

## CLASS "D"

THE LATE COMMISSIONER PUGSLEY'S DECISIONS APPROVED BY  
COMMISSIONER FRIEL

## OTHER PASSENGER AND MERCHANT VESSELS

Case No.	Claimant	Name of Vessel and Nature of Claim	Amount of Claim	Decision
987	Forster, Geo. A.....	Personal effects, "Laconia", Feb. 25/17.....	\$ cts. 729 96	\$ cts. 729 96
988	Howie, Mrs. Annie M....	Personal injury and personal effects, "Laconia", Feb. 25/17.....	5,699 00	5,699 00
989	Pringle, Chas. H.....	Personal effects, "Arabic", Aug. 19/15.....	772 00	772 00
990	Richardson, Chas.....	Personal effects, "Lucifino", Mar. 13/17.....	359 68	569 68
991	Brown, Arthur.....	Personal effects, "Orissa", June 25/18.....	375 00	375 00
992	Calvert, Charles W. L....	Personal effects, "Andemia", Jan. 27/18.....	388 32	388 32
993	Copeman, Edgar A.....	Personal effects, "Misanabio", Sept. 7/18.....	780 00	704 88
994	Clow, Leith.....	Personal effects, "Athenia", Aug. 16/17.....	600 00	450 00
995	Campbell, Mrs. Annie....	Personal effects, "Carthaginian", June 4/17.....	1,032 00	932 00
996	Hevoner, G. H. S.....	Personal effects, "Missanabio", Sept. 7/18.....	903 06	735 06
997	Hart, Mrs. Mary E.....	Loss of life and personal effects, "Cabota", Oct. 20/16.....	20,000 00	7,500 00
998	Hunting, Guy.....	Loss of life, "Apapa", Nov. 28/17.....	10,000 00	5,000 00
999	Mathieson, D. M.....	Personal effects, "Misanabio", Sept. 7/18.....	1,202 70	600 00
1000	York, George A.....	Personal injury, "Englishman", Mar. 24/16.....	25,000 00	8,000 00
1001	Timbrell, E. G.....	Personal injury and personal effects, "Misanabio", Sept. 9/18.....	3,602 39	3,312 87
1002	James, Mrs. E. M.....	Loss of life, "Kansas City", Sept. 3/17.....	Not stated.	2,000 00
1003	Beasley, James.....	Death, influenza, "Oxfordshire".....	900 00	Dismissed —no evidence of enemy action.
1004	Hill, Mrs. Sarah.....	Personal effects, "Arabic", Oct. 19/15.....	981 22	Dismissed —paid by British Authorities.
1005	Hubley, Mrs. Jane.....	Personal injury, "Lansdowne".....	2,448 00	Dismissed —no evidence of enemy action.
1006	Johnson, Oliver.....	Personal effects, "Lestris", July 5/16; "Dotterel", Nov. 29/15.....	783 00	Dismissed —claimant not a British subject.
1007	Mitchell, Robt.....	Personal effects, "Star of the West", "Star of Peace".....	750 00 825 00	Dismissed —paid by British Authorities.
1008	Murphy, Mrs. Alice.....	Loss of life of husband on Lake Superior in storm on French trawlers.	Not stated.	Dismissed —no evidence of enemy action.
1009	Pollitt, Mrs. Rachel.....	Loss of life of son at sea, July 18/19.....	Not stated.	Dismissed —no evidence of enemy action.
1010	Price, Florence E.....	Loss of life on "Anglo-Columbian", Sept. 23/15.....	3,000 00	Dismissed. Doubt if deceased on vessel at time sunk.
1011	Parikou, Nicholas.....	Personal effects, "Caledonia", June 30/17.....	1,250 00	Dismissed —claimant not resident in Canada.
1012	Penney, Mrs. E. B.....	Loss of life from exposure (sea).....	1,200 00	Dismissed —no evidence of enemy action.

COMMISSIONER FRIEL'S DECISIONS  
OTHER PASSENGER AND MERCHANT VESSELS—Con.

Case No.	Claimant	Name of Vessel and Nature of Claim	Amount of Claim	Decision
1013	Brown, Mrs. Alice.....	Husband's death.....	Not stated.	\$ cts. Dismissed —no evidence of enemy action.
1014	Brian, Mrs. Anna E.....	Son died of pneumonia on mine-sweeper.....	"	"
1015	Foster, Chas. W.....	Loss of life of son on "Geo. Royle", wrecked Jan. 18/15, presumed in a storm.	5,000 00	"
1016	Graham, William O.....	Loss of life of sister, "Abosso", April 24/17..	20,000 00	Dismissed —dependency not established.
1017	Keating, W. M.....	Personal injury, "Icebreaker Minto", during gale.	Not stated.	Dismissed.
1018	Knowles, Mrs. Annie...	Loss of husband at sea, "Athenia".....	7,000 00	"
1019	McKinley, Mrs. J. (Rennie).	Loss of husband at sea, "Ladoga", April 10/18	Not stated.	Dismissed —cannot locate claimant.
1020	Newman, John H.....	Personal effects, "Dornfontein", Aug. 2/18..	130 00	Dismissed —claimant not a British subject.
1021	Olsen, Chas.....	Personal effects, "Dornfontein", Aug. 2/18..	388 00	"
1022	Osborne, Mrs. M.....	Loss of life of husband, "Porthkerry", May 20/17.	Not stated.	Dismissed —no evidence of enemy action.
1023	Belson, W. H.....	Personal effects, "Arabia", Nov. 6/16.....	750 00	Dismissed —loss of military effects.
1024	Allen, Mrs. F. M.....	Loss of brother, "Moresby", Nov. 28/16.....	10,000 00	2,000 00
1025	Burns, Timothy E.....	Personal effects, "Tritonia", Feb. 27/17; "Luz Blanca", Aug. 5/18.	320 00	480 40
1026	Butler, Mrs. D.....	Loss of life of husband, "Port Dalhousie", Mar. 19/18.	10,600 00	10,600 00
1027	Brooks, G. S.....	Personal effects, "Mount Temple", Dec. 6/16	750 00	750 00
1028	Brown, Arch. M.....	Personal effects, "Missanabie", Sept. 9/18...	1,127 00	1,127 00
1029	Buffet, John.....	Personal effects, "Morwenna", May 20/15...	250 00	700 00
1030	Baldwin, Edwin D.....	Personal effects, "Missanabie", Sept. 9/18...	184 50	184 50
1031	Bullock, Edwin.....	Loss of life of son, "St. Ninian", Feb. 7/19...	2,000 00	2,000 00
1032	Cameron, David.....	Personal effects, "Gorizia", April 29/17.....	650 00	1,000 00
1033	Carew, Miss Sylvia.....	Personal effects, "Stephano", Oct. 1/1916....	505 00	505 00
1034	Crockett, Mrs. T. A.....	Personal injury and personal effects, "Arabia", Aug. 19/15.	2,819 32	2,800 00
1035	Campbell, John Joseph..	Personal effects, "Crown of India", June 12/15	456 23	986 23
1036	Coats, D. R. P.....	Personal effects, "Morwenna", May 26/15...	500 00	1,000 00
1037	Chamberlin, Mrs. D. F..	Personal effects, household goods, "Mount Temple", Dec. 6/16.	1,000 00	1,000 00
1038	Baldwin, Henry and Mary.	Personal effects, wedding presents, "Mount Temple".	2,600 00	1,800 00
1039	Custer, W. E.....	Personal effects, "Missanabie", Sept. 9/18...	1,242 22	550 00
1040	Campbell, Mrs. Olive G.	Loss of life and personal effects, "Umbria", April 30/18.	5,600 00	5,500 00
1041	Carnegie, Chas. F.....	Personal effects, "Missanabie", Feb. 9/18...	411 50	150 00
1042	Curtis, Thos.....	Personal effects, "Carpathia", July 17/18...	390 00	390 00
1043	Davis, Mrs. D. O. D...	Loss of life, "Port Dalhousie", Mar. 19/16...	Not stated.	3,600 00
1044	Dawes, Geo. J.....	Personal effects, "Capo Corso", Oct. 12/17...	500 00	500 00
1045	Dakers, Mrs. Ellis.....	Loss of life, "Tagona", May 16/18.....	7,500 00	4,000 00
1046	Duffy, Geo.....	Personal injury, "Marconi", Feb. 27/18.....	5,000 00	5,000 00
1047	Diggins, John.....	Personal injury and personal effects, "Crown Point", Feb. 6/17; "Bonvilston", Oct. 17/18	955 00	955 00
1048	Fanning, Nicholas.....	Personal effects, "Port Dalhousie", Mar. 9/16	327 00	577 00
1049	Fortune, Pius.....	Personal effects, "Airedale", April 10/18....	60 00	300 00
1050	Ferris, Mrs. C.....	Loss of life, "Coronda", Mar. 13/17.....	5,000 00	2,600 00
1051	Ganion, Alfred.....	Personal effects and wages, "Midland Queen", Aug. 4/15.	750 00	1,500 00
1052	Gould, Jeremiah.....	Loss of life, "Lena", Mar 18/17.....	5,000 00	2,500 00
1053	Gilman, Mrs. S. (dec'd)	Loss of life, "Glenart Castle".....	1,600 00	2,000 00

COMMISSIONER FRIEL'S DECISIONS—Con.  
OTHER PASSENGER AND MERCHANT VESSELS—Con.

Case No.	Claimant	Name of Vessel and Nature of Claim	Amount Claimed	Decision
1054	Gulbeau, Abel.....	Personal effects, "Empress of Fort William", Feb. 27/10.	\$ cts 291 00	\$ cts. 616 00
1055	Harper, James R.....	Personal injury and personal effects, "Shimosa", March 24/17	420 00	4,120 00
1056	Hundy, Ellis.....	Personal effects, "Missanable", Oct. 9/18....	554 20	554 20
1057	Holmes, Luke.....	Personal effects, "Morwanna", May 26/15, Personal effects, "Scottish Hero", June 10/17.	1,943 00	2,843 00
1058	Holden, Fred G.....	Personal effects, "Laconia", Feb. 25/15.....	434 84	434 84
1059	Hanna, Leroy J.....	Personal effects, "Missanable", Oct. 9/18....	200 00	200 00
1060	Hallifax, Harold.....	Personal effects, "Empress of Midland", Mar. 27/10, "Empress of Fort William", Feb. 27/10.	1,650 00	1,180 00
1061	Holmes, Joseph J.....	Personal effects, "Navisbrook", Dec. 12/17.	250 00	500 00
1062	Irving, Geo. H.....	Personal effects, sailing vessel, "Percy B"....	601 00	1,201 00
1063	Jeffery, James A.....	Personal effects, "Missanable", Oct. 9/18....	1,055 00	1,055 00
1064	Jones, John T.....	Personal effects, "Westmoreland", Feb. 6/18	258 50	208 50
1065	Jones, Hugh.....	Personal injury and personal effects, "Magellan", July 25/18.	1,344 00	1,344 00
1066	Jack Alexander McK.....	Personal effects "Lesto", May 23/17.....	150 00	675 00
1067	Kerr, Mrs. Agnes.....	Loss of life, "Myanan", Oct. 29/18.....	25,000 00	5,000 00
1068	Little, Mrs. Ellen.....	Personal effects, etc., "Stephano", Oct. 8/16.	800 00	800 00
1069	Lake, Lt.-Gen. Sir. Percy H. N.	Personal effects, etc., "Arabia", Nov. 0/16....	1,339 64	1,339 64
1070	Money, Geo. L.....	Personal effects, "Arabic", Aug. 19/15.....	1,201 05	900 00
1071	Money, Cyril.....	Personal effects, "Arabic", Aug. 19/15.....	568 00	500 00
1072	Money, Miss Mabel L. K.	Personal effects, "Arabic", Aug. 19/15.....	1,078 00	706 00
1073	Money, Miss Edith A....	Personal effects, "Arabic", Aug. 19/15.....	671 50	500 00
1074	McLean, Alex. B.....	Loss of life of brother "Port Dalhousie" March 19/16.	2,400 00	2,000 00
1075	McNeill, Malcolm G....	Personal effects, "Medora", May 2/18.....	500 00	300 00
1076	McKenzie, William McD	Personal effects, "Missanable", Oct. 9/18....	610 50	610 80
1077	Marchand, Mrs. Mary...	Personal effects, Canadian Pacific Railway Vessel, March 17/18.	479 00	479 00
1078	Marshall, Robt. (dec'd)	Personal injury and personal effects, "Laconia", Feb. 25/17.	11,462 50	6,462 50
1079	MacKenzie, Colin.....	Personal injury, "Gartness", Aug. 10/17....	5,000 00	5,000 00
1080	Murray, James J.....	Personal effects, "Athenia", Aug. 10/17.....	200 00	200 00
1081	Moag, Mrs. Mary.....	Loss of life, "Hallifax", Dec. 1917.....	Not stated	3,000 00
1082	McLaurin, William.....	Personal effects, "Calgarian", March 1/18....	277 75	277 75
1083	McDougall, James.....	Personal effects, "Luz Blanca", Aug. 5/18....	272 00	300 00
1084	McCubbin, Hugh.....	Personal effects, "Westbury", Aug. 31/17; "Northfield", March 3/18.	500 00	700 00
1085	Maher, John.....	Personal effects, "Hullamshire", Nov. 19/15	Not stated	500 00
1086	McAipino, Mrs. Edith I.	Personal effects, "Clan Campbell", April 3/16	1,002 00	400 00
1087	Naud, Rev. Sister Josephine.	Personal effects, "Stephano", Oct. 8/16.....	300 00	300 00
1088	Nixon, Jas.....	Personal effects, "Arabic", Aug. 19/15.....	177 50	500 00
1089	Peacock, Mrs. Annie....	Loss of life, "Clintonia", Aug. 1/15.....	20,000 00	2,000 00
1090	Pearne, Richard.....	Personal effects, shipped "Medora", May 2/18	768 50	768 50
1091	Pardew, James T.....	Household goods, "Lake Michigan", April 16/15.	150 00	150 00
1092	Porter, Miss Bessie....	Personal effects, "Arabic", Aug. 19/15....	469 43	469 43
1093	Palmer, Mrs. Mary.....	Trunk, "Mount Temple", Dec. 6/18.....	327 00	327 00
1094	Platt, Henry.....	Personal effects, "Anglo-Columbian", Oct. 23/16.	400 00	400 00
1095	Price, Frederick.....	Personal injury and personal effects, "Arabic" Aug. 19/15.	5,000 00	2,500 00
1096	Robertson, Mrs. Jessie..	Loss of life, "Hogarth", June 7/18.....	Not stated	1,000 00
1097	Ross, Miss Margaret....	Personal effects, "Arabic", Aug. 19/15.....	910 00	910 00
1098	Poulson, John R.....	Personal effects, etc. "Lockwood", April 2/15 "Ethelbright", July 30/16.	1,689 63	1,800 00
1099	Risdale, John F.....	Personal injury and person effects, engineer "Kilmarnock", Sept. 22/14.	750 00	750 00
1100	Raymond, Pierre.....	Personal effects, Horseman "Anglo-Columbian", Sept. 23/15.	250 00	250 00
1101	Ronald, Mrs. Agnes.....	Loss of life of son and personal effects, "Anglo-Columbia", Sept. 23/15.	4,309 00	4,309 00
1102	Sampson, Laurence W....	3rd Officer, "Stephano", Oct. 8/16. Personal Effects.	1,107 30	1,107 30
1103	Shires, Cecil W.....	Personal effects, "Kelvinbank", June 13/17.	700 00	500 00
1104	Shuttle, Miss Ada J.....	Loss of life of nephew, "Montebello", June 21/18.	Not stated	2,000 00

COMMISSIONER FRIEL'S DECISIONS—*Con.*  
OTHER PASSENGER AND MERCHANT VESSELS—*Con.*

Case No.	Claimant	Name of Vessel and Nature of Claim	Amount of Claim		Decision	
			\$	cts.	\$	cts.
1105	Skidmore, Frederick J...	Personal injury and personal effects, "Anglo-Columbia", Sept. 23/15.	Not stated			600 00
1106	Thomas, Mrs. Wilhelmina	Loss of life of husband, seaman "Llandoverly Castle", June 7/18.	20,000	00	12,000	00
1107	Tait, William T. ....	Personal effects, "Medora", May 2/18. ....	175	00	175	00
1108	Turnbull, Mrs. M. J. ....	Loss of life of husband, 1st Officer, "Dunelm" Oct. 19/15.	7,800	00	7,800	00
1109	Wilson, Mrs. Carrie. ....	Loss of life of husband "Demeterton", March 13/17.	2,860	00	2,860	00
1110	Willoughby, Elijah. ....	Personal injury and person effects, "Arabic", Aug. 19/15.	12,655	00	4,855	00
1111	Sheldon-Williams, Inglis	Paintings, shipped "Englishman", March, 24/16.	4,000	00	4,000	00
1112	Williamson, Robert J. ....	Loss of life of wife "Maloja", and personal effects, Feb. 29/16.	5,950	00	1,950	00
1113	Wilson, William. ....	Personal effects, "Standish Hall", Feb. 4/18.	350	00	500	00
1114	Wells, H. J. and M. W. ....	Personal effects and goods, "Milwaukee", Aug. 31/18.	603	00	603	00
1115	Perry, Francis J. ....	Personal effects, "Carpathia", July 17/18. ....	499	00	499	00
1116	Gerahty, D. G. ....	Personal effects, "Medina", April 28/17. ....	750	00	750	00
1117	Clarkin, Mrs. Annie. ....	Loss of life of son, seaman, "Deveron," June, 1917	Not stated			3,000 00
1118	Findlay, D. D. ....	Personal effects, "Andania," Jan. 27, 1918. ....	561	58	125	00
1119	Sheldon-Williams, Miss D.M.	Personal effects, "Englishman," Mar. 24, 1918	430	00	430	00
1120	Bray, Mrs. Mary. ....	Loss of life of husband and personal effects, "Empress of Fort William, Feb. 27, 1916: "Empress of Midland, March 27, 1916. Died of tuberculosis June 1, 1918.	21,417	00	13,660	00
1121	Cape, Col. E. G. M. ....	Auto on "Montfort," Oct. 1, 1918. ....	2,500	00	500	00
1122	Tetrault, Mrs. R. ....	Loss of life of husband, horseman, "Trentonia," Feb. 27, 1917, and personal effects.	15,125	00	10,125	00
1123	Grundy, R. ....	Personal effects, fireman, "Greenland," Feb. 14, 1917.	564	20	465	00
1124	Lynch, G. ....	Personal effects, fireman "Port Dalhousie," Mar. 19, 1916.	172	50	422	50
1125	Pulsford, W. S. ....	Personal injury and personal effects, asst. steward "Tabasco," Jan. 26, 1917.	170	00	965	00
1126	London, Robt. ....	Seaman, "Dornfontein," Aug. 2, 1918. ....	288	75	413	75
1127	O'Brien, John Joseph. ....	Personal injury and personal effects, "Carpathia," July 7, 1918.	5,000	00	5,000	00
1128	Robertson, Chas. ....	Personal effects, "Toscana," Feb. 5, 1918. ....	300	00	300	00
1129	Sully, John William. ....	Personal injury and personal effects, "Royal Edward," Aug. 13, 1915.	1,150	00	1,150	00
1130	Tattersall, Frank. ....	Loss of life of wife and child, personal injury and personal effects, "Arabic," Aug. 19, 1915.	16,300	00	13,000	00
1131	Frost, John. ....	Fireman "Transylvania," May 4/17, personal effects.	285	00	525	00
1132	Gagnon, Jos. ....	Personal effects, seaman, "Fairport," April 15, 1916.	225	43	425	00
1133	George, Thos. ....	Seaman, "Lynorta," Aug. 11/17; "Kassanga," Mar. 20/18.	354	78	513	41
1134	Kasker, Henrick. ....	Seaman, "Adansi," May 6/17; "Karina," Aug. 1/17.	385	03	550	00
1135	Moseley, Chas. A. ....	Personal effects, "Chirripo" Dec. 23/17. ....	345	23	345	23
1136	Abel, Mrs. Gladys M. ....	Loss of life of husband, fireman, "Clearfield," Oct. 23/1916.	1,300	00	1,300	00
1137	Bouchie, Joseph. ....	Personal injury and personal effects, "Salmo," April 7/17; "Oslo," Aug. 21, 1917.	900	00	2,200	00
1138	Bennett, A. G. ....	Personal effects, shipment "Mount Temple," Dec. 6/16.	1,072	84	1,072	84
1139	Doyle, Mrs. Frances M. ....	Loss of life of husband, seaman, "Cork," Jan. 26/18.	5,190	00	4,190	00
1140	Crossen, Geo. W. ....	Personal effects, books, tools, chief engineer "Midland Queen," Aug. 4/15.	1,700	00	1,700	00
1141	Egan, Mrs. Eliz. ....	Loss of life of husband, ship's carpenter, "Devonian," Aug. 21, 1917.	Not stated			2,000 00
1142	Bodiam, W. H. ....	Personal effects, fireman, "Omrah," May 12/18.	405	98	369	19
1143	Gillender, Mrs. Jessie M. ....	Personal effects, house goods "Arabic," Aug. 19/15.	284	55	284	55

COMMISSIONER FRIEL'S DECISIONS—Con.  
OTHER MERCHANT AND PASSENGER VESSELS—Con.

Case No.	Claimant	Name of Vessel and Nature of Claim	Amount of Claim	Decision
1144	Forster, Jas.....	Personal effects, seaman, "Empress of Midland," Mar. 27/16.	\$ cts. 300 00	\$ cts. 300 00
1145	Hansen, F.....	Personal injury and personal effects, master, "Gartland," Jan. 3/18.	3,115 37	3,115 37
1140	Hardy, Roderick.....	Personal effects, seaman, "Philadelphia," Feb. 19/18.	325 00	325 00
1147	Henderson, Thomas.....	Personal effects, kitchen porter "Royal Edward," Aug. 12/15.	72 23	450 00
1148	Long, Bert J.....	Personal effects, "Apapa," Nov. 28/17.....	981 22	981 22
1149	Lowe, Mrs. Bessie C....	Loss of life of husband, greaser, "Hogarth," June 7/18.	1,500 00	3,500 00
1150	Kelly, Mrs. Jessie.....	Loss of life of husband, engineer, "Paignton," Mar. 14/17..	20,000 00	7,000 00
1151	McCormick, estate of John.	Seaman, torpedoed four times.—Personal effects, and solatium. "Midland Queen," Aug. 4/15; "Ardgask," April 3/17; "Queen Amelie," Feb. 17/17; "Ard Glamis, Nov. 9/17.	1,812 77	1,110 00
1152	Monks, Robert.....	Personal injury and personal effects, Chief Officer, "Spectator," Mar. 11/17, and "Matador," July 3/17.	1,000 00	1,000 00
1153	Morris, Mrs. Emma.....	Loss of life of husband, passenger, "Greenlee," Feb. 22/17.	5,000 00	5,000 00
1154	Murray, Mrs. A. Robert-son.	Loss of life of husband, Chief Officer, "Norwood," Feb. 11/17.	5,236 25	5,236 25
1155	McSwain, Allan R.....	Personal effects, seaman "Wapello," June 15/17, and "Dunstano," Sept. 5/17.	375 00	775 00
1156	Muirhead, Walter B.....	Personal effects shipped on "Condessa," July 7/17.	500 00	500 00
1157	Norton, William J.....	Personal effects, seaman "Blue Mare," July 24/17, and "Chelford," April 14/18.	625 00	625 00
1158	Oliver, Mrs. Dora C....	Personal effects shipped on "Mount Temple," Dec. 6, 1916.	2,203 28	2,203 28
1159	Paulding, Frank.....	Personal effects, "Laconia," Feb. 25/17.....	401 96	401 00
1160	Palmer, Desbesa.....	Seaman, "Ivydene, Mar. 17/18; "Westfield," April 10/18; "Madryn," Sept. 16/18.	319 00	900 00
1161	Parker Mrs. Mary E....	Loss of life of husband, fireman, "Shakespeare," Feb. 7/16.	Not stated	1,200 00
1162	Parsons, William.....	Personal effects, boatswain, "Nevisbrook," July 30/17.	190 00	300 00
1163	Richards, Richard A....	Personal effects, chief engineer, "Morwenna," May 28/15.	350 00	755 00
1164	Ruiz, David.....	Personal effects, 4th engineer, "Tortuguero," June 26/18.	250 00	450 00
1165	Rowley, William and Helen.	Personal effects and goods, "Laconia," Feb. 25/17.	735 00	735 00
1166	Reid, Mrs. Margaret I...	Personal effects and trousseau, passenger, "Laconia," Feb. 25/17.	2,700 00	2,700 00
1167	Spurr, William F.....	Personal injury and personal effects, chief officer, "Port Dalhousie," Mar. 19/16.	5,243 04	2,605 00
1168	Sykes, Hanson.....	Personal injury, horseman, "Montfort," Oct. 1/18.	1,500 00	1,500 00
1169	Smith, Mrs. Mary E. (Martin).	Loss of life of husband, "Zebrina," Oct. 17/17, and personal effects.	10,000 00	1,305 00
1170	Thomas, Mrs. Almeda L.	Loss of life of husband, "Minnehaha," Sept. 7/17, and personal effects.	3,088 75	1,350 00
1171	Wilkinson, Mrs. Annie E.	Loss of life of husband, "Leicester," Feb. 12/16.	5,000 00	2,300 0
1172	Webb, Frank.....	Personal injury and personal effects, fireman, "Eagle Point," Mar. 28/16, "Baron Erskine," Aug. 19/15.	1,243 81	1,243 81
1173	Curtis, Percy R.....	Personal effects, household goods, etc., shipped, "Mount Temple" Dec. 6/17.	248 12	248 12
1174	Gordon, Chris.....	Seaman, "Teakwood," Mar. 28/17.....	397 40	300 00
1175	Girdwood, Kenneth J....	Loss of life of wife and personal effects, "San Zeferino," Sept. 18/15.	1,182 32	4,182 32
1176	Simmons, Mrs. Florence E.	Loss of life of son, steward, "Royal Edward," Aug. 13/15.	3,000 00	3,000 00
1177	Fullbrook, Mrs. F.....	Loss of life of husband, seaman, "Llandoverly Castle," June 27/18.	Not stated	3,000 00
1178	Gray, Robt.....	Personal injury and personal effects, cook, "Gashound," June 5/15.	300 00	300 00
1179	Jones, Mrs. Ruth.....	Husband, boatswain, "Mobile," April 28/15.	313 99	445 00

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OTHER PASSENGER AND MERCHANT VESSELS—Con.

