Corkum.....	" "	1/64 "		52 34

Re SCHOONER "INDUSTRIAL"—Concluded

Case No.	Claimant	Nature of Claim	Amount Claimed	Decision	
				\$	cts.
737	John W. Haughn.....	Loss Schnr. "Industrial"	1/64 share.....	52	34
738	Daniel Parks.....	October 4/18	1/64 ".....	52	34
739	LeRoy Parks.....	"	1/64 ".....	52	34
740	A. Walters.....	"	1/64 ".....	52	34
741	Guy A. Parks.....	"	1/64 ".....	52	34
742	Chas. E. Corkum.....	"	1/64 ".....	52	34
743	Geo. Herman.....	"	1/64 ".....	52	34
744	Wm. Schrader.....	"	1/64 ".....	52	34
745	Elizabeth Corkum.....	"	1/64 ".....	52	34
746	Silas Walters.....	"	1/64 ".....	52	34
747	Gordon A. Corkum.....	"	1/64 ".....	52	34
748	Milton Romkey.....	"	1/64 ".....	52	34
749	James Spindler.....	"	1/64 ".....	52	34
750	Maynard Spindler.....	"	1/64 ".....	52	34
751	S. Asenath Whynot.....	"	1/64 ".....	52	34
752	Gilbert Kempton Jr.....	"	1/64 ".....	52	34
753	Wm. C. Hunter.....	"	1/64 ".....	52	34
754	Roger Naus.....	"	1/64 ".....	52	34
755	Martin Pentz.....	Master	Personal effects and solatium	900	00
756	Dawson Cleversey.....	Mate	" " "	700	00
757	Russell Pentz.....	Cook,	" " "	300	00
758	Albert Backman (d'e'd)	"	" " "	300	00
				\$ 98,600 00	\$ 8,000 00

DECISION

Cases 683 to 758 Inclusive

Re SCHOONER "INDUSTRIAL"

Joshua E. Backman, and Others

Claimants, Canadian subjects, were owners of the sailing vessel, *Industrial*, 330 tons, captured by enemy submarine and sunk by bombs 250 miles South East from Nantucket Island, October 4, 1918, while on a return voyage from Para, with a cargo of salt, purchased at Turk's Island, for owners' account.

The crew were ordered to leave the ship in a small boat and escaped.

The claim as submitted under declaration of Joshua E. Backman, made February 5, 1924, is as follows:—

Cost of ship to owners, March, 1918.. . . .	\$65,000 00
Increased value	20,000 00
(Valued by Underwriters)	\$90,000 00
Invoice of cargo	2,000 00
Freight valued	4,800 00
Captain's effects	800 00
Crew's effects	1,000 00
	<hr/>
	\$98,600 00

Insurance received	\$65,000 00
Further particulars give the price paid by the owners for the vessel, which was a three masted schooner of old type	\$68,083 36
Value of cargo, 15,000 bushels salt at 14c per bushel	2,100 00
Freight at 30½c	4,875 00
Later claim-papers give owners' estimated value	85,000 00
War risk insurance on hull	60,000 00

On cargo	2,000 00
On freight	3,000 00
War premiums on voyage paid	1,300 00
Value of cargo landed	8,400 00
Two month's wages lost by crew	1,060 00
Paid for clothing for crew	200 00
Expenses returning crew to Canada	700 00
Three sailors \$200.00 each	600 00
1st and 2nd Officers, \$300.00 each	600 00
Captain's effects, nautical outfits, chronometer, etc.	800 00
Payment to owners of \$68,083.00 <i>re</i> settlement for 64 shares, insurance and freight, after all expenses paid.	

At the time of the destruction of the vessel the captain had \$5,330 00 freight money with him and had used some.

Joshua Backman was not able to appear before the late Commissioner at the hearing at Halifax, September 10, 1924, but Dr. Pugsley thought he could arrive at an award from the papers submitted and other papers he asked for, such as invoices, insurance releases, etc. These papers, if furnished, have gone astray, and the record is somewhat confusing and contradictory, but as no further information can be obtained, I will have to make decision with the material at hand.

The *Industrial*, was built at Salmon River, Digby County, N.S., and completed, apparently, and registered in March 1918. Her gross tonnage was 330 tons, net tonnage 287, dead weight tonnage said to be 600 tons. The record shows the actual cost to the owners of the schooner fully complete and ready for sea, as \$65,000.00. I do not think she was worth any more when destroyed, probably not that amount. The war was drawing to a close and shipping values, freights, etc. were destined to decline.

I would allow an enhanced value for the cargo at the time of destruction but not for any prospective profit and it does not seem proper to allow for unearned freight and I shall not do so. The freight is substantially covered in this case by insurance.

I would allow:—

Value of hull, equipment, etc.	\$65,000 00
Cargo	3,000 00
	<hr/>
	\$68,000 00
Less insurance received on hull and cargo, \$62,000.00	62,000 00
	<hr/>
	\$ 6,000 00
To this should be added the expense of bringing the crew home	700 00
	<hr/>
	\$ 6,700 00

with interest at the rate of 5 per cent per annum from the date of loss, October 4, 1918, to date of settlement.

The captain and those of the crew who were Canadians are entitled to solatium or torpedo money and to an allowance for their personal effects. Adapting the British Admiralty scale, I would allow:—