Case No.	Claimant	Name of Vessel and Nature of Claim	Amount Claimed	Decision
1180	Outhouse, John F.....	Seaman, "Kilmarnock", personal effects, Sept. 22/14.	\$ cts. 431 74	\$ cts. 431 74
1181	George, Mrs. B. Wishart.	Loss of life of husband, steward, died of pneumonia, "War Bittern". Previously twice torpedoed, "Cameronia", April 15/17; "Tiberia", Feb. 26/18. Personal effects.	Not stated	Nil
1182	McPhee, Donald.....	Personal effects, "Marina", Oct. 28/16.....	400 00	1,075 00
1183	Grant, Mrs. Caroline.....	Loss of life of husband, cook, "Silverton", July 13/16.	210 34	435 00
1184	Reith, Ronald.....	Personal injury, "War Crocus", July 8/18.....	223 71	423 22
1185	Wood, James.....	Personal effects, master, "Shamrock", June 2/17.	Not stated	Cannot locate claimant
1186	Hunter, T. G.....	Personal effects, "Anglo-Columbian", Sept. 4/15.	1,900 00	No action. Paid by British authorities
1187	Jensen, Christian.....	Personal effects, etc., "Triumph," Aug. 23/18.	278 00	No action. No evidence
1188	Jarvis, Mrs. Louise F....	Personal effects, "Mooltan", July 26/17.....	300 00	No action. No evidence
1189	Mitchell, Miss G. M....	Personal effects, "Arabic", June 6/16.....	434 19	No action. No evidence
1190	Reid, Mrs. Agnes.....	Loss of life of son, "Stuart Prince of England", Mar. 22/17.	1,324 65	No action. Not a Canadian
1191	O'Sullivan, John.....	Seaman injured by shell fire.	2,000 00	"
1192	Hayward, J.....	Personal effects, "Anthony", Mar. 17/17.	Not stated	No action. Cannot locate claimant
1193	Fowler, Geo. H.....	Personal injury, "Carpathia", July 19/18.	Not stated	No action. Settled by British authorities
1194	Alexander, Mrs. Mary...	Loss of life of son, "California", July 2/17.	1,300 00	No action. Cannot locate claimant
1195	Carew, Michael.....	On "Stephano", Oct. 8/16.	2,500 00	"
1196	Robertson, Mrs. Elizabeth.	Loss of life of son, "Cabot", Oct. 10/16.	Not stated	No action. No particulars
1197	Houlton, T. J.....	Personal injury, "Mount Temple", Dec. 6/16.	6,240 00	No action. Cannot locate claimant
1198	Smeltzer, Moyle.....	Personal effects and wages "Nigeria" and "Fluent". Cannot locate claimant.	Not stated	"
1199	Curtey, Edward.....	Personal effects, seaman "Clodmore", May 3/17. Cannot locate claimant.	300 00	No action.
1200	Stuttle, Mrs. Victoria A. L.	Loss of life of son, "Missanable", Sept. 9/18.	100 00	"
1201	Leo, Chas.....	Personal effects and personal injury, "Angelica", April 24/17.	Not stated	No action. Settled by British Authorities.
1202	Murray, Wm.....	Personal effects, seaman "Star of Peace", July 22/15.	1,100 00	No action. No proof of nationality.
1203	Brankston, William R....	Personal injury and personal effects, "Snowdon Range", "Ribston", "Barrowmore".	2,500 00	No action. Settled by British Authorities.
1204	Abbot, S. Archibald.....	Seaman, "Tweed". Mar. 13/18.	2,427 57	No action. Settled by British Authorities
1205	Kohler, Mrs. Eva May...	Stewardess, "Perce". Jan. 23/17. Personal effects, etc.	104 01	No action. Cannot locate claimant.
			200 00	550 00

COMMISSIONER FRIEL'S DECISIONS—*Con.*  
OTHER PASSENGER AND MERCHANT VESSELS—*Con.*

Case No.	Claimant	Name of Vessel and Nature of Claim	Amount Claimed	Decision
1206	Chamberlain, Mrs. Mary	Loss of life of husband, seaman, "Ancona". May 27/17.	\$ cts. Not stated.	\$ cts. 5,000 00
1207	Martin, Mrs. Annie.....	Loss of life of husband, Master "Opal", Dec. 1916, personal effects.	1,500 00	No action. Settled by British Authorities.
1208	Anderson, Wm. S.....	Personal effects, civilian, "Missanabio". Sept. 9/18.	570 20	570 20
1209	Mahoney, Estate of D.W.	Personal effects, 2nd Officer "Marquette" Oct. 23/15. Master "Naiad" Dec. 15/16. Died Sept. 25/20.	1,200 00	2,380 00
1210	Jenkins, Allen.....	Personal effects, 2nd engineer "Empress of Fort William". Feb. 27/16.	175 00	550 00
			530,180 50	334,719 32

## DECISION

## Case 987

Re GEORGE A. FORSTER

This is a claim for personal effects lost in the sinking of the ss. *Laconia* by enemy submarine on February 25, 1917. The amount claimed is \$729.96.

At a sittings held before me at Toronto on May 7, 1924, the claimant appeared and stated that he was born in Canada and resides in Toronto. He produced a letter from the steamship company showing that he was a passenger on the vessel at the time of sinking, and stated that he was going to England on his way to India to join the Y.M.C.A. there. He verified the list of effects on file and stated that the values given are fair and reasonable, and the amounts accurate. No insurance was recovered.

I allow this claim at the amount stated, namely, \$729.96, to which I think 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.

WM. PUGSLEY,  
Commissioner.

## DECISION

## Case 988

Re MRS. ANNIE MARGARET HOWIE

This is a claim arising out of the sinking of the ss. *Laconia* by enemy submarine on the 25th February, 1917.

The claim is as follows:—

1. Loss of personal effects and family belongings, \$4,699.00.
2. Injury to eye of child (unstated).

At a sittings held before me at Toronto on May 15, 1924, the claimant appeared and gave evidence. She stated she was born in England but has resided in Canada for fourteen years and now lives at Oakville, Ont. Her husband served overseas and she sailed with her three children on the *Laconia* to live in England during the period of her husband's enlistment. She sold out many

of their household effects in Winnipeg where she had been living prior to sailing on the vessel, and was taking with her household linen, clothing, jewelry, etc. She verifies the list of effects as given on file, and states that while it is accurate so far as the goods are concerned, there are many other things which were lost which she could not remember and was unable to place on the said list. The list includes clothing of the claimant, her three children, also of her husband. As household effects are also included, the husband of the claimant should join in any release.

The values of the lost articles were all pre-war values and they recovered no insurance. The effects were packed in five or six trunks and bags. She also produced a photo taken on board ship to substantiate her statement as to she and her children being passengers.

She further stated that she had some difficulty in getting into a life-boat with her baby and was obliged to throw him down to the boat for someone to catch, and in so doing, the child struck the side of the boat and the eye was injured to such an extent that the effect will be permanent.

She wishes to claim \$1,000 in respect of this injury to the child.

From a review of the evidence I find that Mrs. Howie makes no claim for personal injury to herself, although she might well have done so as she stated her nerves were seriously affected.

I have no reason to disbelieve her statements as regards the personal effects lost, of herself, her husband and children and the values given therefor and I allow for this item the amount claimed, namely \$4,699.00.

For injury to the eye of her son Harold Howie, I allow the amount claimed in her evidence, namely \$1,000.00 making a total of \$5,699.00 to which I think 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.

WM. PUGSLEY,  
Commissioner.

## DECISION

Case 989

*Re* CHARLES H. PRENGLE

This is a claim arising out of the sinking of the *ss. Arabic* by enemy action on August 19, 1915, and is for the loss of personal effects to the value of \$772.00.

At a sittings held before me at Toronto May 13, 1924, the claimant appeared and stated he is a British subject born in Canada.

He had been in England on business and was returning home to Canada.

There is on file a newspaper clipping corroborating his presence on the vessel.

No claim is made for personal injuries and a detailed list of personal effects is on file which is verified by the claimant.

I think that the amounts as stated are fair and reasonable and I allow the claim for the amount of \$772.00 and to which I think should be added 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 the date of settlement.

WM. PUGSLEY,  
Commissioner.



DECISION  
Case 990

Re CHARLES RICHARDSON

This claimant is at present in the employ of the Canadian Government Merchant Marine, Limited, c/o the Steward's Department, Shed 12, Montreal, P.Q.

An examination of the documents on file in this case discloses that this claimant originally filed his claim with the British Reparation authorities and made a Statutory Declaration which bears date of November 7, 1923.

His claim is for the loss of personal effects due to the sinking of the ss. *Luciline*, which was torpedoed by an enemy submarine on March 13, 1917.

Mr. Richardson served in the capacity of cook on board this vessel.

Letters and memoranda on file show that this man has followed the sea between Canada and England since the year 1908 but took up his present home in the city of Montreal in 1920.

The British authorities who have a ruling that the domicile of the claimant at the time of presenting himself as such should govern, referred this claim to Canada when it was discovered that this man made his present home here in 1920 and filed his claim with them in 1923.

In view of the fact that the file discloses that this man had been in Canada more or less since 1908, I have decided to accept this claim and as the claimant is now engaged on merchant vessels and finds it difficult to attend before me, I feel justified in giving a decision in this matter, particularly in view of the fact that the claim is for loss of effects only, for the sum of £73 6s. 8d.

It is clear also from correspondence on file that the claimant suffered considerable hardship as a result of the ship having been torpedoed and in view of the small amount of this claim and the fact that the detailed list of effects lost which is on file indicates that the values given for the various items are not exorbitant, I allow the amount as claimed, being £73 6s. 8d. This amount converted into Canadian currency at the established pre-war rate of exchange would equal \$359.68.

It is the custom to award a solatium to seamen and fishermen who suffered loss by reason of the vessels on which they were employed having been torpedoed by the enemy and this award is based upon an admiralty scale drawn up for the purpose. It would appear that a baker or cook serving on a vessel of the class of the *Luciline* and being torpedoed in 1917 would be entitled to a solatium amounting to \$210, and I think that this sum should be paid the claimant.

The total amount, therefore, allowed by me in the matter of this claim is \$569.68, to which I recommend that there be added interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Peace, January 10, 1920, to the date of settlement.

WM. PUGSLEY,  
Commissioner.

DECISION  
Case 991

Re ARTHUR BROWN

This is a claim for loss of personal property and tools due to the sinking of the troopship *Orissa*, torpedoed by enemy submarine off the west coast of Ireland on June 21, 1918. The amount of the claim is for \$375.00.

The claimant appeared before me at Ottawa on August 7, 1924, and stated that he is a British subject born in Birmingham, England. He came to Canada in May, 1918, to reside and at the present time lives in Regina, Saskatchewan.

In his evidence he stated that he served on board H.M.S. *Canning* from February 21, 1915, until July 27, 1916. From August, 1916, to June 25, 1918, he was on board R.M.S. *Orissa*. While on board the *Canning* he had charge of government stores and was in the naval service. On the *Orissa* he was boatswain's mate and baggagemaster, which position was also in the naval service. He further stated that the claim is for his own personal belongings and not for naval equipment, although he was not in a position to furnish a list. It comprised clothing and he swears that the amount as claimed is not excessive. He also informed me that he received £11 from the Pacific Navigation Company of Liverpool which appears to be a gratuity of his month's wages.

Owing to the small amount of this claim and the fact that the claimant swears that the articles lost consisted entirely of civilian equipment, I think that the amount of this claim should be allowed, namely, \$375.00, to which I think interest at the rate of 5 per cent per annum should be added from the date of the ratification of the Treaty of Versailles (January 10, 1920) to the date of settlement.

WILLIAM PUGSLEY,  
Commissioner.

DECISION

Case 992

Re CHARLES WILLIAM LEONARD CALVERT

This is a claim for loss of personal effects, due to the sinking of the ss. *Andania* by enemy submarine on January 27, 1918.

The amount of the claim is \$388.32.

At a sittings held before me at Toronto, May 7, 1924, claimant appeared and gave evidence.

He stated he was born in Toronto and was an Officer in the Royal Naval Air Force.

The claim as originally filed is for the sum of £157-3-6 which covers the whole of his effects,—civil, naval, and military.

He stated he wished to claim a further 10 per cent on account of articles lost which he was unable to account for.

As he was returning to Canada on sick leave and had not received his discharge from the Air Force, I was of the opinion that my authority would be limited to those effects which might be regarded as purely civilian property.

At my suggestion the claimant went over the list filed, item by item, and separated his own private belongings therefrom and found that they totalled the sum of \$388.32, which I allow, and to which I think should be added interest at the rate of 5 per cent per annum from the date of the Ratification of the Treaty of Peace, January 10, 1920, to the date of settlement.

WILLIAM PUGSLEY,  
Commissioner.

DECISION

Case 993

Re EDGAR A. COAFMAN

This is a claim filed for the loss of personal effects to the value of \$750.00, which were lost in the sinking of the ss. *Missanabie* by enemy submarine on September 7, 1918.

The claimant was born in the City of Rochester, in the state of New York, one of the United States of America, and became naturalized as a British subject on the 31st December, 1914, by virtue of his enlistment with the Canadian Expeditionary Forces at Toronto.

He was notified to appear before me at a sittings held in Toronto on May 12, 1924, but was unable to do so, as he had moved to Brockport, N.Y., and was engaged in business there.

He, however, filed an affidavit dated May 9, 1924, taken before a Notary Public in the village of Brockport, in the state of New York, to the effect that he is the claimant herein, and that on or about noon of September 6, 1918, he left Liverpool bound for New York on board the C.P.O.S. *Missanabie*, as a passenger thereon.

That he had purchased his own ticket for such passage in London, England.

That on that date he was a citizen of the Dominion of Canada, resident in Toronto.

That on or about noon of September 7, 1918, the said *Missanabie* was sunk by an enemy submarine in the Irish Sea.

That he and other passengers were picked up and conveyed to Milford Haven, England.

He subsequently sailed from Liverpool on board the *Adriatic* and arrived in New York on October 1, 1918.

The claimant further states in his declaration, that the effects which were lost are his personal belongings, and that the values given for the same on a list on file at this office, are fair and reasonable.

There is also a letter from the claimant on file, dated August 28, 1923, in which he says in part:—

"My nationality is still Canadian even tho I am in business here in the U.S.A. . . . As to whether I am a permanent resident of the U.S.A., can only say that I don't know, as I may return to Canada within the next 18 months."

In this same letter above referred to the claimant states his military discharge is dated July 12, 1919, so that apparently he was not a civilian at the time of the sinking of the *Missanabie*.

I have, however, examined the list of personal effects on file and have no reason to doubt that they are all civilian personal effects.

The values given in this list are set forth in sterling to the total of £143-13-6, which converted at the rate of \$4.9061 to the pound, would equal \$704.88.

It is apparently a matter of some difficulty for this claimant to undertake the expense of a visit to Ottawa, in order to give evidence in support of this claim, and as it is for a small amount, and is supported in detail by the claimant's solemn declaration, I allow the claim of \$704.88 to which I think interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Peace (January 10, 1920) to date of settlement should be added.

WILLIAM PUGSLEY,  
Commissioner.

#### DECISION

Case 994

LEITH CLOW

This is one of a number of claims presented to me for consideration by the Navy League for Canada.

The claimant resides in Montreal but I was unable to give him a hearing at the time of my last sittings in that City.

I find, however, that the claim was in respect of personal injuries sustained and personal effects lost in the sinking of the ss. *Athenia*, the total claim being for \$450.00.

There is a letter on file from the Shipping Master at Halifax, certifying that this claimant was on board the ss. *Athenia* when it was torpedoed.

This is a small claim and I have no reason to doubt the accuracy of it, and I therefore, allow it at the amount as claimed, namely: \$450.00 and to which I think should be added 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 the date of settlement.

WM. PUGSLEY,  
Commissioner.

DECISION

Case 995

Re MRS. ANNIE CAMPBELL

This is a claim for the loss of three large cases of personal effects and clothing which were lost when the ss. *Carthaginian* was torpedoed by the enemy on the 4th June, 1917. The amount of the claim is:—

Value of effects.. . . . .	\$847 00
Freight charges.. . . . .	11 60
Total.. . . . .	858 60

At a sittings held before me at Toronto on May 15, 1924, the claimant appeared and gave evidence. She stated that she was born in Scotland, but had been a resident of Canada for seventeen years. She was not a passenger on the vessel, but had shipped the goods on her from Glasgow to Montreal, she being in Scotland temporarily on a visit. Before me, she stated, that when making up the list of the contents of the cases, she forgot to mention her sewing machine which she valued at \$85.00. She also wished to amend the item for a kit bag of war trophies which is valued in the list at \$50.00 and which she now wishes to increase to \$150.00. This would increase the claim as originally filed to the amount of \$1,032.00. The claimant stated that no insurance was received on the goods.

From a review of the evidence, I find that this claimant has established that these goods were lost as the result of enemy action.

The claim as amended before me is for

Goods as listed.. . . . .	\$847 00
Sewing machine.. . . . .	85 00
Additional value of War Trophies.. . . . .	100 00
Total.. . . . .	\$1,032 00

As no affidavits were produced or evidence given by the claimant's husband which would justify the increased amount for the kit bag, of coins and war trophies, I cannot grant this increase and allow the claimant the sum of \$932.00, to which I think interest at the rate of 5 per cent per annum should be added from the date of the ratification of the Treaty of Versailles (January 10, 1920) to the date of settlement.

WM. PUGSLEY,  
Commissioner.

DECISION

Case 996

Re G. H. S. HEVENOR

This is a claim for loss of personal belonging in the sinking of the Troopship *Missanabic* by enemy submarine on the 9th December, 1918; the amount being \$400.00.

The claimant appeared before me at St. John, N.B., on the 21st July, 1924, and gave evidence. He is a resident of Rothesay, N.B., and enlisted with the Canadian Expeditionary Forces at St. John and went overseas with the infantry. He did not get to France, but was employed in travelling back and forth between England and Canada, conducting troops. He resigned his Commission as a Lieutenant and enlisted as a private in England in an effort to reach the front. He was rejected, however, by the medical authorities and was returning to Canada on the ss. *Missanabie*. He had considerable civilian effects with him because as he was returning to Canada he made a number of large purchases and files detailed list of the belongings, although he cannot be certain of the prices but swears that the amounts as stated in the list are lower than what the articles really cost. The list as presented for my consideration at the hearing shows a total of \$903.06 and stated also that he had £64 in cash which was in the pocket of his trousers hanging in his state room.

In his claim as originally filed, Mr. Hevenor stated that he received £35 on account and as I am satisfied that the belongings which were lost comprised civilian equipment, I think the claim should be allowed for the amount sworn to before me, namely \$903.06, from which should be deducted the allowance of £35 which is the equivalent of \$168.00 in Canadian currency, leaving a net amount of \$735.06, to which I think interest at the rate of 5 per cent should be added, from the date of the ratification of the Treaty of Versailles (January 10, 1920) to the date of settlement.

WM. PUGSLEY,  
Commissioner.

## DECISION

### Case 997

#### Re MRS. MARY ELIZABETH HART

This is a claim arising out of the sinking of the ss. *Cabotia* by enemy submarine on the 20th October, 1916, and is for \$20,000.

At a sittings held before me at Toronto on May 8, 1924, the claimant appeared and gave evidence. She stated that she was born in England but has lived in Canada for 35 years and is now a resident of Toronto. The claimant is claiming for the loss of life of her husband who was in charge of horses on the ss. *Cabotia* and who was not an enlisted man. A letter is on file from the owner of the vessel certifying as to the presence of the deceased on board at the time of the sinking. Her husband was 50 years of age at the time of his death and the claimant was 57 at the time of her appearance before me. She has three sons, all of whom are working, two being married. She stated that prior to sailing on the vessel her husband had been earning \$25.00 per week, had his house free and was in good health. Her husband was her sole support and since his death she has managed to get along with the help of her sons when they could find work.

In view of the circumstances of the deceased I pointed out to the claimant that in my opinion the amount claimed, namely \$20,000, was excessive and she stated that she was willing to leave the amount of assessment to my own judgment. I think, therefore, that if I were to allow the sum of \$7,500 for this claim it would be sufficient and I allow the claim at this amount as being fair and reasonable, to which I think 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.

WM. PUGSLEY,  
Commissioner.

## DECISION

## Case 998

*Re GUY HUNTING*

This is a claim arising out of the sinking of the ss. *Apapa* by enemy submarine on November 28, 1917. The amount of the claim is \$10,000.

At a sittings held before me at Toronto on May 7, 1924, Mr. Hunting appeared and gave evidence. He stated that he is a British subject, born in England but has been a resident of Canada for more than 13 years and now lives in the city of Toronto. The claim is based upon the loss of life of his brother, Harold, who was a passenger on the vessel, and from the loss of life of his mother, who died from shock when called upon to identify the remains of his deceased brother. The mother was actually a resident of London, England, at this time and the deceased brother had sailed from Lagos in West Africa, evidence as to his having been a passenger on the vessel being found in a newspaper clipping which is on file. The deceased was 28 years of age at the time of his death and had been a West Africa trader who received a salary of £150 a year and a bonus which varied in accordance with the business done. This bonus would average about £250 a year. The mother had an annuity of £4 per week.

The claimant who was 32 years of age at the time of his appearance before me, stated that he came to Canada for his health and also for the purposes of studying ranching methods, as he hoped to become a veterinary surgeon, and had expected assistance from his brother when he entered college. The claimant was serving in France at the time of his brother's death and first learned of it on December 10, 1917, when he returned to England, for the purpose of reporting to the Royal Air Force. The deceased brother was unmarried and the mother died on August 9, 1918.

The evidence is that from 1911 to 1915 while the claimant was in Canada he was practically self-supporting but by reason of his brother's death his expectations of obtaining an education to become a veterinary surgeon were not realized and now he is handicapped in living, being without a trade or profession and he considers the four years spent in Canada as having been wasted. The claimant admitted that whatever expectations he would have would come from his brother rather than from the mother.

I find from a review of the evidence that the claimant was dependent upon his deceased brother Harold, who lost his life in the torpedoing of the ss. *Apapa* by the enemy. He was also dependent upon his mother because he had expected to receive assistance from them both in studying to become a veterinary surgeon. Five years' course at college for this purpose would cost \$10,000. I find, however, that the death of the mother cannot be said to be a direct result of enemy action and I am obliged to disallow any claim made as a dependent upon her. I think, however, that the claimant was dependent upon his deceased brother and had a reasonable expectation of receiving financial assistance from him. I therefore allow the claim for the loss of life of the deceased brother at the sum of \$5,000.00, to which I think 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.

WILLIAM PUGSLEY,  
*Commissioner.*

## DECISION

## Case 999

Re MAJOR D. M. MATHIESON

This is a claim for loss of civilian and military effects due to the sinking of the ss. *Missanabie* by enemy submarine on September 9, 1918. The claim as filed is for \$1,202.70.

At a sittings held before me at Toronto on May 7, 1924, Mr. J. B. Allen appeared and stated that Major Mathieson was then in Japan and in all probability, intends to remain there permanently. I took Mr. Allen's statement. It appears from the declaration taken by the claimant on December 12, 1921, that the value of the military kit was £125 3s. 6d. while the value of the civilian kit was £122 6s. 0d. From the evidence it would seem that Major Mathieson received compensation for loss of military equipment to the extent of \$321.20 from the Military Headquarters at Ottawa. The claim for civilian equipment included an amount for cash of \$50.00 and jewelry, being pearl dress shirt studs and cuff links valued at £10. A declaration has since been filed by Major Mathieson and taken in Japan dated June 4, 1924, verifying the loss of the \$50.00 cash and the jewelry which he valued at £10.

I do not think I can allow for the military equipment lost, but think that compensation should be made for the civilian kit, which is valued at £122 6s. 0d. This amount I allow, and which if converted into Canadian money at the rate of \$4.9061 to the pound would equal \$600.00, and to which I think 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.

WILLIAM PUGSLEY,  
Commissioner.

## DECISION

## Case 1000

Re GEORGE A. YORK

This is one of a number of claims presented to me by the Navy League for Canada at a sittings held before me at Toronto, on October 8, 1923.

The claim as filed is for the sum of \$25,000.00, and the facts as given by Mr. Gordon B. Jackson, barrister, representing the Navy League, are that the claimant was a merchant seaman, a member of the crew of the ss. *Englishman*, of the Army Transport Service, which vessel was torpedoed by a German submarine on March 24, 1916, off the coast of Ireland.

The claimant was subjected to exposure which resulted in the development of pulmonary tuberculosis and he is now confined to the Mountain Sanatorium at Hamilton, being totally disabled and without an income.

The Navy League is paying his expenses at the sanatorium.

The doctor's report of the claimant's condition was read and a statement was made to the effect that the claimant has a mother to whom, during the war, he made an allowance of \$25.00 per month.

The doctor further stated in his report, that the claimant would never be able to work hard again and that an allowance of \$50.00 per month would not be excessive.

He received \$25.00 per month since March, 1919, from the Navy League of Canada, making about \$800.00 in all.

From information on file, it would seem that this man first came to Canada in the year 1886, so that he was clearly a resident here at the time of his injury.

From a perusal of the facts of the case, I think that the claimant should be allowed the sum of \$8,000.00 or an equivalent pension, whichever in the opinion of the Navy League, would be preferable.

From the discharge certificate, the claimant would appear to have been partially incapacitated since December, 1914, and that the exposure subsequent to the sinking of the vessel would tend to aggravate the disease.

I, therefore, recommend that an allowance of \$8,000.00 be made to this man, either in the form of a lump sum or by way of a pension, whichever in the opinion of the Navy League be deemed preferable, and to which I think should be added interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Peace, January 10, 1920, to the date of settlement.

WILLIAM PUGSLEY,  
Commissioner.

DECISION

Case 1001

Re L. G. TIMBRELL

The claimant was formerly a resident of the City of Ottawa and was employed on the Civilian Staff of the Department of the Soldiers' Civil Re-establishment Board.

The claim arises out of the sinking of the ss. *Missanabic* on the 9th September, 1918, and is made up as follows:—

(1) Personal injury . . . . .	\$2,595 00
(2) Personal effects . . . . .	446 39
(3) Doctor's bills and medicine for treatment . . . . .	560 00

—Total . . . . . 3,602 39

At present the claimant is residing in Rugby, England, but as he was domiciled in Canada at the time of the injury and resided here for some time since, I think this claim should have my consideration. There are several statutory declarations on file, one of which bears date February 24, 1919, in which the claimant states that he was a civilian passenger on board the ss. *Missanabic*, when the vessel was attacked on September 9, 1918, and that he was injured while getting into a life boat by being struck on the head by a broken piece of timber which was swinging from the side of the sinking ship.

He was travelling to England on the vessel as a representative of his Department, conducting a number of blind Canadian soldiers to England where they were to have received special vocational training.

There is a detailed statement of the personal effects on file and also various vouchers and receipts covering expenditures made by him for professional services, hospital bills and a replacement of lost belongings.

At a hearing held before me at Ottawa on the 9th June, 1924, Mr. Allan Fleming, Counsel for the claimant produced Dr. Warren A. Lyman as a witness, who swore that he first treated the claimant on January 15, 1919 and later on February 20, 1920. The doctor swore that the patient complained of frequent headaches, nervousness, lack of ability to concentrate and was easily subject to fatigue. His vision was also somewhat impaired, the doctor attributing these injuries directly to the sinking of the vessel and that they have greatly handicapped the claimant in following his profession, which is that of a Civil Engineer.



Mr. Thomas S. Nash also gave evidence. He is in charge of one of the branches of the Department of the Soldiers' Civil Re-establishment and swore that the claimant was appointed on the 1st October, 1913, and was under his supervision until September, 1916. The claimant returned to the staff in February 1918 and the witness saw him after his return to Canada, following the sinking of the *Missanabie* and noticed that he was in a very excitable state of mind. Mr. Nash further swore that the claimant was about thirty years of age at the time of injury and was in normal health.

He was earning, in 1913, about \$1,300 per year, with a provision for an annual increase of \$50.00 and that if he were still employed by the Department he would now be earning about \$2,110 per year.

Mention is made in a statutory declaration, dated the 24th day of March, 1919, made by the claimant that he received from the Government of the Dominion of Canada the sum of \$289.52 on account of loss of personal property and medical expenses.

From a review of the evidence taken before me and upon examination of the statutory declarations made by the claimant and the detailed list of personal effects lost, I have no reason to doubt the validity of this claim and I think that the amount as claimed is fair and reasonable. I think, however, that the amount received by the claimant from the Canadian Government, namely, \$289.52, should be deducted from the total amount claimed, leaving a balance of \$3,312.87 which should be allowed, and to which interest should be added at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles (January 10, 1920) until the date of settlement.

WM. PUGSLEY,  
*Commissioner.*

### DECISION

#### Case 1002

*Re Mrs. ELIZA M. JAMES*

This is a claim for the loss of life of claimant's son Leslie Gwynne James, a Marine Engineer who lost his life in the sinking of the ss. *Kansas City*. The amount of the claim is £3 per month for life from September 3, 1917.

The Admiralty Report does not include this vessel but a communication was received from the Reparation Claims Department, London, England, advising that the loss of the *Kansas City* was regarded as a result due to war perils. It appears that the Mercantile Marine Department of the Board of Trade decided that there was almost an even chance that the loss of the vessel was due to enemy action and it was therefore, decided to give to dependents of seamen who lost their lives on the vessel the benefit of the doubt. The claimant at present resides in the City of Montreal and I find a statement on file to the effect that the British authorities allowed a claim which was filed by the widow of the deceased Leslie Gwynne James. The mother who is the claimant herein stated in a statutory declaration on file, which is dated December 6, 1922, that her deceased son was in the habit of contributing to her support to the extent of £3 per month, and this is the basis of the claim.

In view of the decision of the British authorities to make compensation to the widow of the deceased and in view of the fact that the declarations on file appear to establish that the deceased contributed to the support of his mother, I think some compensation should be paid to her, and allow the claim at \$2,000.00, to which I think 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.

WM. PUGSLEY,  
*Commissioner.*

## DECISION

## Case 1003

Re JAMES BEASLEY

This is a claim presented before me by the Navy League of Canada, at a sittings held at Toronto on the 8th October, 1923.

The claimant herein is the father of the deceased W. A. Beasley, who died from influenza, contracted when he was employed on the H.M.S. *Oxfordshire*.

The claim as filed is for an annuity of \$900.00.

It appears that the late William Beasley was a marine fireman who had received his discharge from the Navy on August 30th, 1918, and had later joined up with the Merchant Marine Service.

He left surviving him, his widow and two children, but the widow and one child have since died, leaving the father, who is the claimant, to bring up the remaining child.

The deceased was 26 years of age at his death but I do not find that the loss of life in this case can in any way be directly attributed to any act of warfare by the enemy and I am, therefore, obliged to disallow the claim.

WM. PUGSLEY,  
Commissioner.

## DECISION

## Case 1004

Re MRS. SARAH HILL

This is a claim arising out of the sinking of the ss. *Arabic* by enemy submarine on the 19th October, 1915. The claim is for loss of personal effects for the sum of £200.

At a sittings held in Toronto on May 13, 1924 the claimant appeared before me and stated that three months before this she received a letter from the British authorities, enclosing a cheque for the sum of £95 in full settlement of this claim for the lost effects. As this matter, therefore, appears to have been fully dealt with by the British authorities, I have no jurisdiction in the matter.

WM. PUGSLEY,  
Commissioner.

## DECISION

## Case 1005

Re MRS. JANE HUBLEY

This is one of a number of claims referred to me for attention by the Navy League of Canada.

The claim which arises from the death of the claimant's husband is as follows:—

1. Fifty-six months incapacitated as a result of injury at \$40.00 per month. . . . .	\$2,240 00
2. Doctor's fees and medicine. . . . .	100 00
3. Funeral expenses. . . . .	108 00
	\$2,448 00
<i>Compensation Received—</i>	
War gratuity. . . . .	\$280 00
Prize money. . . . .	£20

At a sittings held before me at Toronto, October 8, 1923, representatives of the Navy League appeared and stated that on May 15, 1917, the claimant's husband joined the Royal Naval Canadian Volunteer Reserve and served on the H.M.S.C. *Lansdowne* as leading seaman. While attending to his duties he fell off the bridge and injured his right knee. He also became infected with a cancerous growth on his lip while on board the vessel, and received his discharge on December 26, 1918. The deceased was an old sea captain aged eighty-three and died on the 25th May, 1923.

In reply to an inquiry directed to the Naval Service branch, a letter was received dated November 29, 1923, as follows:—

"The man's record of service shows that he joined the R.N.C.V.R. on the 15th May, 1917, served on the *Lansdowne* from the 15th May to the 26th December, 1918, discharged to shore at his own request the 26th December, 1918.

The letter recites:—

"The question of the late Garnet Hubley has been given consideration both by the Department of National Defence and the Pensions Board of Canada. All amounts payable for service of the late Mr. Hubley, in the Naval Service of Canada, have been paid as follows:—

Separation Allowance amounting to.. . . . .	\$501 96
War Service Gratuity amounting to.. . . . .	280 00
First and Second distribution of Prize money, amounting to approximately.. . . . .	100 00 (£20)

have been paid.

"The Pensions Board have given consideration to the question of a pension in favour of the late Mr. Hubley but ruled that pension in his case was inadmissible. Statement of Service is attached."

I disallow, therefore, this claim on two grounds: (1) That at the time of the injury sustained the late Mr. Hubley was not a civilian within the meaning of Annex (I), to Part VIII, of the Treaty of Versailles; (2) That it is not shown that the injury received by Mr. Hubley was the direct result of enemy action.

WM. PUGSLEY,  
Commissioner.

## DECISION

### Case 1006

Re OLIVER JOHNSON

This is a claim for loss of effects and wages due to enemy action, as follows:—

1. Capture of ss. <i>Lestris</i> by the Germans on July 5, 1916, and taken to Zeebrugge.. . . . .	£ 94 14s. 0d.
2. Sinking by enemy mine of ss. <i>Dotterel</i> , November 29, 1915 . . . . .	65 0s. 0d.
Total.. . . . .	£159 14s. 0d.

At a sittings held before me at Toronto on May 12, 1924, the claimant appeared and gave evidence. He stated that he had been born in Norway and had lived in England since he was quite a small boy, but had followed the sea all his life up to about a year ago. He stated that he had never been naturalized in Canada and has only lived here since the signing of the armistice in 1918, and before that he had lived in Liverpool, England, and was married there. He has eleven children. One daughter has been in Canada for over 20 years. He came to Canada to see her and she has partially supported him ever since, although he has been employed washing dishes at the King Edward Hotel.

In connection with the capture of the ss. *Lestris* he states that he was only kept in prison for one month but when it was discovered that he was a neutral he was marched across the border to Holland. A statement appears on file that he received £50 from the Board of Trade in respect of each loss, although before me he denied this, and said that he received 50s. from the Fishermen's Society, and that this must account for the error to the effect that he received £50. The claimant further stated that he was entitled to medals from the Marine Department for his services during the war and I promised to submit a memorandum to that department concerning this.

The claimant is a native of Norway and has lived in England since he was a boy. He came to Canada for the first time after the signing of the armistice in November, 1918, and as he can in no way be termed a British subject, resident in Canada at the time of the injuries complained of, I am obliged to disallow the claim.

I have directed, however, that a memorandum be submitted to the Department of Marine concerning the claimant's medals.

WILLIAM PUGSLEY,  
Commissioner.

### DECISION

#### Case 1007

#### Re ROBERT MITCHELL

This is a claim for loss of personal effects and wages due to the sinking of the two vessels on which the claimant was employed.

The claim as filed is as follows:—

(1) Due to the sinking of the ss. <i>Star of the West</i> on July 15, 1915, by enemy submarine. . . . .	\$ 750 00
(2) Due to the sinking of the ss. <i>Star of Peace</i> on July 22, 1915, by enemy submarine. . . . .	825 00
	\$1,575 00

At a sittings held before me at Toronto, May 13, 1924, the claimant appeared and gave evidence.

This is one of a number of claims presented by the Navy League of Canada.

The claimant states he was born in Scotland and did not come to Canada to live until August, 1920. He was employed on each of these vessels in the capacity of Master and has filed a detailed schedule of the property lost in both of the sinkings.

The claimant stated that the British Government paid him £81 on account, which would appear to indicate that they dealt with this claim, partially at least.

I am obliged to disallow this claim on two grounds: first, because at the time of the injury sustained, the claimant was a resident of Great Britain and did not come to Canada to reside for five years afterwards; second, the British authorities have apparently dealt with this case.

WILLIAM PUGSLEY,  
Commissioner.

## DECISION

## Case 1008

*Re Mrs. A. MURPHY*

This is one of a number of claims presented before me for consideration by the Navy League of Canada at a sittings held in Toronto, October 8, 1923.

Representatives of the league appeared before me and stated that the claim was for loss of life of Captain John Murphy, who was drowned in a storm which occurred on Lake Superior while taking a trawler for war service from the head of the lake to Halifax, N.S.

Mrs. Murphy received about \$500.00 from the French Government as the vessel was apparently destined for France and intended for use as a mine sweeper.

The claimant has three children to support, the eldest of which is about six years old, and there is no doubt that she is greatly in need of some assistance.

It was admitted, however, that the loss of these trawlers could in no way be attributed to any act of Germany and I cannot find that Captain Murphy's death was in consequence of any act of war which could come within any of the categories of Annex I to Part VIII of the Treaty of Peace, and I am, therefore, obliged to disallow this claim.

WILLIAM PUGSLEY,  
*Commissioner.*

## DECISION

## Case 1009

*Re Mrs. RACHEL POLLITT*

This is one of the claims presented for consideration by the Navy League for Canada. It is for the loss of life of the son of Mrs. Rachel Pollitt. He was a marine fireman and died at sea on July 18, 1919.

At a sittings held before me at Toronto on October 8, 1923, the representatives of the Navy League stated that this man died of illness at sea after the close of the war and as there was no evidence produced that the death was caused by the vessel striking a mine or in any way being caused by the enemy, I pointed out this was not a claim within my jurisdiction. The Navy League then withdrew it.

WILLIAM PUGSLEY,  
*Commissioner.*

## DECISION

## Case 1010

*Re FLORENCE E. PRICE*

This is one of a number of claims presented before me for consideration by the Navy League of Canada and is for the loss of life of Mrs. Price's husband, due to the sinking of the ss. *Anglo Columbian* on September 23, 1915, by the enemy.

The claim is for the amount of \$3,000.00, being the amount of board and clothing of her children from the time of the death of her husband to the date of her second marriage in 1918.

At a sittings held before me at Toronto, October 8, 1923, Mrs. Price appeared and stated she is the widow of the late John Thomas Kyle, aged thirty-seven at death, who joined the vessel in the capacity of horseman and was not on military service.

She stated that during the time of her first marriage her home was in Belfast, Ireland, but as her husband was living permanently in Canada, she intended coming out to join him.

There appears to be an entire absence of evidence that Mr. Kyle was serving on the *Anglo Columbian* when it was sunk. From the records, it appears that the *Anglo Columbian* was sunk on the date above stated, while the *Anglo Californian* is shown by the Admiralty Reports, to have been attacked by an enemy submarine on July 4, 1915, but was rescued.

Colonel Williams of the Navy League, summarized the case as follows:

"This man went overseas as a horse keeper, but did not advise his wife of his going. He never communicated with her afterwards and all her searching was unsuccessful. It has every appearance of being a case of wife-desertion."

Mr. Thomas Rowley, appeared and stated he knew the late Mr. Kyle, and last saw him on September 15, 1915, when he left his house to join ship. He had brought some papers which he had obtained from Captain Bell of North Toronto, Stock Yards, and left his tools with the witness as security for a small loan. About four days later, two transports were sunk and the witness was unable to say whether Mr. Kyle was on board either one of them or not, but he never saw nor heard of him again.

There appears to be a record that the late Mr. Kyle did ship on board the *Anglo Brazillian* as a horse man on September 7, 1915, and that he left that ship on September 23, 1915.

This statement is filed by J. O'Grady, Shipping Master, on March 30, 1922.

Apparently this man deserted at Avonmouth, and there is no record of what happened to him.

The *Anglo Columbia* was sunk on the very day that the *Anglo Brazillian* arrived at Avonmouth, so that if the shipping master's statement is to be accepted, it is clear that Mr. Kyle did not lose his life in the sinking of the latter vessel.

From a review of the evidence, I find that the claimant has not succeeded in establishing that her former husband actually lost his life on account of enemy action. There is no evidence that he was actually present on any vessel at the time of its destruction by the enemy and I am, therefore, obliged to disallow the claim.

WILLIAM PUGSLEY,  
Commissioner.

## DECISION

### Case 1011

#### Re NICHOLAS PARIKOU

This is a claim for the loss of personal effects to the value of \$1,250.00, due to the sinking of the French Steamship *Caledonia*, which was torpedoed by the enemy near Port Said on June 30, 1917.

The claimant appeared before me at Montreal on June 18, 1923, and swore that he was born on the Island of Cyprus on February 20, 1896, and became a naturalized British subject on August 27, 1918.

There is on file a letter from the office of the High Commissioner of Cyprus, dated November 28, 1923, which states "any person who has become a British subject by virtue of the annexation of Cyprus to form part of His Majesty's

Dominions, and has obtained recognition of that status by the grant of a certificate of British nationality issued under the provisions of the Cyprus annexation Orders in Council, 1914 and 1917, is to be regarded as a British subject throughout the British Empire." I would add that three Cypriots, named Nicolas Parikou.....have obtained certificate, numbered, respectively 60....  
.....under the Order in Council referred to.

As to his nationality, the claimant states that although his naturalization certificate is dated in 1918, yet, by virtue of the Order in Council referred to in the above letter he claims to have been a British subject in the year 1916 and at the time of the sinking of the *Caledonia*. The evidence of the claimant is very contradictory as to the length of his residence in Canada; he having stated that at the time of his appearance before me he had been living here for one and one-half years, whereas he states he came to Canada in 1918. He admits that at the time of the sinking of the vessel, he was ordinarily resident in Cyprus, but his evidence as to his movements subsequent to that time is very contradictory and unsatisfactory. He attributes this to loss of memory.

There is a detailed list of the effects lost on file and in his evidence he states that he was carrying baggage with him and certain merchandise composed of lace and thread. There is also on file a letter certifying to the sinking of the *Caledonia* on June 30, 1917, and a letter from a fellow passenger on board at the time of the sinking. The claimant further stated before me that he was not sure that he intended to remain in Canada, but that probably he would return to Cyprus.

In view of the above and the fact that the claimant did not come to Canada until, at least, two years after the sinking of this vessel, I find that I cannot entertain this claim as being one filed by a civilian resident in Canada at the time of the injury suffered, and I am obliged to disallow it.

WM. PUGSLEY,  
*Commissioner.*

#### DECISION

#### Case 1012

#### *Re* MRS. EMILY BAKER PENNEY

This is one of a number of claims presented to me by the Navy League for Canada at Toronto on the 8th October, 1923.

The claim is made on behalf of the widow of Valentine Baker, who died from exposure at sea, while engaged in war work.

The claim as filed is for the sum of \$30.00 per month for a period of three years 5 months, making a total of \$1,200.00.

The evidence discloses that the claimant was married to Mr. Baker in England in 1912 and the marriage certificate is on file.

Her husband was serving in the Mercantile Marine before the outbreak of war and the claimant did not come to Canada until after the death of her husband.

It appears that the deceased came home from his ship on May 7, 1918, suffering from a severe cold and died on the 12th May from chronic bronchitis.

The claimant married a second time in July, 1923, and now lives in Toronto.

She has two children of her first husband, namely Dora and Harry, aged 9 and 6 respectively.

She was obliged to go to work to support these children after the death of her husband and received 10 shillings per month from the Seamen's Orphanage for the support of the girl, but nothing for the boy.

The circumstances surrounding her first husband's death appear to be that he was required to come up on deck from the hot kitchen and do boat drill, while the vessel was passing through the submarine area. Previous to this, he did not suffer to any extent from cold or any illness.

This claim was referred to England for attention but was returned here, the British authorities having disclaimed any jurisdiction over it.

From a review of the circumstances of this case, I do not find that the claimant has succeeded in establishing that the deceased came to his death as a result of any direct act of warfare of the enemy.

I am obliged to find that this claim does not come within the categories of Annex (1) to Part VIII, of the Treaty of Versailles, and I disallow it.

WM. PUGSLEY,  
*Commissioner.*

DECISION

Case 1013

*Re* MRS. ALICE BROWN

Claimant is the widow of John Ogilvie Brown, one time a sailor. He died of cancer of the stomach, so the record shows, cause unknown, in March, 1919. The claim has been put in through the Navy League of Canada who have apparently been helping Mrs. Brown and her children.

I am sorry, but there is nothing that this Commission can do for the claimant. There is nothing on record to connect her husband's death with any action of the enemy.

This claim does not come within any of the categories to Section (I), Part VIII, of the Treaty of Versailles, and will have to be disallowed.

July 7, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1014

*Re* MRS. ANN ELIZA BRIAN

Claim is on account of the death of her son, Frederick Brian, who died at Halifax, November 8, 1918, of an illness contracted on a mine sweeper.

The death was not caused by any definite illegal act of warfare by the enemy, and consequently does not come within the scope of this Commission. The claim is therefore disallowed.

August 3, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1015

*Re* CHARLES W. FOSTER

Claimant is a Canadian, born in Nova Scotia in 1845. He claims on account of loss of life of his son, William Foster, a sailor who was lost with the ss. *George Royle* which was wrecked on Sheringham Shoal, January 18, 1915, with all hands on board. The ship foundered in heavy weather and there is nothing on the record to attribute the loss to enemy action. This claim is therefore disallowed.

This claim does not come within any of the categories to Section (I), Part VIII, of the Treaty of Versailles, and is disallowed.

July 8, 1926.

JAMES FRIEL,  
*Commissioner.*



## DECISION

## Case 1016

Re WILLIAM O. GRAHAM

Claimant is a British subject born in Ireland, living in Canada since 1913. He claims on account of the loss of his sister who was a hospital nurse in the British Government Hospital, at Logos, West Africa. She was drowned while on her way home to Ireland on the *Abesso*, which was torpedoed by the enemy.

The claimant fails to establish any dependency on his sister and the claim, will, therefore, have to be disallowed.

This claim does not come within any of the categories of the First Annex to Section (I), Part VIII, of the Treaty of Versailles, and is disallowed.

JAMES FRIEL,  
Commissioner.

April 22, 1926.

## DECISION

## Case 1017

Re WILLIAM MICHAEL KEATING

Claimant is a Canadian, a very old man, 88, at the time his case was heard before the late Commissioner at Charlottetown, in 1924. He had been injured while acting as a Quarter-Master on the Canadian Government Icebreaker, *Minto*, which was taken to Archangel, Russia, in the winter of 1915-1916 to try to keep the port open during the winter so as to get war munitions to Russia. Claimant was at the wheel during a heavy gale of wind accompanied by tremendous seas when the ship was considerably damaged. Claimant was injured by heavy plate glass falling on him and was rendered incapable of carrying on his work.

As pointed out, however, by Dr. Pugsley, this case does not come within the jurisdiction of this Commission. It is simply a claim for personal injury sustained while at sea and would not be a proper one against Germany under the Treaty in the circumstances.

The claim does not fall within any of the categories of Part VIII of the Treaty of Versailles, and I therefore disallow it.

JAMES FRIEL,  
Commissioner.

March 6, 1926.

## DECISION

## Case 1018

Re MRS. ANNIE KNOWLES.

Claimant is a British subject born in England and living in Canada since 1912.

Her claim is on account of the death of her husband who was employed on the Donaldson Liner, SS. *Athenia*, and died at sea. He died an ordinary death, apparently of syncope, and there is nothing in the record to bring the claim within the scope of this Commission.

The claim does not come within any of the categories of the First Annex to Section (I), Part VIII of the Treaty of Versailles, and is disallowed.

JAMES FRIEL,  
Commissioner.

June 19, 1926.

## DECISION

## Case 1019

Re Mrs. JESSIE MCKINLEY OR RENNIE

This claimant filed a declaration of claim July 28, 1920, with the British Reparation Fund, on account of the loss of life of her husband John Rennie, Seaman, who was Fireman on the SS. *Ladoga* torpedoed by enemy submarine April 1, 1918, and sunk. Deceased was either killed by the explosion of the torpedo or drowned by the sinking of the vessel.

It appears from the record that there were no children left by deceased and the claimant received £300 from the Workmen's Compensation Board and that she re-married.

Her claim was transferred to this Commission which has been unable to locate the claimant in Canada.

The claim will, therefore, be disallowed without prejudice to further consideration within a reasonable time if other information is produced.

OTTAWA, September 9, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1020

Re JOHN H. NEWMAN

Claimant was a seaman on the schooner *Dornfontein* 695 tons, captured by enemy submarine and fired in the Bay of Fundy, August 2, 1918.

The claim is for loss of personal effects but the claimant does not seem to be a British subject, consequently it does not come within the authority of this Commission and the claim cannot be allowed.

March 12, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1021

Re CHARLES OLSON

Claimant was first mate on the schooner *Dornfontein*, 695 tons, captured by enemy submarine and fired in the Bay of Fundy, August 2, 1918.

The claim is for loss of personal effects but the claimant does not seem to be a British subject consequently it does not come within the authority of this Commission and the claim cannot be allowed.

March 12, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1022

Re Mrs. MARGARET OSBORNE

Claimant is a British subject and claims through the Navy League of Canada on account of the death of her husband, James Samuel Osborne, aged 52, who she says was First Mate of Transport No. 163, when that vessel was torpedoed by enemy submarine. It is stated that Osborne received injuries, on

account of which, and the exposure, at the time of the sinking of the ship, he contracted illness from which he died in a hospital at Cardiff, Wales, November 27, 1916, leaving his widow, the above-named claimant, and four sons, three of whom were grown up.

Claimant appeared before the late Commissioner at Saint John in September, 1924, but was able to give only meagre information about the death of her husband.

Inquiry was made through the British Reparation Claims Department who report that it appears from the records of the Board of Trade that the Transport No. 163 referred to by Mrs. Osborne was the Collier Transport *Portherry*, on which the late James Samuel Osborne signed as Chief Mate on the 13th January, 1916, and from which he was discharged on the 14th October, 1916. The vessel was subsequently sunk by a torpedo from a submarine on the 10th May, 1917. Osborne was not then Chief Mate. At that time O. J. Neilson, who was killed, was serving as Chief Mate.

The certificate of the Registration District of Cardiff covering the death of decedent at the King Edward VII Hospital, November 27, 1916, gives his late address as 45 Adelaide Street, Cardiff, Wales; occupation Chief Mate in the Mercantile Service and cause of death, "heart failure, inanition and carcinoma of colon secondary growth in abdomen."

The record fails to establish enemy action as being in any way the cause of the death of claimant's husband and her claim will, therefore, have to be disallowed, as not coming within the First Annex to Section I, Part VIII of the Treaty of Peace.

Ottawa, September 9, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1023

Re WILLIAM HARWOOD BELSON

Claimant was aide-de-camp to Lieutenant General Sir Percy Lake in June 1916 and was returning to his battalion in Flanders on the ss. *Arabia* when that ship was sunk by enemy submarine in the Mediterranean, November 6, 1916. He claims for loss of personal effects which seem to be chiefly, if not all, of a military character. He was asked to furnish a list of his effects which were purely personal or civilian in nature, and he has not done so. The claim will, therefore, have to be dismissed as not coming within any of the categories of the First Annex to Section (I), Part VIII of the Treaty of Versailles.

February 8, 1927.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1024

Re MRS. FLORA MAY ALLEN

The claimant is a Canadian. The claim is filed on account of the loss of life of her brother, A. L. Prince, also a Canadian, who was chief engineer on the ss. *Moresby*, 1,763, tons, torpedoed by enemy submarine with loss of thirty-three lives, west of Port Said, November 28, 1916, while on a voyage from Hong-Kong to Dunkirk, France, with a cargo of rice. Deceased was forty-one at the time of his death, and not married. His next of kin were the claimant, a half-brother, and a half-sister in Sackville, N.B., and a brother in Boston. He was

making £35 a month. By his will made during the voyage he left all his property to the claimant. She received £650.00. Her brother had always helped her and had sent \$200.00 one year, and other times \$100.00. This was because the claimant had a daughter who suffered from spinal trouble and who is still crippled. The claimant has a son who is barely able to take care of himself and she declares that the deceased brother had assisted her in various ways for some fifteen years before his death, and that she expected greater assistance after her husband died.

She claims on behalf of herself and her daughter. The medical report in respect to the latter dated December 27, 1924, reads "Re Mrs. Flora Allen, widow of Robert G. Allen. There is one daughter, Florence, who is really unable to follow any special avocation. She is dependent upon her mother due to congenital dislocation of the hip. (Sgd.) W. P. Grant, M.D." There is no claim for loss of personal effects.

The case was heard before the late Commissioner at St. John, September, 1924. Mrs. Allen was then forty-eight years old.

I do not see that the record furnishes much reason to believe that Mrs. Allen would have benefitted to a greater extent had her brother survived than she did on account of his death. There is no ground to expect that he would have provided more than \$100.00 a year on account of the crippled daughter, and even that provision would be contingent upon his continued earning power, and the provision he would have to make for himself in his old age.

On the whole I think an allowance of \$2,000.00 will meet the equities of this case, payable \$500.00 to the claimant, and \$1,500.00 to her daughter, niece of deceased dependent on him.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (1), and I find \$500.00 is fair compensation to Mrs. Flora May Allen and \$1,500.00 to Florence Allen, her daughter, both sums with interest at the rate of 5 per cent per annum from January 10, 1920, to the date of settlement.

March 9, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

### Case 1025

#### Re TIMOTHY E. BURNS

Claimant is a Canadian civilian, a seaman who was one of the crew of the ss. *Tritonia* sunk by enemy action without warning, February 27, 1917. He was also on board the *Luz Blanca* sunk August 4, 1918. He lost all his personal effects on both occasions.

The British Government made him an allowance of £10.00, and he received \$65 from the owners of the *Luz Blanca*.

I adapt the British Admiralty scale to this claim and allow the claimant \$375.00 solatium and for personal effects on the occasion of the first sinking and \$225.00 the second time, deducting \$113.60 received by him.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$486.40, is fair compensation to Timothy E. Burns, with interest at the rate of 5 per cent from the date of the ratification of the Treaty, January 10, 1920, to the date of settlement.

January 7, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1026

## Re MRS. DRUCILLA BUTLER

Mrs. Butler claims on her own behalf and on behalf of her daughter, as the widow and child, dependents of the late Captain William F. Butler, master of the ss. *Port Dalhousie*, 1,774 tons, which was torpedoed by enemy submarine and sunk without warning while anchored off the English coast, March 19, 1916. The captain and twelve of his crew went down with the ship. The steamer was a Canadian-owned vessel engaged in carrying freight between England and France. The claimants are both Canadians.

Captain Butler was one of the best known, efficient, and popular masters sailing out of Halifax. He was a vigorous man 63 years old and in the best of health, and came of a long lived family. His salary was \$150.00 a month with all his expenses paid. He was the sole support of the claimants. He left no property and only \$1,000 life insurance. Mrs. Butler was 61 years of age at the time of her husband's death and his daughter, Fidelis, 16. It appears on the record as 16 one place and 19 another. She had just finished her education. The sum of \$600 is claimed for personal effects including watch, nautical instruments and money.

I would allow Mrs. Drucilla Butler \$5,000 and the daughter, Fidelis Butler, \$5,000, with interest at the rate of 5 per cent per annum from January 10, 1920, to the date of settlement, and the legal representatives of the deceased for his personal effects, \$600, with interest at 5 per cent per annum from March 19, 1916, to the 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 as a fair compensation \$5,000 to Mrs. Drucilla Butler, \$5,000 to Fidelis Butler, and \$600 to the estate of William F. Butler, deceased, all with interest as above indicated.

JAMES FRIEL,  
Commissioner.

February 3, 1926.

## DECISION

## Case 1027

## Re G. S. BROOKS

The claimant is a British subject born in Wales, and resident in Canada for more than 20 years. He served as an officer with the Canadian Expeditionary Force in France.

The claim is on account of loss of personal effects shipped to him on the Canadian Pacific steamship *Mount Temple*, captured and sunk by the enemy raider *Mowe*, December 6, 1916.

I would allow the claimant \$750.00 for effects not military, with interest at 5 per cent per annum from December 6, 1916, to the 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 \$750.00 is fair compensation to Lieut. G. S. Brooks with interest as above indicated.

JAMES FRIEL,  
Commissioner.

March 13, 1926.

## DECISION

## Case 1028

*Re* ARCHIBALD (MOFFAT) BROWN

Claimant is a British subject born in Scotland, who has been resident in Canada since 1908. He enlisted in the Canadian Army Medical Corps, with which he served a year and was then transferred to the Royal Air Force in which his temporary appointment was terminated June 4, 1918. He was married that year in England and was returning to Canada on the ss. *Missanabie*, which was sunk by enemy submarine September 9, 1918.

The claim is for personal effects, not military—linen and silver, etc., and for money lost with his clothes.

I would allow the claim as declared, leaving out the military equipment.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (9) and I find \$1,127.00 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of sinking, September 9, 1918, to date of settlement.

JAMES FRIEL,

March 11, 1926.

*Commissioner.*

## DECISION

## Case 1029

*Re* JOHN BUFFETT

Claimant is a British subject, native of Newfoundland, who came to Canada and at the time of his loss was living at North Sydney. He was first mate on the steamship *Morucenna*, 1,414 tons, when that ship was captured and sunk by enemy submarine off the west coast of Ireland, May 26, 1915, with loss of one life. The claim is for personal effects.

I would adapt the British Admiralty scale to this case and allow John Buffett the sum of \$700 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 allow the claimant \$700.00 with interest as indicated.

JAMES FRIEL,

February 20, 1926.

*Commissioner.*

## DECISION

## Case 1030

*Re* EDWIN D. BALDWIN

Claimant was an officer in the Canadian Expeditionary Force, returning from England on the ss. *Missanabie* to be discharged, when that ship was sunk by enemy submarine September 9, 1918.

He claims on account of loss of personal effects, and following the ruling established by the late Commissioner I would allow for the value of the civilian effects, not military equipment lost, and in this case I think that \$184.50 will cover the value of the civilian effects, with interest at the rate of 5 per cent per annum from the date of loss, September 9, 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 \$184.50 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,

August 2, 1926.

*Commissioner.*

## DECISION

## Case 1031

*Re* EDWIN BULLOCK

Claimant is a British subject born in England, in 1861, who came to Canada 16 years ago with his family. He claims on account of the loss of his son, Joseph Bullock, Jr., who was drowned when the British Merchant Ship *Saint Ninian* was sunk by enemy submarine with a loss of 15 lives including the master, February 7, 1919. The young man was then 21 and he was serving as cook on the ship and he contributed to his father's maintenance and support to the extent of, as alleged, £6-0-0 per month. The father is incapacitated from rheumatism and is in very straitened circumstances, his other children having large families of their own.

I would allow this claim at the amount declared \$2,000.00, 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.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles; category (I) and I find \$2,000.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
*Commissioner.*

August 3, 1926.

## DECISION

## Case 1032

*Re* DAVID CAMERON

The claimant is a British subject, born in Inverness, Scotland, June 20, 1855, resident in Halifax, Nova Scotia, since 1885.

He was chief engineer on the Italian ss. *Gorizia*, 1,570 tons (S and S. Mercantile War List Book) sunk by German submarine between Falmouth and Portland in the English Channel, April 29, 1917, while on a voyage from New York to Havre. The crew were picked up by a patrol boat and landed at Weymouth. Loss of ship was notified to Mrs. Cameron by telegrams from the Oriental Navigation Company filed with record.

The claim is for loss of personal effects, a list of which is given with value amounting to \$650.00.

I am inclined to adapt the British admiralty scale to this case and allow claimant for personal effects and solatium as per their table of allowances.

I would recommend an allowance of \$1,000 for personal effects and solatium with interest at 5 per cent per annum from January 10, 1920, until 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 \$1,000.00 is fair compensation to Mr. David Cameron with interest as above stated.

JAMES FRIEL,  
*Commissioner.*

February 2, 1926.

## DECISION

## Case 1033

## RE MISS SYLVIA CAREW

The claimant is a Canadian, native of Halifax. She was a passenger on the ss. *Stephano*, captured by enemy submarine, torpedoed and sunk east of Nantucket Light on October 8, 1916, while on a voyage from Halifax to New York.

The claimant lost personal effects to the amount of \$455 and incurred \$50 extra expense in returning home. She gave evidence before the late Commissioner in Halifax in September, 1924, when he approved of her claim which I recommend at the amount of \$505.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$505 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from October 8, 1916.

JAMES FRIEL,

February 4, 1926.

Commissioner.

## DECISION

## Case 1034

## RE MRS. T. A. CROCKETT

The claimant and her husband are both British subjects, born in England. Mr. Crockett came to Canada in 1910.

She was a passenger on the *Arabic* sunk off the coast of Ireland by enemy submarine, with a loss of 44 lives, August 19, 1915. Miss Jones was coming to Canada to marry her present husband. She lost all her personal effects which included her trousseau and articles for housekeeping, and so forth, valued according to the statement filed with the British Claims Office at £167. She herself was quite severely hurt. When the torpedo struck she was thrown from one side of the ship to the other and knocked unconscious. Recovering, she found herself in water up to her waist, but in some way got into a lifeboat. Miss Jones came on to Canada on the *Corsican* in October, 1916, and was married. She was in poor health, however, and still suffered from the injuries she received on the ship and in the water. She was continually in a poor state of health on account, the doctors said, of her experience.

When the Commission sat in Edmonton in August, 1925, Mrs. Crockett was then in England for the purpose of having an operation for trouble due, so the inference would seem, to the result of said injuries.

Leave was given her husband to amend the claim, and on his evidence and the evidence of their family doctor, I would allow the claimant \$2,500.00 in full for all injuries and loss.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$2,500.00 is fair compensation to Mrs. T. A. Crockett, with interest at the rate of 5 per cent per annum from January 10, 1920, to the date of settlement.

JAMES FRIEL,

March 8, 1926.

Commissioner.



## DECISION

## Case 1035

Re JOHN JOSEPH CAMPBELL

Claimant is a Canadian. He was mate or chief officer on the Merchant Ship *Crown of India*, 2,034 tons captured and sunk by enemy submarine 70 miles from St. Ann's Head, off the Welsh coast June 12, 1915. The crew were picked up by a trawler and soon landed at Milford Haven. They lost all their effects.

The claim is for personal effects including nautical instruments and navigation books, in the amount of \$486.23, which I allow, together with the usual solatium or torpedo money which I fix in this case at \$500.00.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$986.23 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, January 10, 1920, to date of settlement.

March 10, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1036

Re D. R. P. COATS

The claimant is a British subject born in England who came to live in Canada in 1911. He was a wireless operator on the ss. *Morwenna*, 1,414 tons, captured by enemy submarine and torpedoed with loss of one life off the coast of Ireland, May 26, 1915.

The claim is for personal effects. The claimant had no home on shore and all he possessed was with him on the ship and was lost.

I would allow the claimant \$500.00. Under the British scale he is entitled to solatium or torpedo money which I would allow at \$500.00.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,000.00 is fair compensation to D. R. P. Coats 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.

March 13, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1037

Re Mrs. DORA F. CHAMBERLIN

The claimant is a British subject who came to Canada in 1908.

The claim is for household effects and clothing shipped on the ss. *Mount Temple*, and lost when that ship was captured and destroyed by the enemy raider *Mowe*, December 6, 1916.

The claimant's husband was with the Canadian Expeditionary Forces, and she was moving to England with her family to be there while he was in the service. She went over on another steamship. The claim is for the difference between the value of the goods as declared, \$1,300.00, and the amount of insurance collected, namely, \$300.00.

I would allow this claimant \$1,000.00 with interest from the time of loss to the 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 \$1,000.00 is fair compensation to Mrs. Dora F. Chamberlin, with interest at 5 per cent per annum from December 6, 1916, to the date of settlement.

March 13, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1038

Re MRS. MARY E. BALDWIN AND HENRY BALDWIN

Claimants are British subjects born in England who came to Canada, 1908, and 1914. Henry Baldwin was a mechanic and had a garage and machine shop. He went to France with the Canadian Transport Service and Mrs. Baldwin returned to England. She shipped her personal effects including her wedding presents, silver, and so forth by the Canadian Steamship Line, *Mount Temple*. The silver and effects and personal property were lost when that ship was sunk by the enemy December 6, 1916. There was no insurance.

I think the claim is excessive.

I would allow the claim at \$1,800, with interest at the rate of 5 per cent per annum from the date of the sinking, December 6, 1916, 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 \$1,800.00 is fair compensation to the claimant, with interest as above indicated.

April 28, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1039

Re WARNER E. CUSLER

Claimant is a Canadian. He was a captain in the 58th Battalion, of the Canadian Infantry and in the spring of 1918 was granted three month's compassionate leave and sailed for home on the Royal Mail Steamer *Missanabie* which was sunk by enemy submarine with loss of 45 lives September 9, 1918.

The claim is on account of the loss of personal effects and some money. The effects seem to be mostly military for which no compensation can be allowed, by this Commission.

I would allow the claimant \$550.00; to cover the money lost \$100.00, and the rest for his personal effects, not military.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (9) and I find \$550.00 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of sinking, September 9, 1918 to date of settlement.

June 15, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1040

*Re* MRS. OLIVE G. CAMPBELL

Claimant is a Canadian. She claims on behalf of herself and her 4 children on account of the loss of her husband and their father, C. R. Lester Campbell, who lost his life while serving on board the ss. *Umbia*, 2,042 tons, of the Ellerman's Wilson Line Limited, Hull, England, which was torpedoed and sunk by enemy submarine, with the loss of 20 lives including the master, April 30, 1918. Decedent was then 26 years old and was earning between \$1,000 and \$1,100 per annum. He had no life insurance at the time of his death and he left no property. He left dependents, his widow aged 20 and 3 boys, Clarence L., Ralph B., and Berten Levi, aged respectively, 3 years 7 months, 2 years 3 months, and 1 year 3 months. There is another child, Clayton S., born 8 days after decedent's death. The widow receives a pension of \$52.52 per month from the owners, Wilson Line Limited, and £300 was deposited in trust for the children, under the Workmen's Compensation Act. She must have received something under the same Act, but it is not clear in the record. She claims \$500.00 for the loss of her husband's personal effects. The claimant claims \$5,000.00 on account of the loss of the life of Campbell.

Mrs. Campbell did not make it clear as to what she has received, but I am going to assume that her husband making, say \$1,100.00 per annum at the time of his death, had good chances for advancement, and I will allow the claim payable as follows:—\$1,500.00 to her and \$1,000.00 to each of the children.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$1,500.00 is fair compensation to the claimant, Mrs. Olive G. Campbell, and \$1,000.00 to each of the four children, namely, Clarence L. Campbell, Ralph B. Campbell, Berten Levi Campbell and Clayton Stanley Campbell, all with interest from the 10th day of January, 1920, date of the signing of the Treaty, to date of settlement.

JAMES FRIEL,  
Commissioner.

July 8, 1926.

## DECISION

## Case 1041

*Re* CHARLES F. CARNEGIE

Claimant is a Canadian.

This claim is on account of effects lost when the ss. *Missanabic* was torpedoed by enemy submarine without warning, February 9, 1918.

The claim in so far as it covers military equipment, cannot be allowed, but I would allow for the articles purely civilian in character amounting to \$150.00.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (9) and I find \$150.00 fair compensation to the claimant, with interest at the rate of 5 per cent per annum from the date of loss, February 9, 1918, to date of settlement.

JAMES FRIEL,  
Commissioner.

June 29, 1926.

## DECISION

## Case 1042

Re THOMAS CURTIS

Claimant is a British subject, born in England, who came to Canada in May, 1910. He was a passenger on the ss. *Carpathia* when that ship was sunk by enemy submarine without warning, with the loss of 5 lives, July 17, 1918. The claim is for loss of personal effects, and is allowed at the amount proved, \$390.00, with interest from date of loss.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (9), and I find \$390.00 is fair compensation to the claimant, with interest at 5 per cent per annum from July 17, 1918, to date of settlement.

July 8, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1043

Re Mrs. DOROTHY O. D. DAVIES

Claimant is a Canadian. She claims on account of the loss of her husband John J. C. Davies, also a Canadian, who was second engineer on the ss. *Port Dalhousie*, 1,744 tons, when that ship was torpedoed by enemy submarine and sunk with loss of master and twelve seamen, off the Keltish Coast, March 19, 1916. Wages of deceased were \$900.00 per annum. He left his widow, the claimant, then 34 years of age and four children, namely William, 17,—Helen 16,—Dorothy 14,—and Thomas 12.

The Workmans' Compensation Board in England for the United Mutual War Risk Association, paid her £295-8-0 for herself and children.

At the time of his death the deceased owned a house which was mortgaged for \$600.00, leaving an equity of about \$600.00. He does not seem to have had much other property and there was only \$1,000.00 life insurance. There were some debts. Claimant was assisted by the Navy League to the extent of \$35.00 per month, and has a pension of \$30.00 per month from the above mentioned association which had also paid a monthly pension for each child until 16.

At the time of the hearing before the late Commissioner in Charlottetown, September, 1924, three of the children were married and Thomas was working for himself.

I would allow the claimant Mrs. Dorothy O. D. Davies, the sum of \$3,000.00 for the loss of her husband.

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 \$3,000.00 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, to date of settlement.

March 10, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1044

Re GEORGE J. DAWES

Claimant is a British subject born in England, and resident of Canada. He was a passenger on the ss. *Cape Corso*, torpedoed by enemy submarine, with loss of thirteen lives in the Bristol Channel October 12, 1917. The survivors had to leave the ship, which was afterwards towed into port. Claimant lost money and effects. He was a Chief Petty Officer in the Navy, on leave at the time, and the effects claimed clothing, jewellery, etc., are of a civilian nature.

I would allow the claim at the amount declared \$500.00, with interest from the date of loss, October 12, 1917.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$500.00 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of loss, October 12, 1917, to date of settlement.

JAMES FRIEL,

Commissioner.

## DECISION

## Case 1045

Re MRS. ELIZABETH DAKERS

Claimant is a British subject born in Scotland, who came to Canada in 1915. She claims on account of the loss of life of her husband, Frederick Charles Dakers, also a British subject resident in Canada, who was master of the ss. *Tagona*, 2,004 tons, of the Canada Steamship Lines, when that ship was sunk by enemy submarine in the English Channel, with loss of lives of the master and 8 of the crew, May 16, 1918. He was then in his 44th year, claimant was 37. They were married September 26, 1916. He left no other dependents.

His income was about \$1,500.00 to \$2,000.00 annually. There was \$1,000.00 life insurance.

During the war period claimant received \$70.00 a month from her husband. Her present income is now \$800.00 per annum. She receives a pension of £151-15-0 per annum from the British Board of Trade. She also received £100-0-0 from the owners of the ship.

There is no claim for personal effects.

I would allow the claimant, Mrs. Elizabeth Dakers, \$4,000.00 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 of Versailles, 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 \$4,000.00 fair compensation to the claimant, with interest as above indicated.

May 14, 1926.

JAMES FRIEL,

## DECISION

## Case 1046

Re GEORGE DUFFY

Claimant is a British subject born in Londonderry Ireland, who came to Canada in 1912. He is a widower with two grown up sons. He was a fireman on the ss. *Marconi*, 7,402 tons, torpedoed in the Mediterranean with a loss of two lives, February 27, 1918. The ship reached port. Claimant was severely injured. His left arm had to be amputated below the elbow. His both knee

caps were fractured and the shin bone of his right leg broken. His head was lacerated on the top and his sight and hearing both permanently impaired.

Before he received the injuries, he was a strong man aged 41 and was getting \$60.00 per month and his keep.

He received \$1,000.00 from the Workmen's Compensation Board but soon spent it on his children. The Navy League of Canada gave him a monthly allowance and it was through them his claim was put in to this Commission. They asked compensation for him sufficient to provide an annuity of \$12.00 per month. His medical report discloses 100 per cent disability.

I would allow this claim at \$5,000.00, 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 of Versailles, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (1), and I find \$5,000.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

August 7, 1926.

DECISION

Case 1047

Re JOHN DIGGINS

Claimant is a British subject. He was a fireman on the British Merchant ship *Crown Point*, 5,281 tons, sunk by enemy submarine February 6, 1917, and also on the British Merchant ship *Bonvilston*, 2,865 tons, sunk by the enemy October 17, 1918.

He claims for loss of personal effects and on account of personal injury.

I would allow this claim at the amount declared, \$955.00, 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.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$955.00 is fair compensation to the claimant with interest as indicated above.

JAMES FRIEL,  
Commissioner.

June 14, 1926.

DECISION

Case 1048

Re NICHOLAS FANNING

Claimant is a Canadian. He was a seaman on the ss. *Port Dalhousie* 1,774 tons, which was torpedoed by enemy submarine and sunk without warning while anchored off the English coast, March 19, 1916. The captain and 12 of the crew were drowned. The steamer was a Canadian-owned vessel engaged in carrying freight between England and France.

The claim is for loss of personal effects and money to the amount of \$327.00. I would allow it.

The claimant is entitled also to solatium for being torpedoed and I adapt the British Admiralty scale. I would allow him \$250.00 on that account.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$577.00 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, January 10, 1920, to date of settlement.

JAMES FRIEL,  
Commissioner.

February 3, 1926.

## DECISION

Case 1049

*Re Pius Fortune*

This man is a Canadian. He was a fireman on board the ss. *Airedale*, 3,044 tons, stated in the claim to have been sunk by enemy submarine April 10, 1918, at Messina, Italy. (The British Admiralty Record says she was torpedoed and beached.)

The claim is a small one, for loss of personal effects and claimant did not appear before the late Commissioner although notified to attend the hearing at Sydney, N.S., September, 1924. He filed a certificate from the Mercantile Marine Office, to the effect that he was a fireman on the *Airedale* when she was sunk April 10, 1918, with his declaration.

I would be inclined to allow this man one-half the usual amount for loss of personal effects and solatium or torpedo money.

It may be that he should be allowed the full amount the same as other seamen but he did not see fit to appear and substantiate his claim and if the ship was beached near Messina, Italy, there would be some difference between his case and that of sailors whose ship was torpedoed at sea and who had to escape in their boats.

I would adapt the British Admiralty scale to this case and allow the claimant \$300.00, 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 \$300.00 is fair compensation to the claimant, Pius Fortune, with interest as indicated.

JAMES FRIEL,

*Commissioner.*

February 20, 1926.

## DECISION

Case 1050

*Re Mrs. Christina Ferris*

Claimant is a British subject born in Scotland in 1879 who came to Canada in 1919.

Claim is on account of the loss of life of her son Neil Morrison, 15, who was steward on the ss. *Coronda*, 2,733 tons, when that vessel was sunk by enemy submarine, with loss of 9 lives off the Coast of Ireland, March 13, 1917.

Claimant was then a widow and had two other children, 9 and 5 respectively. The boy's wages amounting to £6-0-0 per month went to the support of the family. Claimant received £91-6-9 from the owners through the Workmen's Compensation Act.

Claimant married her present husband, Ferris, August 17, 1917. He was a coach cleaner employed by the Canadian National Railways making about \$70.00 per month. There is one child by the last marriage.

There is no claim for personal effects.

I would allow the claimant, Mrs. Christina Ferris, \$2,500.00 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 of Versailles, 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 \$2,500.00 is fair compensation to the claimant with interest as indicated above.

JAMES FRIEL,

*Commissioner*

May 18, 1926.

## DECISION

## Case 1051

*Re* ALFRED GANION

Claimant is a Canadian. He was master of the steamship *Midland Queen* 1,993 tons, captured by enemy submarine and sunk August 4, 1915, off the West coast of Ireland. The captain and crew and the chief officer's wife and child escaped in the ship's boat and after 36 hours made Dorsey Island, North of Ireland.

The claim is for loss of personal effects and loss of time,—wages.

The case was heard before the late Commissioner at Sydney, N.S., September, 1924. The captain was then 67 years and had been a ship's master for 47 years. His wages on the *Midland Queen* were \$250.00 per month. With his effects he lost two valuable sextants. The Commissioner told him he could not allow for loss of time or wages but would permit the claimant to amend his modest claim for loss of effects.

I would adopt the British Admiralty scale to this case and allow Captain Alfred Ganion, \$1,500.00 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 (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$1,500.00 is fair compensation to the claimant with interest as indicated above.

February 20, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1052

*Re* JEREMIAH GOULD

The claimant is a Canadian. He was 76 years old at the time his claim was heard before the late Commissioner at Moncton in September, 1924. The claim is on account of the loss of the life of his son, Frank Gould, who was a seaman on the ss. *Lena*, 2,463 tons, torpedoed by enemy submarine and sunk with all on board, 25 including the master, about April 18, 1917. Frank Gould was then 32.

The claimant lives with his married daughter where the son also made his home, when home. He followed the sea. Claimant had a son, Harry, killed at the front in 1916 who helped to support their father. There was another boy, Alfred, who went to the war and was not heard of afterwards. The claimant at the time of the hearing was not receiving any pension. He received \$850.00 insurance on the life of the son killed.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (1), and I find \$2,500.00 is fair compensation to Jeremiah Gould 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.

March 10, 1926.

JAMES FRIEL,  
Commissioner.



## DECISION

## Case 1053

Re MRS. SARAH GILMAN (DECEASED)

Claimant was a British subject. Her claim dated December 2, 1922, was in respect to the loss of the life of her son, James Thomas Chadwick, second steward on the hospital ship, ss. *Clenart Castle*, torpedoed in Bristol Channel, February 26, 1918.

Claimant, a widow with two sons, James Thomas and Frederick S., in 1910 married Charles Gilman, a labourer, aged about 56. She was then 50. The boys were brought up by the mother and step-father; the latter lost his earning capacity and both he and his wife were assisted by the boys. Decedent had gone to sea before the outbreak of the war. Frederick served during the war with the Canadian forces.

There was no compensation received on account of this claim except \$72.75, for loss of clothing.

Mrs. Gilman died June 15, 1923.

If Mrs. Gilman had lived she would have been entitled to compensation as a dependent. Charles Gilman at the time of the hearing of this case was old and in poor health and not earning anything, and it is manifest that had the young man, James Thomas, been living, he would have assisted his step-father in the latter's need. After decedent's death the whole burden fell on Frederick Chadwick.

I am inclined to think that Gilman and Frederick Chadwick are entitled to receive any moneys which would have been awarded the claimant on account of the loss of the life of her son and loss of his personal effects had she lived.

The case is a peculiar one and not without difficulty.

I think it fair, however, to allow Charles Gilman and Frederick S. Chadwick, jointly, the sum of \$2,000.00 with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, 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 \$2,000.00 fair compensation to the said Charles Gilman and Frederick S. Chadwick, with interest as above stated.

JAMES FRIEL,  
Commissioner.

June 17, 1926.

## DECISION

## Case 1054

Re ABEL GUIBEAU

Claimant is a Canadian. He was third engineer on the ss. *Empress of Fort William*, 2,181 tons, when that ship was sunk by mine off Dover, England, February 27, 1916.

He claims on account of loss of personal effects, including his tool chest and reference book worth \$291.00, on account of which loss he received the sum of \$75.00 from the Canada Steamship Lines.

This man is entitled also to solatium or torpedo money which I would allow at \$400.00 with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement and I would allow the balance, \$216.00, for personal effects, with interest

at the rate of 5 per cent per annum from the date of the sinking, February 27, 1916, 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 \$616.00 fair compensation to the claimant with interest as above stated.

August 7, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1055

Re JAMES ROSS HARPER

Claimant was born in New-Castle-on-Tyne in 1874 and served with the Royal Field Artillery during the Boer war. He came to Canada in 1903, married and has a wife and five children. He was a civilian seaman, boat-swain, on the ss. *Shimosa*, 4,221 tons, when that ship was attacked by enemy submarine in the Atlantic, March 24, 1917, and beat the enemy off, or sunk him. Harper was severely wounded and knocked out while "giving the gunner a hand" during the fight. The lower part of his back was badly bruised, his nose split, his head cut and he lost his upper teeth.

The *Shimosa*, damaged, put into Saint John, N.B., where claimant was admitted to the General Public Hospital, April 5, 1917, from which he was discharged April 26, 1917, "condition improved, diagnosis—injury to back." He stayed in Saint John for some time badly crippled and suffering much pain. He worked for a while in a munition factory in Ontario where he had friends but could not keep it up. He went to Montreal and there found the *Shimosa* about to sail for England. The Captain told him there would be some money coming to him in England on account of his injuries and he joined the ship and put his clothes and everything on board. He took sick, got shore leave, leaving his effects on board and was not well enough to sail with the ship. On that voyage the *Shimosa* was torpedoed and sunk July 30, 1917, and the master and 17 of the crew lost their lives. Harper received no compensation from any quarter. He seems to be totally incapacitated for work. Before he was hurt he weighed 218 pounds and had never been sick a day. The date of the hearing before the late Commissioner, September, 1924, his weight was 145 pounds.

Claimant is apparently uneducated, and his claim is for effects amounting to \$120.00, and personal injury \$300.00. It is clear he did not understand what he would be entitled to for damages if compensation were allowed on that basis. There is nothing on the record to show his average earnings.

I think this man should be awarded compensation somewhat in keeping with the injuries he suffered, having in mind when and how he received them.

I would recommend an allowance to claimant of \$4,120.00

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$4,120.00 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 Treaty, to date of settlement.

February 4, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1056

*Re* CAPTAIN ELLIS HANDY

Claimant is a naturalized Canadian under certificate of Naturalization issued to him in the month of June, 1914.

He was a passenger on the ss. *Missanobie* torpedoed with loss of forty-five lives by enemy submarine off the Irish Coast, September 9, 1918. He was returning from service with the Canadian Army in France being no longer fit.

He claims for loss of military outfit and damages to military clothing, loss of civilian outfit and loss of time and damages from exposure.

Damages cannot be allowed for loss of military outfit or military clothes or loss of time and as to exposure he was in an open boat for one and one-half hours,—nothing serious.

The loss of civilian outfit will be allowed at the amount declared \$554.20 from the date of the loss September 9, 1918, with interest at the rate of 5 per cent per annum to date of settlement.

This claim as far as it covers loss of civilian effects, falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (9), and I find \$554.20 is fair compensation to the claimant, with interest as indicated.

JAMES FRIEL,  
Commissioner.

March 16, 1926.

## DECISION

## Case 1057

*Re* LUKE HOLMES

Captain Holmes is a Canadian. He was purser on board the ss. *Morwena*, 1,414 tons, captured and sunk by enemy submarine with loss of one life, off the Coast of Ireland, May 26, 1915. Claimant lost his personal effects including nautical instruments, declared to the value of \$1,400.00. There was no insurance.

I would allow Captain Holmes \$1,400.00 for loss of these effects on this occasion and \$300.00 solatium or torpedo money.

Captain Holmes was also Master of the ss. *Scottish Hero*, 2,205 tons, captured by enemy submarine and sunk with loss of one life, off the Coast of Ireland, June 10, 1917. He lost personal effects to the value of \$910, on account of which he received \$367.00, insurance.

I would allow Captain Holmes the difference, being \$543.00, and \$600.00 solatium or torpedo money, his second occasion.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$2,843.00 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, January 10, 1920, to date of settlement.

JAMES FRIEL,  
Commissioner.

April 10, 1926.

## DECISION

## Case 1058

*Re* FRED G. HOLDEN

Claimant is a British subject born in England. He was a passenger on the ss. *Laconia* on his way to England on a buying trip for his firm when that ship was sunk by enemy submarine with loss of twelve lives, February 25, 1915.

The claim is on account of the loss of personal effects, \$434.84 and is allowed at that amount.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (9) and I find \$434.84 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.

JAMES FRIEL,  
*Commissioner.*

July 13, 1926.

DECISION

Case 1059

*Re* LEROY J. HANNA

Claimant is a Canadian. He was an officer in the Canadian Expeditionary Force and was returning unfit for further service, on the *ss. Missanabie*, when that ship was sunk by enemy submarine September 9, 1918.

He claims for loss of personal effects.

The late Commissioner ruled in claims of this nature, that he had no authority to deal with injuries to military persons outside of mal-treatment as prisoners of war; but as to officers or soldiers returning home on passenger vessels, he would deal with that portion of their effects which were purely private, personal property, that is separate from any military equipment. There was a Government allowance for loss of military equipment.

I would, therefore, allow this claim at the amount proved for value of civilian effects lost, namely \$200.00, with interest at the rate of 5 per cent per annum from the date of the sinking, September 9, 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 \$200.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
*Commissioner.*

August 3, 1926.

DECISION

Case 1060

*Re* HAROLD FRANCES HALLIFAX

Claimant is a British subject born in Cape Colony, having his home at Montreal, while not at sea. He was second officer on the *ss. Empress of Fort William* 2,181 tons, when that ship was sunk by a mine off Dover, February 27, 1916 and in the same capacity on the *ss. Empress of Midland* 2,224 tons, also sunk by mine in the North Sea, March 27, 1916.

He claims for effects and personal injury, which consisted, apparently, of exposure in the water, without any special after effects.

The British Admiralty scale will cover this case, and I would allow claimant \$1,180.00 solatium or torpedo money, and on account of 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 \$1,180.00 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.*

August 9, 1926.

## DECISION

## Case 1061

Re JOSEPH JAMES HOLMES

Claimant is a British subject, born in England, who came to Canada in 1904. He was serving as wireless operator in the mercantile service on the ss. *Hunsbrook*—4,463 tons, when that ship was torpedoed in the Bristol Channel, December 22, 1917, by enemy submarine, with loss of three lives, and beached.

The claim was submitted to the British Reparation Department but too late. It would probably have been transferred to this Commission, by reason of claimant's domicile. Claimant is entitled to the usual solatium or torpedo money and to compensation on account of loss of personal effects.

I would adapt the British Admiralty scale to this claim and allow the claimant \$250.00 solatium or torpedo money and \$250.00 amount claimed for loss of personal effects, with interest at the rate of 5 per cent per annum from the date of the sinking, December 22, 1917, to the 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 \$500.00 is fair compensation to the claimant with interest as indicated.

JAMES FRIEL,  
Commissioner.

OTTAWA, September 9, 1926.

## DECISION

## Case 1062

Re GEORGE H. IRVING

Claimant is a Canadian and claim is for loss of personal effects when the sailing vessel *Percy B* of which he was Master was sunk by enemy submarine off the coast of France September 29, 1917. The captain and crew escaped in her small boat and were picked up after being out five days and four nights.

The claim was heard before the late Commissioner at Moncton September 1924 and he intimated he would allow usual solatium to masters of vessels which were torpedoed, in addition to compensation for the loss of personal effects.

Captain Irving was six or seven weeks before getting another ship but his wages were paid and he received some small allowance for clothing and other expenses.

I would allow the claim for damages as declared \$601.00 and \$600.00 for 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 \$1,201.00 is fair compensation to the claimant, George H. Irving, 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.

March 10, 1926.

## DECISION

## Case 1063

Re JAMES A. JEFFREY

Claimant is a British subject, born in England, who came to Canada in 1906. He is an Electrical Engineer and Mechanic. He claims for loss of personal effects, tools and money, when the Canadian Pacific steamship *Missanabis* was sunk by enemy submarine, with loss of 45 lives, off the Coast of Ireland September 9, 1918.

Claimant had been to England to bring back his wife, who was coming on another boat, not being allowed by the regulations to come with her husband.

I would allow this claim at the amount declared and proved, \$1,055.00, with interest at the rate of 5 per cent per annum from the date of the sinking of the ship, September 9, 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 \$1,055.00 is fair compensation to the claimant, James A. Jeffrey, with interest as above indicated.

April 27, 1926.

JAMES FRIEL,  
Commissioner.

### DECISION

#### Case 1064

Re JOHN T. JONES

Claimant is a British subject born in England who came to Canada in 1912. He served in the Royal Canadian Navy as artificer engineer. While on leave he was acting as engineer on the ss. *Westmorland*, apparently working his passage from a visit to his parents, when that ship was attacked by enemy submarine in the Irish Channel and beached on the 6th February, 1918.

The claim is for loss of personal effects and I would allow it as declared with the exception of the amount claimed for naval uniform among the effects,—\$208.50, with interest at the rate of 5 per cent per annum from the date of loss February 6, 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 \$208.50 is fair compensation to the claimant with interest as above indicated.

June 14, 1926.

JAMES FRIEL,  
Commissioner.

### DECISION

#### Case 1065

Re HUGH JONES

Claimant is a British subject born in North Wales in 1890, who came to Canada in 1921, with his family, to make his home. (Wife and three children).

His claim is on account of injury received and loss of personal effects including tools, when the British Merchant ship *Magellan*, 3,642 tons, on which he was serving as carpenter, was sunk by enemy submarine with loss of one life, July 25, 1918. Claimant received £35 from the British Board of Trade, to help him refit.

Claimant says he was in perfect health at the time but that he suffered and has been ill and lost time every year since. He is now getting \$30.00 per week.

The medical report by Dr. R. Cameron Stewart says that claimant has chronic nephritis, due probably to the exposure and strain following the blowing up of the ship and immersion in sea water. He was totally disabled for four months in 1923 and for various periods since. His incapacity for his own occupation is 100 per cent and in regard to employment in the general labour market, 50 per cent, and the duration of such incapacity is indefinite. The doctor states that while unable to state definitely that present condition is a direct result of enemy action, yet nervous strain, exposure to cold water, wet clothes and partial lack of food were probably factors in lowering resistance and thus accentuating or causing the nephritis.

I would allow this man the full amount of his claim, namely \$1,344.00, with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, the date of the Treaty of Versailles, 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 \$1,344.00 fair compensation to the claimant with interest as above indicated.

August 9, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1066

Re ALEXANDER MCKENZIE JACK

Claimant is a British subject born in Scotland, who came to Canada in 1920.

He was 3rd engineer on the British merchant ship *Lesto*, 1,940 tons, when that ship was sunk by enemy submarine with a loss of 4 lives off the coast of France, May 23, 1917.

Claimant is entitled to solatium or torpedo money and to compensation for his personal effects lost, and I would adapt the British Admiralty Scale to his claim and allow him \$675.00, 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 of Versailles, 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 \$675.00 fair compensation to the claimant with interest as above indicated.

August 9, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1067

Re MRS. AGNES KERR

Claimant is a British subject born in Scotland. She claims on account of loss of life of her husband Capt. Finley Kerr, also a British subject, who was master of the ss. *Myanza*, and was drowned with his crew when that ship was torpedoed by enemy submarine off the Coast of Scotland September 29, 1918.

Deceased was 54 years' old at the time of his death. He left his widow (claimant) then 55, and two daughters Elizabeth Chrissy and Alexander Mary 25 and 23. Owing to the poor health of one of the girls, since recovered, the family came to Canada and took up farming. When the war broke out Capt. Kerr returned to the Old Country and offered his services to the British Merchant Marine. His pay ranged from \$1,125.00 a year in 1914, to \$1,800.00 a year in 1918.

At the time of his death deceased left personal estate in Scotland amounting to \$1,600.00, and property in Canada valued at \$3,000.00. He had £100 life insurance and his effects were insured for £100. The widow receives a monthly pension of \$60.00 from the Marine Department, Board of Trade, England.

I would allow the claimant \$5,000.00, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (1), and I find \$5,000.00 is fair compensation to the claimant, Mrs. Agnes Kerr, with interest as above indicated.

April 29, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1068

Re MRS. ELLEN LITTLE

Claimant died May 27, 1924, her daughter Alice Little gave evidence before the late Commissioner at Halifax, September 8, 1924.

The claim is for household goods and effects and clothing of Mrs. Little and another daughter lost on the ss. *Stephano*, of the Red Cross Line, which was torpedoed and sunk by enemy submarine off New York Harbour, October 8, 1916.

The claim has been sufficiently proved.

The claimant's husband was a Canadian, she herself was born in Newfoundland and resided in Halifax from which port the goods were shipped. The daughter mentioned as owning a small part of the goods, namely clothing, is dead. She pre-deceased the claimant and left no will. Mrs. Little left a will in favour of Alice Little.

I would allow the claim at the amount declared.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles category (9), and I find \$800.00 is fair compensation payable to the proper legal representative of Ellen Little, deceased claimant, with interest at the rate of 5 per cent per annum from the date of sinking, October 8, 1916, to date of settlement.

JAMES FRIEL,  
Commissioner.

February 4, 1926.

DECISION

Case 1069

Re LIEUTENANT-GENERAL SIR PERCY H. N. LAKE

General Lake was returning to England, after five years residence in India, when the ss. *Arabia*, on which he was a passenger, was torpedoed and sunk by an enemy submarine in the Mediterranean West of Crete, on November 6, 1916.

Lady Lake was with her husband. They had almost all of their movable property on board and lost everything except the clothing they were wearing at the time. The claim for clothing and personal effects, including jewelery, household furniture, plate, glass, linen, pictures, books, etc., leaving out military uniforms and effects military, is £1,086-13-4, on which they received insurance £813-12-3, leaving a balance of £273-1-1.

General Lake came to Canada first in 1883. His residence here has not been continuous. He is now living as an officer on retired pay in Victoria, B.C.

I would allow this claim at the equivalent to the balance above mentioned in Canadian money, namely, \$1,339.64.



This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$1,339.64 is fair compensation to the claimant, Lieutenant General Sir Percy H. N. Lake, with interest at the rate of 5 per cent per annum from the date of loss, November 6, 1916, to date of settlement.

April 13, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1070

*Re* GEORGE L. MONEY

Claimant is a British subject born in England and resident in Canada since 1911. He was a passenger on the ss. *Arabic* sunk without warning by enemy submarine August 19, 1915.

The claim is for loss of his personal effects.

I would allow \$900.00.

The claim falls within the First Annex to Section (I) of Part VIII, of the Treaty of Versailles, category (9) and I find the sum of \$900.00 is fair compensation to George L. Money, 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 9, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1071

*Re* CYRIL MONEY

Claimant is a British subject born in England and resident in Canada since 1911. He was a passenger on the ss. *Arabic* sunk without warning by enemy submarine August 19, 1915.

The claim is for loss of his personal effects.

I would allow \$500.00.

The claim falls within the First Annex to Section (I) of Part VIII of the Treaty of Versailles category (9) and I find the sum of \$500.00 is fair compensation to Cyril Money, with interest at the rate of 5 per cent per annum from the date of the sinking of the vessel, August 19, 1915, to the date of settlement.

January 9, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1072

*Re* MISS MABEL LEONARA KATHLEEN MONEY

Claimant is a Canadian. She was a passenger on the ss. *Arabic* sunk without warning by enemy submarine August 19, 1915.

The claim is for loss of her personal effects.

I would allow \$766.00.

The claim falls within the First Annex to Section (I) of Part VIII of the Treaty of Versailles category (9) and I find the sum of \$766.00 is fair compensation to the claimant, 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 9, 1926.

JAMES FRIEL,  
*Commissioner.*

## DECISION

## Case 1073

*Re* MISS EDITH A. MONEY

Claimant is a Canadian. She was a passenger on the ss. *Arabic* sunk without warning by enemy submarine August 19, 1915.

The claim is for loss of personal effects.

I would allow \$500.00.

The claim falls within the First Annex to Section (I) of Part VIII of the Treaty of Versailles category (9) and I find the sum of \$500.00 is fair compensation to Edith A. Money, 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 9, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1074

*Re* ALEX. B. McLEAN

Claimant is a Canadian. He claims as a dependent of his brother John McLean who was an able seaman on board the steamship *Port Dalhousie* 1744 tons, when that ship was torpedoed by enemy submarine without warning off the English coast, March 19, 1916, with loss of life of master and twelve of crew. The deceased was then 60 years of age and left no property or life insurance. He was unmarried and lived with claimant who was then 62 years old.

Claimant has been in a state of feeble health and an invalid for several years and was largely dependent on the deceased for a living. Claimant had to dispose of his farm and is living in the town of North Sydney, C.B. He has two children who are living in the Canadian West. He stated that the earnings of his brother, John McLean, were the only source of his income and the only money received on account of his brother's death was the balance due him of \$22.50. He swears he received from the said John McLean previous to his death, what was worth \$20.00 per month and he would reasonably expect to receive that amount for several years to come.

There was no claim for personal effects of the deceased.

I would allow this claimant, Alex. B. McLean, the sum of \$2,000.00 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.

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 is fair compensation to the claimant, Alex. B. McLean, with interest as indicated.

February 20, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1075

*Re* MALCOLM GEORGE MACNEIL

Claimant is a Canadian. The claim is on account of the loss of personal effects shipped to him from England by his brother, Captain C. H. MacNeil then an Officer of the Royal Flying Corps, by the ss. *Medora* sunk by enemy submarine May 2, 1918. Captain MacNeil was afterwards killed in an accident. The goods were partly military and partly civilian equipment.

I would allow \$300.00 for the loss of that part of the goods not military, with interest at the rate of 5 per cent per annum from the date of the sinking, May 2, 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 \$300.00 is fair compensation to the claimant with interest as indicated.

March 17, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1076

*Re* WILLIAM McD. McKENZIE

Claimant is a Nova Scotian, who served with the Canadian forces as an officer during the war. He was a passenger, on leave home, on the ss. *Missanabie*, sunk by enemy submarine, with loss of 45 lives, off the coast of Ireland, September 9, 1918.

The claim is for money lost, £63, deposited with the purser, and loss of personal effects not of a military nature, to the amount of £61-10-.

I would allow this claim at the amount proved £124-10-, or that equivalent in Canadian money.

The claim falls within the First Annex to Section (I) Part VIII, of the Treaty of Versailles, category (9), and I find \$610.80 is fair compensation to the claimant, William McD. McKenzie, with interest at the rate of 5 per cent per annum from the date of loss, September 9, 1918, to date of settlement.

April 16, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1077

*Re* MRS. MARY E. MARCHAND

Claimant is a British subject born in Ireland, who came to Canada to reside permanently in 1918. Her luggage was not on the boat with her.

There is a letter from The Canadian Pacific Ocean Services, Limited, dated May 31, 1918, certifying to shipment of claimant's box, and that the steamship carrying it was sunk by a German submarine and nothing was recovered. There was no insurance.

I would allow this claim at the amount proved, \$479.00, with interest at 5 per cent per annum from March 17, 1918, the date claimant landed, until time of settlement.

The claim falls within the First Annex to Section (I) Part VIII, of the Treaty of Versailles, category (9), and I find \$479.00 is fair compensation to the claimant, Mrs. Mary E. Marchand, with interest as above indicated.

April 27, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1078

*Re* ROBERT MARSHALL, DECEASED

This claim is now submitted by Mrs. Rosa Marshall, widow, of the deceased. The parties were both British subjects born in England who came to Canada first in 1906.

Robert Marshall was a passenger on the ss. *Laconia* on his way to England to see his wounded son, when that ship was sunk by enemy submarine with the loss of 12 lives, off the Irish coast, February 25, 1917, and lost personal effects and money for which he filed a claim with the British Reparation Claims Department; also for injury to health. At the time the ship was sunk, he was rescued in the life boat and was adrift in the open sea for 9 hours. Owing to the roughness of the sea, the boats were partially filled with water and twelve of the passengers died during the night from exposure. As a result of the exposure, Mr. Marshall suffered from acute neuritis in the left leg and so suffered from time to time until the date of his death, January 10, 1919. He had an attack of influenza as a result of which he died, complicated with pneumonia and hemorrhages, probably of the lung.

His doctor who gave evidence, said that the neuritis contracted by reason of exposure would be a factor in the patient's lowered resistance to the attack of influenza. The neuritis was due no doubt, to the fact that he had been very severely chilled in the open boat. The doctor would not say that death was caused by exposure.

The flu of which he died was world epidemic taken in 1918 and the percentage of the deaths was very high. The first wave which struck British Columbia was a very fatal wave.

Robert Marshall at the time of the disaster was 45. He was an accountant making about \$1,500.00 a year.

There are five children.

I would allow this claim at the amount originally asked for by Robert Marshall namely \$5,000.00 with interest at the rate of 5 per cent per annum from the date of the Treaty of Versailles, January 10, 1920, to date of settlement, and I would allow for loss of personal effects, the amount declared by him, \$1,462.50, with interest at the rate of 5 per cent per annum from the date of the sinking, February 25, 1917, 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 \$6,462.50 is fair compensation, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

May 1, 1926.

NOTE.—These amounts are to be paid to the legal representatives of Robert Marshall.

## DECISION

### Case 1079

#### *Re* COLIN MCKENZIE

Claimant is a British subject, born in Scotland in 1891. He came to Canada in September 1909. He had been a sailor and during the war he served on different merchant ships. He was a seaman, employed also as a gunner, on the ss. *Gartness*, 2,422 tons, when that ship was sunk by enemy action between Malta and Crete, August 19, 1917, with a loss of 13 lives, including the Master. Claimant was severely injured. He went down with the ship, and his leg was broken and has never healed. He was in the water for four hours and suffered severely from exposure. His Medical Record gives him 25 per cent permanent incapacity in the general labour market and total incapacity in his own trade. At the time of the hearing of his case in Edmonton he was running a small

clothes pressing and dyeing shop, and was having a good deal of trouble in getting along. He has a wife and five young children. He never received any compensation. There is no claim on account of loss of personal effects.

I would allow this claim at the amount declared, \$5,000.00, 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 (I) Part VIII of the Treaty of Versailles, category (1), and I find \$5,000.00 is fair compensation to the claimant, Colin McKenzie, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

May 14, 1926.

DECISION

Case 1080

Re JAMES J. MURRAY

Claimant is a British subject, born in England, who came to Canada in 1917.

He claims for baggage and effects which were on the ss. *Athenia*, which was sunk by enemy submarine August 16, 1917.

I would allow the claim at the amount declared and proved, namely, \$200.00, with interest at the rate of 5 per cent per annum from the date of the sinking of the ship 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 \$200.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

June 29, 1926.

DECISION

Case 1081

Re MARY MOAG

Claimant was born in Canada and lived in this country all her life, except when training and employed in her profession of nurse in the United States. Her claim is on account of the loss of the life of her husband, Roger Moag, civil engineer, a native of New Zealand, whom she married in New York where they were both living, September 27, 1917. She was then 40 years of age. He went as second mate on the ss. *Halifax* bound from New York for France with Canadian supplies about the end of November 1917. The ship took on bunker coal at the Azores, leaving December 11, 1917, and ship or crew were never heard from afterwards. There is a child, born in New York June 28, 1918. Claimant's health is not good generally. The child was paralyzed at birth from the shock received by the mother from her husband's death, but was getting stronger at the time claim was filed in 1925. Moag is said to have been a captain in the 6th Australian Light Horse in the war and to have been court-martialled for something but claimant does not know. He worked in an ammunition factory before taking the place on the *Halifax*.

There is nothing on the record, or anywhere, that I can find to show that the *Halifax* was sunk by enemy action. The insurance people wrote:—

"There is no news whatever regarding the fate of the *Halifax*, and we may add that it is beyond all doubt that she unfortunately went down with all hands. Whether the *Halifax* was lost in consequence of a marine peril or war peril is unknown, but we may state that it is known that enemy submarines were operating in the neighbourhood through which the *Halifax* would have to pass on her way from the Azores to Bordeaux."

We may infer that the ship was sunk by enemy action.

Mrs. Moag received assistance from the Navy League Overseas Relief Fund, London, England, and draws a pension from the London Steamship Owners' Mutual Insurance Association, Limited, of £101-11-8 per annum, commencing from December 12, 1917, while she remains unmarried, together with an allowance of £13 per annum for the child from the date of its birth, which will be continued until the age of 16 is attained. This allowance to the child was increased to £24 per annum from November 16, 1918.

There is no claim made for loss of personal effects.

This claim, with some little hesitation, owing to the nationality of the dead man, is allowed, and I think the sum of \$3,000.00 would be reasonable compensation. It falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (1), and I find that \$3,000.00 for herself and the child 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.

JAMES FRIEL,  
Commissioner.

July 16, 1926.

DECISION

Case 1082

Re WILLIAM McLAURIN

Claimant is a British subject, native of Scotland, who came to Canada in 1910. He was on the H.M.S. *Calgarian*, Auxiliary Cruiser, sunk by enemy submarine March 1, 1918, while convoying freighters bound for the United Kingdom.

Claimant is a sailor but was on leave and on his way to take instructional courses in Portsmouth. He paid his own expenses.

He claims for loss of personal effects to the value of \$277.75.

He first submitted his claim to the naval authorities who referred him to this Commission.

I would allow this claim, with some doubt, on account of his being aboard the naval vessel, otherwise his status was purely civilian and the property lost was of a civilian character, at the amount declared, \$277.75.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (9), and I find \$277.75 fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of loss, March 1, 1918, to date of settlement.

JAMES FRIEL,  
Commissioner.

August 7, 1926.

DECISION

Case 1083

Re JAMES McDougall

Claimant is a Canadian. He was a ship's oiler on the ss. *Luz Blanca*, 4,868 tons, when that ship was sunk by enemy submarine with a loss of two lives off the Nova Scotia coast, August 5, 1918.

Claimant is entitled to scotium or torpedo money and an allowance on account of the loss of personal effects.

He received \$100.00 from the owners.

Adapting the British Admiralty rule and on their own scale, I would allow him \$300.00 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.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$300.00 fair compensation to the claimant with interest as above stated.

August 9, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1084

Re HUGH McCUBBIN

Claimant is a British subject born in Scotland who came to Canada in 1920. His mother had preceded him to make her home in this country.

He was on two torpedoed ships when they were lost, namely, the ss. *Westbury*, 3,097 tons, sunk by enemy submarine off the Irish coast, August 31, 1917, and the ss. *Northfield*, 2,099 tons, sunk by enemy submarine with a loss of 15 lives including the master, March 3, 1918.

Claimant is entitled to solatium or torpedo money and an allowance for loss of personal effects, on both occasions. He received \$100.00 from the British Board of Trade.

Adapting the British Admiralty scale I would allow a further sum of \$700.00 with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, 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 fair compensation to the claimant with interest as above indicated.

August 9, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1085

Re JOHN MAHER

Claimant is a British subject born in Ireland, resident in Canada for some time. He served for three years and five months with the Canadian Expeditionary Force, 159th Battalion. He is the only son and next-of-kin of John Maher, a British merchant seaman who was on the ss. *Hallamshire*, 4,420 tons, on transport employment when that ship was sunk by enemy submarine November 19, 1915. John Maher was discharged at Liverpool, December 22, 1915, as appears by the certificate of discharge produced. He died four months afterwards. His wife having predeceased him, his money and other personal property were handed over by the authorities to the claimant.

The claimant seeks to recover the amount which his father would have been entitled to for torpedo money and loss of personal effects and cash. His claim was brought to the notice of the British Board of Trade, and they referred it to this Commission.

I would allow the claim, adapting the British Admiralty scale, and recommend payment to claimant of \$500.00 solatium or torpedo money and allow-

ance for loss of personal effects and cash, which the elder Maher was entitled to, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, 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 \$500.00 fair compensation to the claimant, with interest as above indicated.

August 11, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1086

*Re* Miss EDITH I. McALPINE

The claimant is a Canadian. She was working in foreign parts when the war broke out, and joined the Imperial Service as a nurse.

She sent her belongings home to Canada through Thomas Cook & Son, Limited, who shipped them on the ss. *Ctan Campbell*, which was sunk by enemy submarine, April 3, 1916. She claims on account of the loss.

I would allow this claim at \$400.00, the amount originally notified to this Commission, with interest at the rate of 5 per cent per annum from the date of the sinking of the ship, April 3, 1916, 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 \$400.00 is fair compensation to the claimant, Miss Edith I. McAlpine, with interest as above indicated.

August 17, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1087

*Re* MADAME JOSEPHINE NAUD

The claimant is a Canadian and head of a Canadian educational institution. The claim is for damages on account of the loss of a box containing water colours, models, manuscripts, oil paints and other valuable articles collected by the complainant during her life and used in connection with educational work, which was shipped by the complainant on the ss. *Stephano* from Halifax to New York, to be forwarded from there to Bermuda to another institution of the same religious order.

The ship was sunk by German submarine October 8, 1916. The box and contents of the estimated value of \$300.00 were lost.

I would allow the claimant that amount.

The claim falls within the First Annex to Section (I) of Part VIII of the Treaty of Versailles, category (9) and I find \$300.00 is fair compensation with interest at the rate of 5 per cent per annum from the date of the sinking of the ship, October 8, 1916, to date of settlement.

January 13, 1926.

JAMES FRIEL,  
Commissioner.



## DECISION

## Case 1088

Re JAMES NIXON

Claimant is a British subject, born in England. He came to Canada March 6, 1917, joined the Canadian Expeditionary Force at St. John, N.B., and served with machine gun battalion in France until close of war.

He was one of the stewards on the ss. *Arabic*, 15,801 tons, when that ship was sunk by enemy submarine with loss of 44 lives, off the coast of Ireland, August 19, 1915. He files his claim for loss of personal effects at that time. Mr. Nixon has received no compensation in any way.

This man is entitled to solatium or torpedo money under the British Admiralty scale, and to their allowance for loss of personal effects and money in accordance with the tonnage of his ship and the year of her loss, in the same way as such allowance has been made in similar cases. I think the amount of \$500.00 would be fair.

The claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$500.00 is fair compensation to the claimant, James Nixon, 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.

April 17, 1926.

## DECISION

## Case 1089

Re MRS. ANNIE PEACOCK

Claimant is a British subject, born in England in 1873, coming to Canada in September, 1913, and residing in Toronto until July, 1922. She claims as sole dependent of William Knox, a British seaman who was 4th Engineer on the merchant vessel *Clintonia*, 3,830 tons, captured by enemy submarine and sunk 30 miles southwest of Ushant on August 1, 1915, with loss of 10 of crew including the said William Knox, the claimant's father. The claim is for compensation on account of his death. There is no claim put in for personal effects.

William Knox, at the time of his death, was 61 years of age and was earning \$600.00 per year and board; his wife had been dead a short time. Apparently he left no property and no life insurance. Claimant received \$25.00 death benefit from his Union, and \$23.84 balance of wages. Owing to ill health of claimant and circumstances of herself and husband, she was receiving substantial assistance from her father up to the time of his death (amount not given), and had expectations of such assistance continuing.

I would allow the claimant \$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 that \$2,000.00 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, January 10, 1920, to date of settlement.

JAMES FRIEL,

Commissioner.

February 16, 1926.

## DECISION

## Case 1090

Re RICHARD PEARNE

Claimant is a British subject, born in England. He came to Canada in 1910, being then a retired soldier, and taking up farming. He went back to England when the war broke out in 1914 and returned in 1918.

This claim is for two boxes of effects that claimant purchased in England before his return, and shipped to Canada by the ss. *Medora*, which boat was sunk by enemy submarine May 2, 1918. There was no insurance.

I would allow the claim as declared, \$768.50.

The claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (9), and I find \$768.50 is fair compensation to the claimant, Richard Pearné, with interest at the rate of 5 per cent per annum from the date of loss, May 2, 1918, to date of settlement.

April 16, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1091

Re JAMES T. PARDEW

Claimant is a British subject born in England, who has been a long time resident in Canada. He served with the Canadian Forces during the war.

This claim is on account of the loss of certain personal effects consisting of clothing and household goods shipped by him from London, England, to his wife at home and lost when the ss. *Lake Michigan* was sunk April 16, 1918.

I allow the claim at the amount declared, \$150.00 with interest at the rate of 5 per cent per annum from the date of the sinking, April 16, 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 \$150.00 is fair compensation to the claimant, with interest as above indicated.

June 15, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1092

Re MISS BESSIE PORTER

Claimant is a British subject, born in England, now living in Canada. She was a passenger on the ss. *Arabic*, of the White Star Line when that ship was sunk by enemy submarine, with the loss of 44 lives, August 19, 1915. She claims on account of the loss of personal effects, a list of which is filed and sworn to. The claim was first put in to the British Reparation Claims Department and by them transferred to this Commission. I would allow it at the amount declared, £95.13.8, or the equivalent in Canadian money, \$469.43, with interest at 5 per cent per annum from the date of loss.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$469.43 is fair compensation to the claimant, with interest from the 19th August, 1915, to date of settlement.

July 8, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1093

Re MRS. MARY PALMER

Claimant is a British subject, born in England, who came to Canada in 1910. At the outbreak of war she and her husband were living in Victoria, B.C. He went to France with the 2nd Canadian Mounted Rifles, and before sailing sent her to England with their two children. One trunk of their effects was shipped by the ss. *Mount Temple*, and was lost when that ship was captured by the raider *Moewe*, and sunk December 6, 1916. Claim is on account of loss of effects. I would allow it at amount declared, \$327.00, with interest at 5 per cent per annum from date of loss 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 \$327.00 is fair compensation to the claimant, with interest as stated before from date of loss, December 6, 1916, to date of settlement.

JAMES FRIEL,  
Commissioner.

July 16, 1926.

## DECISION

## Case 1094

Re HENRY PLATT

Claimant is a British subject born in England, who came to Canada in 1913. He was a horseman on the merchant vessel, *Anglo Colombian*, when that ship was sunk by enemy submarine off the South Coast of Ireland, September 23, 1915, and lost money and personal effects.

I would allow his claim at \$400.00 to cover solatium and personal effects and money lost, with interest at the rate of 5 per cent per annum from the date of loss, September 23, 1915, 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 \$400.00 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

August 10, 1926.

## DECISION

## Case 1095

Re FREDERICK PRICE

Sittings at Montreal, June 19, 1923.

Claimant born in Wales and has resided in Canada 12 years.

He is employed by the C.P.R., and his claim is for the sum of \$5,000.00 for personal injury and loss of personal effects caused by the sinking of the ss. *Arabia* on which he was passenger on August 19, 1915, by enemy sub.

He had come to England after the breaking out of the war for the purpose of joining the Royal Flying Corps but did not succeed in being taken into the service and then visited his home in Wales.

He was a civilian passenger.

There is a letter from the White Star Line on file forwarding him his steamer ticket and also a newspaper clipping.

The evidence clearly establishes that he was a civilian passenger on the ss. *Arabia* at the time of the torpedoing of the vessel.

When the ship was torpedoed or rather struck, he was obliged to take to the water with a life belt, and was picked up about an hour later by a life boat, and was then picked up by a destroyer at about six o'clock in the evening.

The sinking occurred at about 9.30 a.m.

He was landed at Queenstown and returned to Wales, subsequently came back to Liverpool and was furnished by the steamship company with a ticket for his return to Canada.

Witness states that he was very sick as a result of the accident and that the muscles of his stomach were injured.

Witness returned to Canada on the 7th September 1915 and was ill all that summer and unable to work and could only partake of liquid foods. He then obtained employment with the C.P.R., but he states that as a result of the injury to his stomach, caused by the torpedoing of the vessel, he was unable to work continuously and he lost about six months altogether between the time that he returned to Canada and 1916 when he enlisted with the C.E.F., and went to France where he remained about 4 years.

There is no evidence except that of the claimant, that his illness resulted from injuries received when the vessel was torpedoed, unless it may be the certificate of Dr. Thomas who attended him but whose certificate is dated the 7th September, 1915, that being the date when he returned to Canada.

The fact that he was able to pass the necessary examination in 1916 would show that at that time he was not suffering materially from injuries which he claims to have received.

From the fact that he was thrown into the water and was there for about (1) hour, one might very well give credence to his testimony that he suffered from injury.

I am not able, however, to recommend the payment of his total claim for injuries of \$5,000.00 but think that under the circumstances it would not be unreasonable to allow him the sum of \$1,500.00 which I recommend.

In addition to the claim for personal injuries, the claimant makes a claim for personal property of \$500.00 and £250 in money, and likewise he makes a claim for expenses.

There is no corroborative evidence either to personal property the claimant alleged he had with him or as to the amount of money which he took with him when he left Canada and I do not think that his unsupported testimony would justify me in view of the fact that the claimant remained some time in England after his application to join the Flying Corps had been rejected. The length of time, however, not being stated by the claimant, one may reasonably assume that he had spent considerable of whatever money he had with him at the time, he not being engaged in any occupation in England, I therefore think that if I allow \$1,000.00 for the loss of personal effects including money, that this would be the extent to which I would be justified.

I therefore recommend that the claimant be allowed \$2,500.00 to which should be added interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10, 1920, to the date of settlement.

The above written decision was made by the late Commissioner, but not signed. I would adopt it.

I would allow claimant \$2,500.00, 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.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$2,500.00 fair compensation to the claimant, with interest as above indicated.

August 14, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1096

## Re MRS. JESSIE ROBERTSON

Claimant was born in Scotland. She came to Canada in 1912 to live with some members of her family. The claim is as a dependent of her son, James B. M. Robertson, marine engineer, who was lost when the merchant ship *Hogarth*, 1,231 tons, was sunk by enemy submarine, with loss of master and all the crew except one, off the English coast, June 7, 1918. The decedent was then 41 and was earning £10 a month and rations. He left a widow, who so far has put in no claim. The mother is quite old, nearly 80, and her evidence as to what she received from her son, is as might be expected, not conclusive. It is proved, however, that he did send her money. The Navy League of Canada contributed to her support, but we understand their contribution ceased since the hearing of the case in Vancouver in August, 1925.

I would allow claimant \$1,000.00.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (1), and I find \$1,000.00 is fair compensation to the claimant, Mrs. Jessie Robertson, 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 13, 1926.

## DECISION

## Case 1097

## Re MISS MARGARET ROSS

Claimant is a Canadian. She was a passenger on the ss. *Arabic*, sunk by enemy submarine with loss of 44 lives, off the coast of Ireland, August 19, 1915.

Miss Ross was returning from a visit to England where she had gone in connection with her profession. She was Head Mistress of Braemer School for Girls, Vancouver. Her claim was for loss of personal effects and for money. I would allow it for the amount declared, \$910.00, with interest at 5 per cent per annum from the date of loss, August 19, 1915, until the 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 \$910.00 is fair compensation to the claimant, Miss Margaret Ross, with interest as above indicated.

JAMES FRIEL,

Commissioner.

May 12, 1926.

## DECISION

## Case 1098

## Re JOHN ROBINSON POULSON

Claimant is a British subject born in England who came to Canada, January 27, 1923, with the intention of residing here permanently. His people had been in this country farming for years. His claim is for loss of seafaring equipment by the sinking of two unarmed merchant ships in which he was serving, the *Lockwood*, 2,042 tons, sunk by enemy submarine April 2, 1915, and the *Ethelbryhta*, 3,084 tons, captured and sunk by enemy submarine July 30, 1916.

Claimant was Chief Officer of the ship on both occasions. He did not file his claim with the British Reparation Claims Department until 1924, and it was then too late. He was told that as he did not belong to the United Kingdom at the time he presented himself to the Department as a claimant, his claim could not be entertained.

He filed his claim with this Commission in July, 1925. It seems to me that considering that his people were living in Canada while he was following the sea without an established domicile, and that he is now an actual resident in Canada we should entertain his claim.

I would adopt the British Admiralty scale of allowance for solatium or torpedo money, and for loss of personal effects. I would allow claimant \$900.00 in each case.

This claim falls within the First Annex to Section (I) Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,800.00 is fair compensation to the claimant, John Robinson Poulson, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

April 23, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1099

Re JOHN F. RISDALE

Claimant is a British subject who came to Canada in 1921.

He was one of the engineers on the steam trawler *Kilmarnock* destroyed by mine in the North Sea, September 22, 1914.

He claims for loss of effects, loss of wages, etc.; and for personal injury including doctor fees and hospital expenses. He was ill for 19 weeks on account of exposure.

He received £19-0-0 compensation from the British authorities and £6-0-0 from the Board of Trade, on account of loss of clothing.

I would allow the claim at the amount declared and proved, less the amount received; \$750.00, 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 of Versailles, 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 \$750.00 fair compensation to the claimant with interest as indicated above.

June 30, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1100

Re PIERRE RAYMOND

Claimant is a Canadian. He was a horseman on the merchant vessel *Anglo Colombian* when that ship was sunk by enemy submarine off the South Coast of Ireland, September 23, 1915, and lost money and personal effects.

I would allow his claim at \$250.00 to cover solatium and personal effects and money lost, with interest at the rate of 5 per cent per annum from the date of the sinking, September 23, 1915, to date of settlement.

This claim comes within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$250.00 fair compensation to the claimant, with interest as above stated.

August 10, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1101

*Re Mrs. AGNES RONALD*

Claimant is a British subject born in Scotland, who came to Canada in 1911. She claims on account of the loss of the life of her son, Archibald Ronald, painter by trade, who was a horseman on the ss. *Anglo Californian*, and lost his life when that ship was attacked by gun fire by enemy submarine, with a loss of 21 lives, including the master, 90 miles south from Queenstown, July 4, 1915. Decedent was then 34, and was earning \$612.00 per year. Before the war he earned \$315.00 per year.

He had brought his father and mother to this country and lived with them when home and contributed to the support of his mother. At the time of the hearing in Montreal, October, 1925, his mother was then 65 years of age and his father 72. He was unable to work. His mother's health was poor, due, so the doctor certified, to the loss of her son.

Archibald Ronald was too small to qualify when he sought to enlist. He was unmarried and his sole dependents at the time of his death would be his mother, and his father prospectively, as the father was then working.

I would allow this claim at \$4,000.00, the full amount claimed on account of the loss of life of the deceased for both dependents, 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, together with \$309.00, the amount claimed for personal effects lost, with interest on this latter amount at the rate of 5 per cent per annum from the date of loss, July 4, 1915, 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 \$4,309.00 fair compensation to Mrs. Ronald and her husband, with interest as above stated.

August 10, 1926.

JAMES FRIEL,  
*Commissioner.*

## DECISION

## Case 1102

*Re LAWRENCE W. SAMPSON*

The claimant is a Canadian. He was third officer on the ss. *Stephano* captured by enemy submarine, torpedoed and sunk east of Nantucket Light on October 8, 1916, while on a voyage from Halifax to New York.

The claim is for personal effects lost and money. It was heard before the late Commissioner in Halifax in September, 1924. I would allow it at the amount declared \$1,107.30.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (9), and I find \$1,107.30 is fair compensation to the claimant with interest at the rate of 5 per cent per annum from October 8, 1916, to the date of settlement.

JAMES FRIEL,  
*Commissioner.*

February 4, 1926.

## DECISION

## Case 1103

Re CECIL W. SHIRES

Claimant is a British subject born in England, who came to Canada May, 1921.

He was an able-bodied seaman on board the ss. *Kelvinbank*, 4,072 tons, sunk by enemy submarine in the North Sea June 13, 1917 with a loss of 16 lives including the master.

This claim was first filed with the British Reparation Claims Department and by them transferred to this Commission.

The claimant received \$25.00 from the British Board of Trade at Liverpool.

I would adopt the British Admiralty Scale to this case and allow the claimant \$500.00 solatium on account of his ship being torpedoed and for 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 \$500.00 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.

JAMES FRIEL,

June 19, 1926.

Commissioner.

## DECISION

## Case 1104

Re MISS ADA JULIA SHUTTLE

Claimant is a Canadian. She claims on account of loss of life of William Charles Shuttle who, before the war was a butcher earning \$35.00 per month and who, during the war, served as a soldier in Canada, Bermuda, England and France and was struck off strength "medically unfit", at Toronto, August 31, 1917. He joined the ss. *Montebello* and was serving as a trimmer on that ship when she was sunk by the enemy June 21, 1918. He was then 35 years of age. He made his home with his aged father and mother whose sole support he was.

The claimant, a member of the family, shared as a dependent. Her case was presented by Colonel Williams of the Navy League of Canada and Mr. Sam Harris, President, who satisfied the Commissioner that the claimant, decedent's next-of-kin, then 56 years of age at the time of the hearing, was greatly broken in health and would have been supported by decedent had he lived.

I would allow claimant \$2,000.00 on account of the death of William Charles Shuttle, to include compensation for loss of 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 \$2,000.00 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.

JAMES FRIEL,

June 30, 1926.

Commissioner.



## DECISION

## Case 1105

*Re* FREDERICK JAMES SKIDMORE

Claimant is a British subject born in England in 1852, who came to Canada in 1905. He was in charge of horses on the ss. *Anglo Colombian* when that ship was captured by enemy submarine and sunk by gun-fire off the Irish Coast September 23, 1915.

Claimant was considerably shaken-up and lost his personal effects. The British Government gave him £10-0-0.

I would allow the claim at \$600.00.

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

JAMES FRIEL,

*Commissioner.*

June 30, 1926.

## DECISION

## Case 1106

*Re* MRS. WILHELMINA THOMAS

Claimant, a resident of Canada is the widow of George Thomas formerly a sergeant in the Canadian forces, who had been discharged on account of his wounds and was drowned while serving as a seaman on the *Ilandoverly Castle*, hospital ship, torpedoed by the enemy June 27, 1918.

Thomas was then 29 years old. He was a native of England and had lived in Canada for a number of years. He was, before the war, a chauffeur and mechanical engineer in Winnipeg and his average annual income was about \$1,500.00. He was the sole support of his wife and children.

He left no property or life insurance. The widow received £280-0-0 under the Workmen's Compensation Act (British) and there is a monthly allowance amounting to about \$34.00 to the children until they reach the age of 16.

Mrs. Thomas was born in Scotland July 22, 1890, and was married to Thomas in Winnipeg, February 16, 1911. The children are:—

Georgina Violet Mary Thomas, born September 22, 1913, George John Arthur Thomas, born November 8, 1914.

Mrs. Thomas since her husband's death has worked as a waitress to support herself and children. She is not strong and is crippled some by reason of an injured ankle.

There has been no claim put in for personal effects.

I would allow \$7,000.00 to the widow and \$2,500 to each of the children.

The claim falls within the First Annex to Section (I), of Part VIII of the Treaty of Versailles, category (1) and I find the sum of \$7,000.00 as fair compensation to Wilhelmina Thomas, the sum of \$2,500.00 to Georgina Violet Mary Thomas, and the sum of \$2,500.00 to George Arthur John Thomas, 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 the date of settlement.

JAMES FRIEL,

*Commissioner.*

January 8, 1926.

## DECISION

## Case 1107

Re WILLIAM THOMAS TAIT

Claimant is a Canadian. He served overseas as Secretary of the Young Men's Christian Association.

His claim is for books, magazines, personal effects, not military, lost on the ss. *Medora* when that ship was sunk by enemy submarine May 2, 1918.

There was no insurance.

I would allow the claim at the amount declared \$175.00 with interest at the rate of 5 per cent per annum from the date of the sinking May 2, 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 \$175.00 is fair compensation to the claimant, with interest as indicated above.

JAMES FRIEL,

Commissioner.

April 26, 1926.

## DECISION

## Case 1108

Re MRS. MATILDA J. TURNBULL

The claimant is a Canadian. She is a widow of the late Captain Norval Turnbull, also a British subject, who was first officer on the ss. *Dunelm*. The ship was destroyed while in the enemy mine and submarine area, and was scheduled by the British Government as "presumably sunk by enemy action on the 19th October, 1915." The captain and crew were all lost. Decedent was 58 years of age at the time of his death and left him surviving his widow, the present claimant, 44 years old, and two children Arnold William 9 and Gordon Robert 6.

He was an old sailing ship seaman, and earned between \$100.00 and \$125.00 a month as master or first officer on ships after the war broke out. The only property left by him was a small farm upon which claimant has been gaining a bare subsistence, and which she was forced to mortgage. He had no life insurance.

I would allow the amount claimed, \$7,800, distributed as follows:—\$4,000.00 to Mrs. Matilda J. Turnbull, and \$1,900.00 to each of the boys, Arnold William and Gordon Robert, all with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Versailles, January 10th, 1920, 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 \$7,800.00 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,

Commissioner.

August 14, 1926.

## DECISION

## Case 1109

Re MRS. CARRIE EMMA WILSON

Claimant is a British subject, born in England, living in St. John since 1911. Her husband was English and came to this country in 1909. The claim is on her own behalf and on behalf of her two children on account of the loss

of husband and father, Sidney William Wilson, late of the Merchant Marine service. He was second steward on the ss. *Demeter*, 6,048 tons, captured by the raider *Moewe* and sunk March 13, 1917. Wilson and the rest of crew were made prisoners and were taken first to Keil and then to Bradenburg prison camp in Germany, where he died April 13, 1917, of tuberculosis, contracted, so it is claimed, from exposure. He was then 35 years old. He left the claimant, also 35, and two children, John Cooper Wilson, born February 11, 1913, and Thomas Sidney Wilson, born October 11, 1915. Wilson before shipping was working at the Cornwall-York Cotton Mills, St. John, N.B., at \$11.00 a week. He got \$40.00 a month on the ship and rations. His widow receives a pension of \$345.00 a year from the North of England Shipping Federation, and the children \$92.50 each until they reach the age of 16. The Navy League of Canada has been giving Mrs. Wilson \$300.00 a year. Wilson left no property or life insurance and his wife and children were entirely dependent on him.

Strictly speaking, and having in view wages of decedent and amount of pension the widow and children are receiving, claimant is not entitled to any substantial sum for compensation. She claims \$2,860.00, and I am much inclined to disregard rules and figures in this case and allow the amount claimed.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (1) and I find \$2,860.00 is fair compensation to the claimants, Mrs. Carrie Emma Wilson, John Cooper Wilson and Thomas Sidney Wilson, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

JAMES FRIEL,  
Commissioner.

April 13, 1926.

#### DECISION

#### Case 1110

Re ELIJAH WILLOUGHBY

Claimant was born in England in 1893 and came to Canada to live in 1911. He worked as a semi-skilled machinist and was making 30 cents an hour. He was a third class passenger on the ss. *Arabic*, when that ship was sunk by enemy submarine off the coast of Ireland, with the loss of 44 lives, August 19, 1915, and claims for loss of personal effects and money and for severe personal injury which incapacitated him for one year, and from which he has not yet fully recovered. He lost the sight of his right eye. Claimant at the time was returning from a visit to his old home in England with the intention of enlisting with the Canadian forces. He is a single man.

The medical record in this case shows 60 per cent of incapacity in his own occupation and 40 per cent in regard to employment in the general labour market, and that such incapacity will probably last for life. The sight of the right eye is completely lost, the left eye is quite normal. Claimant was all right before the disaster; he says he never had a day's sickness.

Particulars of claim include clothing, tools and personal effects, \$750.00, loose money in bills and sterling, \$1,105.00. I would allow these items as declared with interest at 5 per cent per annum from date of loss, August 19, 1915, and a further sum of \$3,000.00 for personal injury with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

The claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (9) and (1), and I find \$4,855.00 is fair compensation to the claimant, Elijah Willoughby, with interest as mentioned above.

JAMES FRIEL,  
Commissioner.

April 14, 1926.

## DECISION

## Case 1111

*Re* INGLIS SHELDON-WILLIAMS

The claimant was born in England in 1870 and came to Canada in 1887 with members of his family. He homesteaded at Cannington Manor in the Province of Saskatchewan. He went with one of the Canadian Contingents to the South African War and afterwards studied art and travelled over a great portion of the world. He served with the Canadian Expeditionary Forces in France during the war and painted war pictures known all over the country. Mr. Sheldon-Williams is an eminent artist.

His claim is for the loss of works of art executed by him and his sole property, comprising six framed pictures similar in value to those shown in Exhibits and 217 water colour drawings, oil paintings and designs and also original old master Wash and Line drawing of "The Holy Family" by Jacopa Veronese.

The pictures for which he claims were lost on the *ss. Englishman*, which was captured and sunk by enemy submarine on March 24, 1916. There was no insurance.

I am satisfied from the evidence at the hearing and from what is shown on the record that a reasonable value has been placed by the claimant on the lost pictures. I would therefore allow his claim at the amount declared \$4,000.00, with interest at 5 per cent per annum from the date of the sinking of the ship, March 24, 1916, 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 \$4,000.00 is fair compensation to the claimant Inglis Sheldon-Williams, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

April 21, 1926.

## DECISION

## Case 1112

*Re* ROBERT J. WILLIAMSON

Claimant is a British subject born in England in 1882. When the war broke out he was in the Arctic with the Steffansen Expedition. As soon as he got home he joined the Navy. In July, 1915, he married his longtime sweetheart, Miss Rhoda Holt, 28, then employed in the General Post Office. Soon after he was transferred to the naval service at Gibraltar and got permission to have his wife come and live with him. She sailed on the P. & O. Steamship *Maloja* February 29, 1916, and the vessel struck a submerged mine, off Dover, being blown up and immediately sank, and claimant's wife and all her effects went down with the vessel.

The value of the effects and cash was proved at \$700.00 and I would allow that, with interest at the rate of 5 per cent per annum from the date of loss, February 29, 1916, to date of settlement.

I would allow \$1,000.00 on account of the loss of life of deceased and \$250.00, amount spent by claimant in trying to recover the body, 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.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,950.00 is fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

May 18, 1926.

## DECISION

## Case 1113

Re WILLIAM WILSON

Claimant is a Canadian, born in 1883. He was an ablebodied seaman on the ss. *Standish Hall*, 3,996 tons, sunk in the Mediterranean February 4, 1918.

Claim is for loss of effects, including kit of tools, \$350.00, which I allow.

Claimant would be entitled also to solatium or torpedo money under the British Admiralty Scale which we have been adapting to these cases, and I would allow \$150.00 for solatium.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$500.00 is fair compensation to 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.

JAMES FRIEL,  
Commissioner.

May 18, 1926.

## DECISION

## Case 1114

Re MRS. MARGARET W. WELLS, AND H. J. WELLS, HER HUSBAND

Claimants are British subjects who came to Canada in 1918 to make their home. Certain of their personal and household effects were shipped on the ss. *Milwaukee*, and were lost when that ship was sunk by enemy submarine August 31, 1918. There was some small insurance amounting to about \$85.00.

I would allow this claim at the sum of \$605.00 being the value of the effects and property lost, as declared and proved, less the amount of insurance collected.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$605.00 fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of loss, August 31, 1918, to date of settlement.

JAMES FRIEL,  
Commissioner.

August 11, 1926.

## DECISION

## Case 1115

Re FRANCIS J. PERRY

Claimant is a Canadian. He was travelling as a passenger on the ss. *Carpathia*, when that ship was sunk with loss of life, by enemy submarine, off the Coast of Ireland, July 17, 1918, and the claim is for personal effects lost.

I would allow the claim for personal effects of a civilian nature, not military, as declared, \$499.00.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$499.00 is fair compensation to the claimant, with interest at the rate of 5 per cent per annum from the date of loss July 17, 1918, to date of settlement.

JAMES FRIEL,  
Commissioner.

May 12, 1926.

## DECISION

## Case 1116

*Re D. G. GERAHTY*

Claimant is a British subject, born in England, and now residing in Canada. He was a passenger on the ss. *Medina*, sunk by enemy submarine, with the loss of six lives, April 28, 1917, and claims on account of loss of personal effects. There was no insurance. I would allow the claim at the amount declared and proved, \$750.00, with interest at 5 per cent from the date of loss.

This claim falls within the First Annex to Section (1), Part VIII of the Treaty of Versailles, category (9), and I find \$750.00 is fair compensation to the claimant, with interest from April 29, 1917, to date of settlement.

July 8, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1117

*Re MRS. ANNIE CLARKIN*

Claimant is a Canadian. Her deceased husband was a college professor in Charlottetown, P.E.I. She claims on account of the loss of life of her son, Reginald Owen Clarkin, aged 20, who was a seaman on board the Norwegian ship *Deveron* when that ship was sunk by enemy submarine with loss of four of the crew, June, 1917.

The young man had been with the Canadian forces and afterwards with the navy but owing to throat trouble was discharged. He then served on merchant marine ships rather than return to his employment as a bank clerk, at which he was engaged before the war.

This claim was heard before the late Commissioner at Ottawa in May, 1923. Claimant was then 52. She had at that time two young daughters and another son, the manager of a branch bank in Newfoundland, and a son in Ottawa, with whom she is living. He is a returned soldier badly crippled.

The son Reginald contributed to her support while he was in the army and navy and had every expectation of continuing to do so, had he lived.

Compensation for the loss of the personal effects of the deceased has been paid for by the owners of the ship. The late Commissioner noted this claim for an allowance of \$3,000, and I agree with his award.

This claim falls within the First Annex to Section (1), Part VIII of the Treaty of Versailles, category (1), and I find \$3,000 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.

November 4, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1118

*Re DAVID D. FINDLAY*

Claimant is a Canadian. He held a commission in the Royal Naval Air Service from March, 1916, to April 1, 1918. In January, 1918, he was granted one month's leave of absence in Canada and was a passenger on the Cunard steamer *Andania* when that ship was torpedoed and sunk off the coast of Ireland, with a loss of seven lives, January 27, 1918.

He lost all his belongings. Upon his return to England, he filed a claim with the Admiralty, which was disallowed because officers travelling on leave would not be entitled to compensation for loss of effects. The effects for which he claimed consisted largely of military outfits and wearing apparel.

The claim was submitted to the late Commissioner May 4, 1923, who decided that he had no jurisdiction as claimant was on military service and could in no way be regarded as a civilian. Later Dr. Pugsley decided to allow military and naval persons travelling on passenger ships and not actually on duty, for their property of a civilian character lost through enemy action, and I have followed that ruling.

I would, therefore, allow David D. Findlay compensation for the loss of his effects, strictly civilian in character, and from the list filed and sworn to; I assess their value at \$125.00, with interest at the rate of 5 per cent per annum from the date of loss, January 27, 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 \$125.00 fair compensation to the claimant, with interest as above indicated.

November 4, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1119

Re DOROTHEA M. SHELDON-WILLIAMS

Claimant is a British subject born in England, who came to Canada 1888. She claims for property lost on the White Star Dominion Line, ss. *Englishman*, when that ship was torpedoed and sunk by enemy submarine, March 24, 1916, off the Irish Coast.

The property consisted of silver, old china, an antique walnut writing bureau, an Australian red-wood high chest of drawers, etc., which she inherited from her mother's estate and which had been shipped to her on the ss. *Englishman*, with goods of her brother, Inglis Sheldon-Williams, whose claim has been dealt with by the Commissioner.

There was no insurance.

I would allow the claim at the amount declared and proved, namely \$430.00 with interest at the rate of 5 per cent per annum from the date of loss, March 24, 1916, 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 \$430.00 fair compensation to the claimant with interest as above indicated.

November 3, 1926.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1120

Re MRS. MARY BRAY

Claimant is a British subject born in Scotland. She claims on account of the loss of life of her husband Ernest J. Bray, also a native of Scotland, who came to Canada in 1913 to work on the shore staff of the Donaldson Line. He had previously been 14 years a sailing officer in their employ. After the war broke out, he resumed his occupation as seaman. He was first officer on the ss. *Empress of Fort William*—2,181 tons, when that ship was sunk by a

mine off the Port of Dover in the English Channel, February 27, 1916. He was then appointed first officer on the ss. *Empress of Midland*, 2,224 tons which also was sunk by mine March 27, 1916, near the Kentish Knock Light Ship in the North Sea. On this occasion the ship sank in six minutes and the whole crew were emerged in the ice water until picked up by a rescuing vessel an hour later. They were taken to Holland to Rotterdam where they were put in a sailor's home which was badly heated, badly ventilated and the food was poor. They remained there 9 days and they were shipped to London. Decedent and the rest of the crew while they were in the water suffered intensely from cold and exposure and nervous shock. The decedent contracted a heavy cold and shock to his whole system. He returned to Canada in May 1916 his health becoming steadily worse. He had a heavy hacking cough. Prior to this he had possessed a rugged robust constitution and weighed about 180 pounds and was in first class physical condition and always on duty. After he returned to Canada he was a physical wreck. On medical advice he went back to the sea on another ship in August 1916 but there was no improvement and he had to leave his ship in January, 1917, owing to ill health. He returned to Montreal and was under the doctor's care until the time of his death which occurred June 1, 1918. He left dependents, his widow, the present claimant then 46, and two children,—Alfred McMillan Bray, born March 18, 1903, and Margaret Patterson Bray, born November 29, 1905. The children were born in Lanark, Scotland. He left no estate and no life insurance. Even before his death, the boy had to go out to work to help support the family. They were helped also by the Navy League of Canada. Decedent had been earning about \$1,600.00 a year. His income the year before the war was given at \$1,000.00 to \$1,200.00.

This case was heard before the late Commissioner at Montreal in September 1923.

There was medical evidence which clearly established that decedent contracted what was called galloping consumption by reason of exposure when his ship was sunk. The officials of the steamship company corroborated this evidence.

In making a note for judgment Dr. Pugsley expressed himself as follows in respect to the claim for loss of life:—

"In view of the fact that the deceased was a very efficient and valuable officer and might reasonably have been expected to live many years and of the fact that his widow and children were entirely supported by her husband, I am of the opinion that the claim of \$20,000.00 for his loss of life is not an unreasonable one and I allow it to the claimant at that amount."

With reference to the claim on account of loss of personal effects, the Commissioner said he would adopt the scale fixed by the British Reparation Commission in England and allow the sum of \$1,660.00 for loss of personal effects and solatium for being torpedoed. With this I agree.

The Commissioner allowed interest from the date of the ratification of the Treaty of Versailles, January 10, 1920, at the rate of 5 per cent per annum to date of settlement.

I think that the award for loss of decedent's life is too high when we consider his age and income before the war and during the war. I would change that assessment to \$12,000.00 and distribute it, giving \$8,000.00 to the widow, Mrs. Mary Bray, \$2,000.00 to Alfred McMillan Bray and \$2,000.00 to Margaret Patterson Bray, all with interest as awarded by the late Commissioner.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$9,660.00 fair compensation to the claimant, Mrs. Mary Bray, and \$2,000.00 to each of the children, all with interest as above stated.

JAMES FRIEL,

December 15, 1926.

Commissioner.



## DECISION

## Case 1121

*Re* COLONEL EDMUND GRAVES MEREDITH CAPE

Claimant is a Canadian who claims on account of the loss of a Wolseley motor car shipped from England on the ss. *Mountfort*, which was sunk by enemy submarine October 1, 1918. The claim is for the value of the car less \$2,475.00 insurance received.

The car had been purchased in Canada in 1914 for \$5,039.50. It was used during that season and all the summer of 1915. In December, 1915, it was shipped to England and used there until 1916, when the owner went to France. It was then turned into an English agency for repairs and storage.

I am inclined to think that the insurance recovered amply covered the value of the car at the time of loss, but so as not to be too close in the matter, I would allow claimant \$500.00 with interest at the rate of 5 per cent per annum from the date of loss, October 1, 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 \$500.00 fair compensation to claimant, with interest as above stated.

JAMES FRIEL,  
*Commissioner.*

December 15, 1926.

## DECISION

## Case 1122

*Re* MRS. ROSINA TETREAUULT

Ernest Tetreault, a Canadian, aged thirty-eight years, was an assistant foreman in charge of horses on the Donaldson liner *Tritonia*, and lost his life when that ship was torpedoed by enemy submarine, February 27, 1917. He left surviving his widow, the present claimant, then thirty-four years old, and five children: Jeannette, aged 13; Laurette, aged 12; Lucienne, aged 8; Ernest, aged 7; Germaine, aged 3, all dependent on him. He left an estate of about \$500.00. He was earning about \$90.00 per month. The widow received through War Risk insurance a lump sum of \$1,420.00 and in addition a yearly pension of about \$135.00, payable quarterly. The deceased had personal effects on the boat to the value of \$125.00.

Claimant has been supporting herself and children since his death by keeping a boarding house.

This case was heard by the late Commissioner in Montreal in September, 1923, who noted it for allowance to the claimant of \$10,125.00. I agree with this amount but think that I would divide it between the widow and the children, that is to say, \$5,125.00 to the claimant and \$1,000.00 to each child.

This claim comes within the First Annex, Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$10,125.00 fair compensation, 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.*

December 14, 1926.

## DECISION

## Case 1123

Re RICHARD GRUNDY

Claimant is a British subject born in England, who came to Canada in 1923. He was a fireman on the British merchant ship *Greenland*, captured by enemy submarine and sunk February 14, 1917, and claims for loss of effects and loss of time and for personal injury.

The claim was presented by the solicitors of the Navy League to the late Commissioner at Toronto in May, 1924, who thought, that by reason of claimant's not having become a resident of Canada until 1923, this Commission had no jurisdiction.

This is one of the cases wherein the British Reparation Claims Department was precluded from dealing with claims of British nationals who had become residents of any part of the Empire which shared in the reparation funds received from Germany. As in other cases Canada will have to pay this claim otherwise claimant will not get compensation at all.

I would allow his claim at \$465.00, adapting the British scale of solatium or torpedo money and for 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 \$465.00 fair compensation to the claimant with interest thereon 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.

January 17, 1927.

## DECISION

## Case 1124

Re GERALD LYNCH

Claimant is a Canadian; a native of Halifax. He was a fireman on the British merchant ship, the ss. *Port Dalhousie*, 1,744 tons, when that ship was sunk by enemy submarine off the English coast, March 19, 1916, with a loss of 12 lives including the master.

The claim is on account of the loss of personal effects.

Claimant is also entitled to 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 \$422.50 fair compensation to the claimant, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

JAMES FRIEL,  
Commissioner.

January 12, 1927.

## DECISION

## Case 1125

Re WILLIAM SAMUEL PULSFORD

Claimant is a British subject born in Guernsey, Channel Islands, September, 1895. He came to Canada first in 1912. During the war he sailed on the British Merchant Ship *Tabasco*, 2,087 tons, as cook or assistant steward, and was aboard her when she was captured and sunk by German submarine January 26, 1917. In getting on the ship's boat to escape, a block fell on him, knocked out his

teeth and otherwise injured him and he was laid up some time. The injury brought on stammering. Claimant now stammers, which defect of speech as shown by the medical record, was undoubtedly caused from the injury received.

Claimant had to pay doctor's bills and dentist's bills of \$95.00. When he recovered he joined the Imperial Forces and served during the rest of the war. He claims for personal injury and loss of personal effects.

Adapting the British Admiralty Scale I would allow him \$465.00 solatium or torpedo money and for personal effects, to which sum I would add \$500.00 on account of personal injury.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$965.00 fair compensation to the claimant with interest at 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

JAMES FRIEL,  
Commissioner.

January 17, 1927.

### DECISION

#### Case 1126

*Re* ROBERT S. LONDON

Claimant was a seaman in charge of the donkey engine on the schooner *Dornfontein*, 695 tons, captured by enemy submarine and fired in the Bay of Fundy, August 2, 1918.

The claim is for loss of personal effects.

I would allow the claim at the amount declared \$288.75 together with \$125.00 for usual solatium.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$413.75 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, to date of settlement.

JAMES FRIEL,  
Commissioner.

March 12, 1926.

### DECISION

#### Case 1127

*Re* JOHN JOSEPH O'BRIEN

Claimant is a British subject born in Ireland in 1877 who came to settle in Toronto in 1902 where he had a brother. He had served through the Boer War. Afterwards he went to the United States and engaged in journalistic work and was in Chicago when the late war broke out. He returned to Canada and shipped to England to join the colours, being a special reservist. He was assigned to the 65th Brigade, 22nd Division of Kitchener's Army and fought on the French and Serbian Fronts. He received wounds and was discharged July 7, 1918, and sailed on the *Carpathia*, July 13, 1918, from Liverpool for New York, his destination being Toronto. The *Carpathia* was sunk by enemy submarine with a loss of 5 lives July 17, 1918. Claimant was knocked overboard when the torpedo struck and after floating in the water a couple of hours, was picked up by the boats of a British cruiser and taken to the Royal Southern Hospital, England.

The medical record discloses he had been severely injured in the head. He has been in hospital in New York and St. Anne de Bellevue, Montreal, and his

health is greatly impaired. The medical record from the Riverside Hospital, N.Y., gives him 100 per cent disability in his own occupation and 80 per cent in the general labour market, and states that this condition will probably be permanent.

Claimant had all his effects with him on the *Carpathia*, including his discharge papers, testimonials, books, etc., and all were lost.

This claim was first put in to the British Reparation Claims Department and by them transferred to this Commission.

The late Commissioner, Dr. Pugsley, when in New York, June, 1924, gave a hearing to the claimant who was then in one of the New York hospitals, and notes:

"I am impressed with Mr. O'Brien, whose claim should, I think, be paid."

I would allow the claim at the amount declared, \$5,000.00 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, category (1) and (9), and I find \$5,000.00 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,

Commissioner.

July 10, 1926.

DECISION

Case 1128

Re CHARLES ROBERTSON

Claimant is a British subject born in Scotland, who came to Canada in 1918, to make his home and lived here until April 30, 1924.

The claim is on account of loss of money and personal effects when the ss. *Tuscania*, 14,348 tons, was sunk by enemy submarine with a loss of 44 lives off the coast of Ireland February 5, 1918.

This claim was first submitted to the British Reparation Claims Department who referred claimant to this Commission as he had become domiciled in Canada.

He has lost his Canadian domicile but I would recommend payment, as if he does not get something out of our reparation moneys, he will not get anything.

He says he was on the *Tuscania* 15 months before she was torpedoed and with all the troops she ever carried, he lost everything.

I would recommend payment at the amount declared, \$300.00 with interest at the rate of 5 per cent per annum from the date of the sinking February 5, 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 \$300.00 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,

Commissioner.

August 10, 1926.

DECISION

Case 1129

Re JOHN WILLIAM SULLY

Claimant is a British subject born in England, who was cook on the ss. *Royal Edward*, 11,117 tons, when that ship was sunk by enemy submarine without warning, August 13, 1915, with a loss of 132 lives.

The claim was first put in to the British Reparation Claims Department and by them transferred to this Commission.

~~Claimant came to Canada but afterwards returned to England. I think the British Reparation Claims Department should deal with the case.~~

It is a good claim and the claimant was badly injured. He was 14 hours in the water in the sea and the exposure brought on stammering and neurasthenia. The medical record gives him 25 per cent disability which is expected to be permanent. There is no medical history as to his previous health.

If the claim belongs to this country, I would award it at the amount claimed £200-0-0 (\$1,000.00 Canadian money) for personal injury, and £30-0-0 (\$150.00 Canadian money) for loss of property.

This claim falls within the First Annex to Section (I) Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,150.00 fair compensation to the claimant with interest at the rate of 5 per cent per annum from the 10th day of January, the date of the ratification of the Treaty of Versailles, to date of settlement.

JAMES FRIEL,  
Commissioner.

June 30, 1926.

NOTE.—The question is—whether we should pay it or the British Government.

## DECISION

### Case 1130

*Re* FRANK TATTERSALL

Claimant is a British subject, born in England in 1877. In December, 1914, he left his home in Ashton-Under-Lyne to accept a position as instructor of music in the province of Quebec, leaving his wife and three children in England. Sometime in June, 1915, when he was thoroughly established in Canada he returned to take his wife and family to a home he was preparing at Conticook, near Sherbrooke, in the province of Quebec, and in August, 1915, with them took passage at Liverpool on the *White Star Liner Arabic*, which was sunk by enemy submarine with loss of 44 lives off the coast of Ireland on August 19, 1915.

Claimant's wife, Rhoda Annie Tattersall, aged 37, and his youngest daughter, Irene, aged 5 years were drowned. The body of the little girl was never recovered, but Mrs. Tattersall's body was found floating in the sea, near Cork, and after identification was buried in the churchyard at Tullagh, south of Ireland. For a long time after the disaster claimant was unable to work at his full capacity owing to the nervous shock sustained. Deafness in his right ear developed and became permanent, a serious matter to him in his occupation of teaching music.

The two little girls survivors both fell into the sea and sank, and when they came up again clutched at an oar and wreckage which supported them. They were picked up by lifeboats.

The girl Gladys when she fell she was struck by wreckage and rendered unconscious. There was a big cut over her eye. Claimant says that owing to the loss of his wife, his home affairs had to be rearranged, and the expense of housekeepers was not only a heavy liability, but prevented that leisure and mental freedom so necessary to the successful pursuit of his profession. It was over two years before he was physically and mentally fit to earn \$4,000, his average yearly income at the time of the disaster. The two surviving daughters, aged 8 and 10 years respectively, at the time of the disaster needed extra care and attention as their nervous systems were all unstrung. The girl Gladys

developed spinal trouble which it is claimed undoubtedly had its origin in the injury she received in the wreck. She is now 21 years old, weighs only 90 pounds and needs the special care of doctors, nurses, and sanitariums.

Owing to the loss of his wife claimant's home had been broken up and his plans for the future had been disarranged. When he first filed claim with the Commission in April, 1920, he was living at Peterboro, Ontario.

Personal property lost included a large collection of pianoforte, organ and musical educational works covering 26 years' study and professional practice; a piano, household linen and effects, silver, crockery, carpets, clothing, etc., wearing apparel of claimant, his wife and family. Money was also lost to the amount of \$180.00.

Mr. Tattersall has not been able to attend before the Commission and give evidence, but the documentary evidence furnished is sufficient. He has also filed English papers of the time giving special reports of the disaster to him and his family. His high standing in his profession is referred to and the standing of his lost wife, who was the leading soprano in Grosvenor Square Church, Staleybridge, England.

I would allow claimant \$1,000.00 on account of shock and injury to his own health and \$10,000.00 on account of the loss of his wife. These amounts, with interest at 5 per cent per annum from January 10, 1920, to the date of settlement.

I would allow claimant \$2,900.00 on account of loss of personal effects, with interest from the date of loss, August 19, 1915, at 5 per cent per annum to the 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 that \$13,900.00 is fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

November 11, 1926.

## DECISION

### Case 1131

#### Re JOHN FROST

Claimant is a British subject born in England in 1890. He came to settle in Canada in 1918. He was a fireman and civilian member of the crew of the British Merchant ship *Transylvania*, 14,315 tons, sunk by enemy submarine in the gulf of Genoa May 4, 1917 with a loss of twelve lives of the crew, including the Master. Claimant afterwards served with the Canadian forces and lost his right eye in battle. He claims for personal effects lost and money he had with him when the *Transylvania* was sunk, at a declared value of £57.

His claim was submitted to the British Reparation Claims Department and by them returned to Canada on account of his having become a resident of this country.

This claimant is entitled also to solatium or torpedo money which I would allow at \$250.00 adapting the British Admiralty Scale. I would also allow for personal effects and money lost at the declared value \$285.00, all 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.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$525.00 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

January 20, 1927.

## DECISION

## Case 1132

Re JOSEPH GAGNON

Claimant is a Canadian born in Hull, P.Q., who has been following the sea and has no settled home. He was on the British steamship *Fairport*, 3,838 tons, when that ship was sunk by enemy submarine in the Irish Sea April 15, 1916, and claims for personal effects.

He is entitled also to solatium or torpedo money.

This claim was submitted to the British Reparation Claims Department and by them referred to this Commission.

I would allow claimant \$200.00 solatium or torpedo money and \$225.00 on account of loss of personal effects, with interest thereon 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.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$425.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

February 3, 1927.

## DECISION

## Case 1133

Re THOMAS GEORGE

Claimant was born of British parents at Montreal August 22, 1865.

He commenced his seafaring life out of that port in 1881 and after 1885 did not return to Canada but sailed on British ships.

He is not married and has no home.

His claim was first put into the British Reparation Claims Department who held he was a Canadian, that they could not deal with it and who sent the papers to this Commission.

This is another case where we have to go outside of the Order in Council restricting us to residence in Canada if the claim is to be considered. There is no other tribunal that will deal with the claim.

Thomas George was boatswain on the *Lynorta*, 3,684 tons, when that ship was sunk by enemy submarine with a loss of two lives 100 miles northwest off the Irish Coast August 11, 1917.

He was also an able seaman on the British Merchant ship *Kassanga*, 3,015 tons, which was sunk by enemy submarine off the Irish Coast March 20, 1918.

He claims for loss of effects and loss of time in both cases. He received £10 from the owners of the *Kassanga*.

Under the British Admiralty Scale this man is entitled to solatium for being torpedoed and to an allowance for the loss of his personal effects, for which he claims £43.

I would allow him \$300.00 solatium or torpedo money and the amount claimed for personal effects, \$213.41, 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.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$513.41 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

February 2, 1927.

## DECISION

## Case 1134

*Re* HENRICK KASKER

Claimant was born in Finland in 1852. He was naturalized in Canada April 9, 1891, and afterwards followed the sea on British ships. He was a Quarter Master on the ss. *Adansi* 2,644 tons, sunk by enemy submarine May 6, 1917. He was also on the ss. *Karina*, 4,222 tons, sunk by enemy submarine off the coast of Ireland, August 1, 1917. He claims £30 in each case and for loss of time. He received £10 from the Board of Trade. This claim was submitted by the National Sailors and Firemen's Union of Great Britain and Ireland to the British Reparation Claims Department which ruled that as claimant had taken out a certificate of naturalization in Canada prior to the coming into force of the British Nationality and Status of Aliens Act (1914), he would be considered an alien in so far as England is concerned and as the Royal Commission on Compensation for Suffering and Damage by Enemy Action was precluded from making recommendations of payment out of the £5,000,000 to aliens this particular claim would be one for the consideration of the Government of Canada. The papers relating to his case were then submitted to this Commission.

This is another case outside of our Orders in Council but one I think we should look after. Claimant is entitled to solatium or torpedo money under the British Admiralty Scale for being on torpedoed ships on two occasions.

I would allow him \$300.00 on that account and \$250.00 for 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 \$550.00 fair compensation to the claimant with interest thereon 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.*

February 3, 1927.

## DECISION

## Case 1135

*Re* CHARLES ALBERT MOSELEY

Claimant is a Canadian, born in Bridgewater, Nova Scotia. He served in the war and while in Flanders had certain packages of surplus kit of a civilian nature shipped to London for transmission to Jamaica. His agents shipped the goods on the ss. *Chiripo* which was sunk by a mine off Belfast, December 28, 1917. The goods were valued at £99.19.4. Insurance was received to the amount of £29.12.0, leaving a balance of £70.7.4 which is equivalent in Canadian money to \$345.23, which I would allow.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (9) and I find \$345.23 fair compensation to the claimant with interest at 5 per cent per annum from the date of loss (December 28, 1917) to the date of settlement.

JAMES FRIEL,

*Commissioner.*

February 3, 1927.



## DECISION

## Case 1136

*Re* MRS. GLADYS MAUD ABEL

Claimant and her present husband are British subjects born in England who came to Canada, March, 1919.

Mrs. Abel claims on account of the death of her first husband, Gerald Godfrey Betts, also English, born December 26, 1891 whom she married June 1, 1916. He was a fireman on the ss. *Clearfield*, lost at sea on or about October 23, 1916, with all on board.

Whilst the cause of the loss was never definitely ascertained, the Government War Risks Insurance Scheme agreed to treat the Life Claims as if they had arisen in consequence of a War loss and that not only were the dependents paid the statutory liability under the Workmen's Compensation Act, but pensions to the widows, and allowances to the children, were also granted.

Decedent was earning £8.10.0 per month and his food provided by the steamer. Claimant, his widow, was paid the sum of £250.0.0 under the Workmen's Compensation Act, and his mother £50.0.0. Under the Government War Risks Seamen's Compensation Scheme, a pension of £18.15.1 was also granted the widow which was discontinued on her second marriage March 31, 1918. There were no children. He left no property.

Claim for loss of life and loss of effects was presented to the British Reparation Claims Department and by them referred to this Commission, claimant and her husband having become domiciled in Canada. They are now operating a bake shop in Wilkie, Sask.

I would allow this claim at the amount declared, \$1,300.00, 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 of Versailles, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Peace, categories (1) and (9), and I find \$1,300.00 is fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,

*Commissioner.*

May 14, 1926.

## DECISION

## Case 1137

*Re* JOSEPH BOUCHIE

Claimant is a Canadian, native of River Bourgeois, N.S., born January 7, 1892. He was employed on two ships when they were torpedoed. First on the ss. *Salmo*, 1,721 tons, torpedoed by the enemy off the coast of Ireland, April 7, 1917, on which occasion 17 men were 48 hours in an open boat during a snow storm and sailed 200 miles. When they reached land most of them had to be carried off the boat. Claimant contracted a cold which later on, according to the medical record, brought on a disease of the ear and impaired hearing. A mastoid operation was performed but his left ear continues to discharge and doctors say he will probably lose his hearing. On the second occasion he was on the ss. *Oslo*, 2,296 tons, torpedoed by the enemy in the North Sea, August 21, 1917. On this occasion the crew were picked up very soon. On both occasions there was loss of life.

The claim is for personal injury and loss of effects and was heard by the late Commissioner at Sydney, C.B., September, 1924.

I would allow the claimant \$1,000.00 for illness and injury to his hearing and would adapt the British Admiralty scale to the claim for loss of effects and solatium or torpedo money and allow \$600.00 for each occasion.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$2,200.00 is fair compensation to Joseph Bouchie, 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 19, 1926.

DECISION

Case 1138

Re A. G. BENNETT

Claimant is a British subject born in New Zealand, who came to Canada in 1908. He claims for loss of a case of settler's effects belonging to himself and his wife, lost on the ss. *Mount Temple*, which was captured by the enemy raider *Moewe* and sunk December 6, 1916.

The claim at £218.13.6 was first put in to the British Foreign Claims Office, and by them transferred to this Commission.

I would allow the claim at the amount declared, \$1,072.84, with interest at the rate of 5 per cent per annum from the date of the sinking of the ship, December 6, 1916, 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 \$1,072.84 is fair compensation to the claimant, A. G. Bennett, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

April 27, 1926.

DECISION

Case 1139

Re MRS. FRANCES MARY DOYLE

Mrs. Doyle is a British subject born in Ireland. She came to Canada with her two children in 1920. Her claim is on account of loss of her husband, Thomas Doyle, seaman, 29, on the ss. *Cork*, sunk by enemy submarine on January 26, 1918, and for personal effects he had with him.

This claim was originally filed with the British Reparation Claims Department, and by them transferred to this Commission.

Decedent left dependents his widow, age 30, and two children, Lawrence, age 3 and Margaret 1. Doyle's wages varied from £96 in 1914 to £192 in 1917. His family received £300 under the Workmen's Compensation Act under the Government War Risk Scheme, and claimant is drawing a pension of £3.13.4 per month.

I would recommend an allowance of \$2,000.00 to claimant, Mrs. Frances Mary Doyle, together with \$190.00 for personal effects as claimed, and \$1,000.00 to Lawrence Doyle and \$1,000.00 to Margaret Doyle.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, categories (1) and (9), and I find that \$2,190.00 is fair compensation to the claimant, Mrs. Frances Mary Doyle, together with \$1,000.00 each to her children Lawrence and Margaret Doyle, 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 22, 1926

## DECISION

## Case 1140

Re GEORGE W. CROSSAN

Claimant is a British subject born in Scotland, who came to Canada in 1910. He was Chief Engineer on the Canada Steamship Lines, ss. *Midland Queen*, 1,993 tons, when that ship was captured by enemy submarine and sunk by gun fire, 70 miles off the Coast of Ireland, August 4, 1915.

He had his wife and thirteen month's old baby with him on the ship taking them to their former home in Scotland. They were rescued in their night clothes.

Mr. Crossan stayed at his post to the last moment and lost his money, amounting to \$160.00 in cash, tools, books and all his other effects.

The claim is for loss of personal effects, and was first put in to the British Reparation Claims Department, and by them transferred to this Commission.

I would allow this claim at the amount declared \$1,700.00, which I think generous enough to include also solatium usually allowed seamen on their ship being torpedoed.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (9) and I find \$1,700.00 fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of sinking August 4, 1915, to date of settlement.

JAMES FRIEL,  
Commissioner.

June 19, 1926.

## DECISION

## Case 1141

Re MRS. ELIZABETH EGAN

Claimant is a British subject born in England, 1886. She came to Canada in 1919. She claims on account of the loss of life of her husband Frederick Daniel Egan also a British subject who was drowned when the ss. *Devonian*, of the Leyland Line, was sunk off the Irish Coast August 21, 1917.

Egan was a ship carpenter. He was then 31 years and was making about £8-0-0 per month wages. He left dependents, claimant and a child, Mary, then less than two months. He left no property and had no life insurance. The widow received £300-0-0 under the Workmen's Compensation Act for herself and baby and £36-6 per annum from the War Risk Association for herself and child until the child reaches the age of 16.

This claim was put in first to the British Reparation Claims Department who transferred it to this Commission. Mrs. Egan with her child lives with her married sister and works in the General Hospital, Vancouver, B.C.

There is no claim for effects.

I would allow this claimant \$2,000.00 for herself and child 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.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$2,000.00 is fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

April 30, 1926.

## DECISION

## Case 1142

Re W. H. BODIAM

Claimant is a British subject, born in England, who settled in Canada. He served with the British Merchant Marine during the war. He was a fireman on the *ss. Omrah*, 8,130 tons, sunk by enemy submarine on May 12, 1918, with loss of life.

The claim is on account of loss of effects and was first put in to the British Reparation Claims Department, and by them transferred to this Commission.

The record is not very full, but I would allow the claim at the amount declared £82-15-0, less compensation received £7-10-0, with interest at the rate of 5 per cent per annum from the date of the sinking of the ship, May 12, 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 \$369.19 is fair compensation to the claimant, W. H. Bodiam, with interest as above indicated.

May 1, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1143

Re Mrs. JESSIE M. GILLENDER

Claimant is a British subject, born in England. Her claim was first put in to the British Foreign Claims Office, who transferred it to this Commission on her becoming a resident of Canada. The claim is on account of the loss of personal and household effects and money, when the *ss. Arabic*, on which the claimant was a passenger, was sunk by enemy submarine off the coast of Ireland, August 19, 1915.

If Mrs. Gillender is living in Canada she is entitled to compensation, and I would allow at the amount declared, \$284.55.

The claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$284.55 is fair compensation to the claimant, Mrs. Jessie M. Gillender, with interest at the rate of 5 per cent per annum from the 19th day of August, 1915, the date of the sinking, to date of settlement.

April 15, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1144

Re JAMES FORSTER

Claimant is a British subject born in England who came to Canada in 1907.

He was a seaman on the *ss. Empress of Midland*, 2,224 tons, which was sunk by mine off the Kentish Coast, March 27, 1916, and claims for loss of time and loss of personal effects. He received £20 from the ship owners.

I would allow this claim at ~~\$300.00~~ for solatium or torpedo money and on account of loss of personal effects, 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.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$300.00 fair compensation to the claimant with interest as above stated.

JAMES FRIEL,  
Commissioner.

August 10, 1926.

## DECISION

### Case 1145

#### Re LAWRENCE F. HANSEN

Claimant is a British subject born in Denmark, and naturalized in England in 1906. He was master of the British Merchant ss. *Clartland*, 2,613 tons, sunk by enemy submarine with loss of two lives January 3, 1918, while on a voyage from Newcastle to the Mediterranean, coal laden. The ship was torpedoed at night without warning. When the ship was hit Captain Hansen was thrown across the bridge about forty feet and fell on his back across the rail. The ship sank in three minutes. He was pulled out of the water severely injured and was under doctor's care for three months suffering from the injury to his back and from cold, wet and exposure which brought on bronchitis and rheumatism. His health was so injured he was unable to resume his occupation so he came to Canada and took up a small farm.

He claims on account of personal injury and loss of personal effects and instruments, valued at £135-0-0 less £100-0-0 received on that account from the Mercantile Marine Office.

Claimant was 46 years when the ship was sunk. His wages were about £340-0-0 per annum.

This claim was first put into the British Reparation Claims Department and by them transferred to this Commission.

The medical record indicates incapacity of 50 per cent in the general labour market,—“probably will never be able to be aboard a ship and will never be able to do any heavy lifting.”

I would allow claimant his full claim for personal injury, £600-0-0 or the equivalent in Canadian currency, \$2,943.66, 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, and on account of loss of personal effects £35-0-0 or the equivalent in Canadian currency \$171.71, with interest at the rate of 5 per cent per annum from the date of the sinking, January 3, 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 \$3,115.37 is fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

June 17, 1926.

## DECISION

## Case 1146

*Re* RODERICK HARDY

Claimant is a Canadian. He was a seaman on the ss. *Philadelphian*, 5,165 tons, when that ship was sunk by enemy submarine with loss of 4 lives, February 19, 1918, and claims for loss of personal effects, etc., \$325.00.

I would allow the claim at that amount for torpedo money and personal effects lost.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$325.00 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.

JAMES FRIEL,  
Commissioner.

July 13, 1926.

## DECISION

## Case 1147

*Re* THOMAS HENDERSON

Claimant is a British subject having his home in Canada at the time of filing his claim with the British Reparation Claims Department. The claim was transferred to this Commission.

Claimant was serving as kitchen porter on the British merchant ship ss. *Royal Edward*, 11,117 tons, sunk by enemy submarine in the Aegean Sea, August 13, 1915, with a loss of 132 lives including the master.

Adopting the British Admiralty rule claimant is entitled to solatium or torpedo money and to an allowance for his personal effects, which I would fix at \$450.00, 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 of Versailles, 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 \$450.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

August 9, 1926.

## DECISION

## Case 1148

*Re* BERT J. LONG

Claimant is a British subject born in England, who came to Canada in 1919. He had served in the army and was wounded and discharged as disabled. He took a position with a trading company in West Africa and was returning from there a passenger on the Elder Dempster Liner *Apapa* when that ship was sunk by enemy submarine with a loss of 77 lives off Holy Head, November 28, 1917.

Claimant was quite badly shaken up before being rescued but there is no claim for personal injury.

This claim was first put in to the British Reparation Claims Department and by them transferred to this Commission.

I would allow the claim for loss of personal effects and money, as declared and proved, £200.00, or the equivalent in Canadian money, \$981.22, with interest at the rate of 5 per cent per annum from the date of sinking, November 28, 1917, 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 \$981.22 fair compensation to the claimant with interest as above stated.

June 19, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1149

*Re Mrs. BESSIE C. LOWE*

Claimant is a British subject born in Scotland, who came to Canada in 1921, with her boy to work and make her home. She was a cook. She was then the widow of George W. Cheyne, employed as a greaser in the engine room of the British merchant ship *Hogarth*, 1,231 tons, who was drowned when that ship was sunk by enemy submarine with the loss of 26 lives including the master June 7, 1918. Cheyne was then 32 and was earning \$22.00 per week and giving nearly all his wages to his wife for the support of herself and child. The boy's name is George J. E. Cheyne. He was six years old at the time of his father's death. The father left no property.

The claim was first put in to the British Reparation Claims Department and by it transferred to this Department upon Mrs. Cheyne's moving to Canada.

She was married to a Canadian in October, 1922. She got £300 from the British Workmen's Compensation Board and a pension of £19.62 per annum from the Seamen's War-risk Compensation while she remained unmarried, together with an allowance of £13 per annum for her son until he reaches the age of 16.

She claims also on account of the loss of personal effects of the deceased.

I would allow claimant \$1,500.00 on account of the loss of life of her first husband and the personal effects and to the boy, George J. E. Cheyne, the sum of \$2,000.00, with interest on each award, 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.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,500.00 fair compensation to Mrs. Bessie Cheyne Lowe, with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, as stated before, and to George J. E. Cheyne, the sum of \$2,000.00 with interest at the rate of 5 per cent per annum from the 10th day of January, 1920, as stated before, to date of settlement.

August 5, 1926.

JAMES FRIEL,  
*Commissioner.*

DECISION

Case 1150

*Re Mrs. JESSIE KELLY*

The claimant is a British subject born in England, who came to Canada with her two daughters under the auspices of the Navy League in 1920. She claims on account of the loss of the life of her husband, Alexander Kelly, who was second engineer on the ss. *Paignton*, 2,017 tons, captured by enemy submarine and sunk by gun fire in the Irish Sea with the loss of one life, March

14, 1917. The deceased contracted pneumonia from exposure after the ship was sunk from which he died April 16, 1917. He left surviving his widow, the claimant herein, then 45 years old, and seven children--

Jessie Alexandra, 22.

Maud Maria, 20.

Elizabeth, 18.

Frances, 17.

Dorothy, 13.

Hugh Cecil, 12.

Constance Faith, 8.

He left no property and apparently no life insurance. His income in each of the two years preceding his death was £480.00. His income before the war unknown, claimant says that her husband was in constant employment. The claimant received £300.00 under the Workmen's Compensation Act and a quarterly pension of \$122.00 from the Shipowners Insurance. Her pension is now reduced to \$96.00 a quarter. Her son, Hugh Cecil, is now serving in the Canadian Navy.

This claim was first put into the British Foreign Claims Office and by them transferred to this Commission on account of claimant having become domiciled in this country.

I would allow the claimant, Mrs. Jessie Kelly, \$4,000.00 and \$1,000.00 to each of the three youngest children, Dorothy, Hugh Cecil, and Constance Faith, all 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 the date of settlement.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (1), and I find \$7,000.00 fair compensation with interest as above indicated.

JAMES FRIEL,  
*Commissioner.*

August 14, 1926.

#### DECISION

#### Case 1151

#### Re ESTATE JOHN McCORMICK

This claim was first put into the British Reparation Claims Department (Board of Trade) through the Imperial Merchants Service Guild, and transferred to this Commission.

John McCormick was a Scotchman who came to Canada 25 years ago and sailed out of Halifax until the war when he went over to the other side and was employed in the British Mercantile Marine. He was in four different ships when they were sunk, namely:—

*Midland Queen*, sunk August 4, 1915.

*Ardgask*, sunk April 3, 1917.

*Queen Amelie*, sunk February 17, 1917.

*Ard Glamis*, sunk November 9, 1917.

and lost all his personal effects on each occasion. He put in a claim each time to the British Board of Trade and certain allowances were made him.

He was drowned in Queenstown Harbour January 30, 1922. He left no will.

The claim was presented to the late Commissioner at Amherst, N.S., by Susan McCormick, widow of the deceased on behalf of herself and their two children William M. McCormick born June 2, 1908, and Althea McCormick born April 24, 1910. (Both born at Dartmouth). They are now residing with their mother Mrs. Susan McCormick at Amherst, N.S.



Mrs. McCormick claimed for personal effects and loss of wages.  
I adapt the British Admiralty scale to this claim and allow the claimant:—  
Solatium and allowance for personal effects on the occasion  
of the different sinkings as follows:—

<i>Midland Queen</i> . . . . .	\$ 495 00
<i>Ardgask</i> . . . . .	410 00
<i>Queen Amelie</i> . . . . .	410 00
<i>Ard Glamis</i> . . . . .	410 00
	<hr/>
	\$ 1,725 00
Less amount rec'd from the British Board of Trade . . .	615 00
	<hr/>
	\$ 1,110 00

The claim falls within the First Annex to Section (I), of Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,110.00, is fair compensation, with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty January 10, 1920, to the date of settlement.  
Payment should be made to the legal representatives of the deceased.

JAMES FRIEL,  
Commissioner.

January 7, 1926.

#### DECISION

#### Case 1152

#### Re ROBERT MONKS

Claimant is a British subject born in England in 1880, who has lived in Canada since November, 1919, with the intention of permanently residing in this country.

He was Chief Officer on the ss. *Spectator*, 3,808 tons, belonging to the Harrison Line, when that ship was attacked by enemy submarine off the Coast of Ireland March 11, 1917, and beat the enemy off. Claimant handled the ship's guns, the firing being done by naval ratings. In the action which lasted three-quarters of an hour, he contracted neuritis and the medical record indicates he was incapacitated for over a month and he is still subject to occasional attacks of neuritis.

He received £97- from the Owners War Risk Association and the Admiralty, for his part in driving off the submarine.

He put in a claim for £100 to the British Reparation Claims Department on account of injury to his health sustained in the fight with the submarine; and a second claim for £100 for personal effects, including nautical instruments and books lost when the ss. *Matador*, 3,642 tons, on which he was an officer, was torpedoed by enemy submarine and sunk with the loss of two lives off the Coast of Ireland July 3, 1917.

I would allow these claims at \$1,000.00.

These claims fall within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9) and I find \$1,000.00 is fair compensation to Robert Monks, 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.

April 10, 1926.

## DECISION

## Case 1153

Re Mrs. EMMA MORRIS

Claimant is a British subject born in England, who came to Canada in 1908. She claims for herself and children on account of the loss of life of her husband, Roger Morris, also a British subject, aged 52, who was a civilian passenger on the Collier Transport, *Greelcen*, sunk by enemy submarine February 22nd, 1917.

He left his widow, claimant, three children, aged 11-9- and 4 respectively.

He was an electrician making about \$3.00 per day and had been working on ships and was returning from Bilboa to England.

Mrs. Morris claimed \$5,000.00 from the British Foreign Claims Office who transferred the claim to this Commission.

I would allow the claim at that amount, for claimant and her children, 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.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (1) and I find \$5,000.00 is fair compensation to the claimant and her children, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

May 10, 1926.

## DECISION

## Case 1154

Re Mrs. AGNES ROBERTSON MURRAY

Claimant is a British subject born in England, who came to Canada in 1919. She claims on account of the loss of life of her husband, Charles Merton Murray, 34, who was chief officer on the ss. *Norwood*, 798 tons, which was destroyed by mine, in the North Sea, with a loss of life of 18 men and its master. He left dependents, the claimant, 39, Charlotte Robertson Murray, 11 years, and Agnes Robertson Murray, 7, daughters.

The decedent's pay as chief officer varied. In 1912, he received £130-0-0 and £296-0-0 in 1916.

The claim was first put in to the British Reparation Claims Department and by them referred to this Commission.

Claimant received £300-0-0 for herself from the Shipping Federation Limited and a pension of £9-10-11 from the Protecting and Indemnity Association for herself and the children until they reached 16. The children's share of the pension seemed to be about £4-0-0 per month.

I would allow Mrs. Agnes Robertson Murray, the claimant, \$2,236.25 and to each of the children, namely, Charlotte Robertson Murray, and Agnes Robertson Murray, \$1,500.00 with interest at the rate of 5 per cent per annum from the date of the ratification of the Treaty of Peace, January 10, 1920, 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 \$5,632.25 is fair compensation with interest as above stated.

JAMES FRIEL,  
Commissioner.

May 11, 1926.

## DECISION

## Case 1155

Re ALLAN R. McSWAIN

Claimant is a Canadian, born in Amherst, N.S., in 1886. He was a sailor on the ss. *Wapello* when that vessel was torpedoed June 15, 1917, off the British coast and on the oil tanker *San Dunstano*, torpedoed September 5, 1917, also off the British coast.

He claims for personal effects lost, \$437.50, less amounts received from the British Admiralty Insurance, on the first occasion, \$37.50, and on the second occasion \$25.00, making a total of \$375.00.

This man would be entitled to solatium or torpedo money according to the British Admiralty Scale, and adapting that scale, I would allow him \$400.00 solatium in addition to the amount on account of 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 \$775.00 is fair compensation to the claimant, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

JAMES FRIEL,  
Commissioner.

May 15, 1926.

## DECISION

## Case 1156

Re WALTER BRUCE MUIRHEAD

Claimant is a Canadian, born in Hamilton in 1884. He is a veteran of the Boer War. When the Great War broke out he was in South America.

In 1917 he sailed for England to join the Canadian Forces. His personal belongings were shipped from Buenos Aires on the ss. *Condesa*, which sailed later, and that ship was sunk by enemy submarine July 7, 1917.

The claim is for loss of personal effects.

I would allow this claim at the amount declared, \$500.00, with interest from the date of loss, 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, category (9) and I find \$500.00 is fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

June 15, 1926.

## DECISION

## Case 1157

Re WILLIAM J. NORTON

Claimant is a Canadian. He was on board two ships when they were sunk, namely, *Blue Mare*, 2,324 tons, sunk July 24, 1917, and the *Chelford*, 2,095 tons, sunk April 14, 1918.

He lost all his effects on both occasions. He received some small compensation or insurance.

This claim was first put in to the British Reparation Claims Department and by that department transferred to this Commission.

I would allow the claim at the amount declared, \$625.00, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Peace, category (9), and I find \$625.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

June 29, 1926.

DECISION

Case 1158

Re MRS. DORA C. OLIVER

Claimant and her husband are both British subjects born in England. Claimant came to Canada in 1914 to be married to her present husband who came over in 1913. She brought her trousseau, wedding presents and household effects and established a home after their marriage.

He enlisted in the war and she broke up the home and went to England to nurse.

The effects and personal property claimed for were on the ss. *Mount Temple* when that ship was captured by the enemy raider *Mocve* and sunk December 6, 1916. There was no insurance.

I would allow this claim at the amount declared and proved, namely, \$2,203.28, with interest at the rate of 5 per cent per annum from the date of the sinking, December 6, 1916, 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 \$2,203.28 is fair compensation to the claimant with interest as indicated above.

JAMES FRIEL,  
Commissioner.

April 28, 1926.

DECISION

Case 1159

Re FRANK PAULDING

Claimant is a British subject, born in England, who came to Canada in 1912. He was serving with the Y.M.C.A. and was a passenger on the *Iaconia* when that ship was sunk by enemy submarine, with loss of life, off the coast of Ireland, February 25, 1917. The claim is for loss of personal effects.

I would allow this claim at the amount declared, \$401.96, with interest at 5 per cent per annum from the date of the sinking of the ship, February 25, 1917, 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 \$401.96 is fair compensation to the claimant, Frank Paulding, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

May 1, 1926.

## DECISION

## Case 1160

Re DESBENA PALMER

This claim was sent from Snow & Co., Limited, Halifax, February, 1922 to the British Reparation Claims Department.

Claimant stated in his declaration to the British Reparation Claims Department that he was born in Shelburne, N.S., May 11, 1866.

Claim is for loss of effects on three separate occasions on which the ship he was employed on was sunk by the enemy, namely:—

SS. *Ivydene*, March 17, 1918.

SS. *Westfield*, April 10, 1918.

SS. *Madryn*, September 16, 1918.

Claim was referred to this Commission but we have been unable to locate claimant. Information was given that a man named "Desbesa Farmer" lived in Shelburne many years ago and was supposed to have become a resident of United States.

The claimant, from his signature, is apparently illiterate. The claim on the British Reparation form is made in good faith and refers to the different captains of the ships destroyed. If claimant is domiciled in Canada, he is entitled to compensation and on the basis of the British Scale, I would allow him \$900.00 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 of Versailles, 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 subject to the condition already mentioned of proof of domicile and identification, I would allow claimant, \$900.00 with interest as indicated.

JAMES FRIEL,

May 14, 1926.

Commissioner.

## DECISION

## Case 1161

Re MRS. MARY ELIZABETH PARKER

Claimant is a British subject born in England who came to Canada May, 1923.

The claim is on account of the loss of her first husband Charles Edward Lawrence, who was one of the engineers on board the steam trawler *Shakespeare*, sunk in the North Sea, February 7, 1916. He left his widow, the claimant, as sole dependent. He used to give her 35 shillings per week and pay the house rent and coal.

The claim was first put in to the British Reparation Claims Department and by them transferred to this Commission.

Claimant received something over £200.00 from the British Workmen's Compensation Board; and nothing for loss of personal effects. She remarried again December 1921; her present husband is a labourer.

I would allow the claimant \$1,200.00 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 of Versailles, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (1) and I find \$1,200.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,

June 29, 1926.

Commissioner.

## DECISION

## Case 1162

Re WILLIAM PARSONS

Claimant is a British subject born in the Channel Islands, who came to Canada, 1920.

He was boatswain on the ss. *Nevisbrook*, 3,140 tons, sunk by enemy submarine July 20, 1917.

The claim is for loss of personal effects.

This claim was first put in to the British Reparation Claims Department and by them transferred to this Commission.

I would adapt the British Admiralty Scale to this case and allow claimant \$300.00 for solatium or torpedo money and for personal effects lost. He has already received £11.0.0 from the owners.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9) and I find \$300.00 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.

June 30, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1163

Re RICHARD A. RICHARDS

The claimant is a British subject, born in Milford Haven, Great Britain, living in Canada and employed on British ships. He was chief engineer on the ss. *Morwenna*, 1,414 tons, when the ship was captured by enemy submarine and torpedoed with loss of one life off the coast of Ireland, May 26, 1915. The survivors were picked up by a British boat that was in the neighbourhood shortly after the submarine disappeared.

This claim is for loss of personal effects declared at \$380.00 which seems to be reasonable. The claimant is entitled also to solatium and torpedo money under the British scale, say, \$375.00.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$755.00 is fair compensation to Richard A. Richards 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.

March 6, 1926.

JAMES FRIEL,  
Commissioner.

## DECISION

## Case 1164

Re DAVID P. RUIZ

Claimant is a British subject born in Scotland and resident in Canada since 1913. He was 4th engineer on the ss. *Tortuguero*, 4,175 tons, sunk by enemy submarine with a loss of 12 lives, 250 miles off the Irish coast, June 26, 1918.

The claim is for personal injury and loss of effects. Claimant received £50-0-0 from the British Board of Trade.

I am of the opinion that this claim would be suitably considered by adapting the British Scale for solatium or torpedo money and loss of personal effects and cash, deducting the amount already received by claimant.

The scale award for an engineer would total \$700.00 for effects, cash and solatium. The amount received by the claimant from the Board of Trade would equal \$250.00.

I would therefore allow him \$450.00.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$450.00, 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, to date of settlement.

JAMES FRIEL,  
Commissioner.

March 18, 1926.

DECISION

Case 1165

Re WILLIAM AND HELEN ROWLEY

Claimants are British subjects, born in England, who settled in Canada in 1913. Their claim is for loss of goods and effects on the ss. *Laconia*, sunk by enemy submarine with loss of 12 lives, off the coast of Ireland, February 25, 1917. They were returning to Canada after a visit to their old home.

I would allow their claim at the amount proved, \$735.00.

The claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$735.00 is fair compensation to the claimants, William Rowley and Helen Rowley, with interest at the rate of 5 per cent per annum from the date of loss, February 25, 1917, to date of settlement.

JAMES FRIEL,  
Commissioner.

April 17, 1926.

DECISION

Case 1166

Re MRS. MARGARET I. REID

Claimant is a Canadian. She was a passenger on the ss. *Laconia*, when that ship was sunk by enemy submarine, February 25, 1917, and lost personal effects, including her wedding trousseau, to the value of \$2,700.00. There was no insurance.

I would allow this claim at the amount declared and proved, \$2,700.00, with interest at 5 per cent per annum from the date of loss, February 25, 1917, until the 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 \$2,700.00 is fair compensation to the claimant, Mrs. Margaret I. Reid, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

May 12, 1926.

DECISION

Case 1167

Re CAPTAIN WM. F. SPURR

Captain Spurr is a Canadian. He was chief officer on board the ss. *Port Dalhousie*, 1,744 tons, sunk without warning by a torpedo from a German submarine while anchored off Kentish Knock Light Ship, coast of England, March 19, 1916, with loss of master and twelve of crew.

The claimant was 60 years of age at the time and was earning about \$100.00 per month and board. He suffered considerably from exposure before rescue and filed his claim with the British Reparation Claims Department for £49-10-6, for loss of personal effects and £200-0-0 for loss of health through exposure in the water. The claim was transferred to this Commission and the claimant was heard by the late Commissioner and Deputy Commissioner, who seemed inclined to recommend an award considerably in excess of what was claimed.

Having considered the evidence and discussed the case fully with the Deputy Commissioner, I adapt the British Admiralty scale in regard to personal effects and cash lost and solatium. I think \$1,500.00 is a fair allowance, under the circumstances for loss of health.

Allowance for injury to health.. . . . .	\$1,500 00
Solatium.. . . . .	750 00
Personal effects and cash lost.. . . . .	355 00
	\$2,605 00

The claim falls within the First Annex to Section (I), of Part VIII, of the Treaty of Versailles, category (1), and I find \$2,605.00, is fair compensation with interest at the rate of 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.

January 8, 1926.

DECISION

Case 1168

Re HANSON SYKES

Claimant is a British subject, born in England in 1876, who came to Canada when young and has lived here ever since. He was employed taking care of horses on the ss. *Montfort* which sailed from Montreal, August, 1918, and was returning on that ship when it was torpedoed without warning and sunk by an enemy submarine October 1, 1918.

Claimant was ruptured and otherwise injured while helping to lower a life boat and his health since, at times, has been poor.

This case was heard before the late Commissioner at Toronto, May 7, 1924.

Dr. W. F. Plewes, claimant's family physician gave evidence in support of the claim, and questioned directly by the Commissioner as to his opinion of reasonable damages, said he did not think \$1,500.00 would be out of the way.

Dr. Pugsley seemed to accept that as a fair judgment from one who had a good opportunity of judging.

I agree that it is not too much and would allow the claim at that amount.

This claim falls within the First Annex to Section (I), of Part VIII, of the Treaty of Versailles, category (1) and I find \$1,500.00 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, January 10, 1920, to date of settlement.

JAMES FRIEL,  
Commissioner.

January 13, 1926.



## DECISION

## Case 1169

*Re Mrs. MARY ELIZABETH SMITH*

Claimant is a British subject born in England, who came to Canada in September, 1919. Her claim is on account of loss of life of her first husband, Archibald John Martin, and loss of effects. He was in command of the motor schooner *Zebrina* in the British Mercantile Marine, when that boat was attacked by enemy submarine and the crew drowned off Alderney Channel Islands on or about October 17, 1917.

His age at the time of his death was 33, and he was making about £350 per annum. He left no other dependents. Mrs. Martin was then 33. The claim was first put in to the British Reparation Claims Department, and by them transferred to this Commission.

Claimant received £300 War Risk Insurance and a pension of £5 a month, which ceased when she got married to her present husband on June 7, 1919. He is a British subject born in England, and has been in Canada for 11 or 12 years. He was with the Canadian forces.

I would allow claim for personal effects as declared \$305.00, with interest at the rate of 5 per cent per annum from October 17, 1917, the date of the sinking of the ship, to date of settlement, and \$1,000.00 on account of her husband's life, with interest at 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement.

This claim falls within the First Annex to Section (I), of Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,305.00 is fair compensation to the claimant, Mrs. Mary Elizabeth Smith, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

April 24, 1926.

## DECISION

## Case 1170

*Re Mrs. ALMEDA L. THOMAS*

Claimant and her husband are British subjects born in England. Mr. Thomas came to Canada in 1912. He served with the Canadian army overseas. Claimant and he were married in England in February, 1919.

This claim is on account of loss of life of claimant's first husband, Ronald Hay Stidson, and loss of his personal effects when he was drowned through the sinking of the Atlantic Transport ss. *Minnehaha*, sunk by enemy submarine with loss of 43 lives off the Irish Coast, September 7, 1917. He was Third Officer on board, but had a Master's Certificate. He was then 28, and was making £204 per annum, and maintenance. He left no children. There was some small life insurance. His widow was then 26. She received £300 Workmen's Compensation and a pension of £44 per annum from The London & Liverpool Shipowners War Association, this pension ceasing on her remarriage. She received also £50 from the British Board of Trade on account of loss of personal effects.

Her claim was filed originally with the British Reparation Claims Department for compensation for the loss of her husband's life, and on account of loss of personal effects, the value of which was placed at £120. After her second marriage the British Department took the ground that, Mrs. Thomas having been married and having no children, and having been in receipt of a pension up to the date of her remarriage, their Department was advised by its legal section that a claim in respect of her former husband's death would not rank, and a

solatium would not be awarded, yet it was pointed out that as she was now living in British Columbia the claim would possibly be a matter for this Commission to deal with.

I would be inclined to allow claimant something for solatium. It was shown that she did not have to work until after her husband's death. He was a Sea Captain young and with good prospects. It is quite true that she was not long a widow.

I would recommend an allowance to her of \$1,000.00 on account of loss of her husband, with interest at 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to date of settlement, and \$350.00 on account of loss of personal effects with interest at 5 per cent per annum from the date of the sinking of the ship, September 7, 1917, to date of settlement.

This claim falls within the First Annex to Section (I), of Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,350.00 is fair compensation to the claimant, Mrs. Almeda L. Thomas, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

April 28, 1926.

### DECISION

#### Case 1171

#### *Re* Mrs. ANNIE WILKINSON

Claimant is a British subject born in England who came to Canada with her two children in 1919. Claim is on her own account and on behalf of her children, due to the loss of her first husband, John Henry Cumblidge, who was a steward on the *ss. Leicester*, and lost his life when that ship was sunk in the Straits of Dover, February 12, 1916. The decedent was then 42. He left dependents, his widow, Annie Elizabeth, 39,—and two sons, George Henry, 14, and Frank Norton, 8. Decedent left no property. He had about £105 Life Insurance and his wages about £91 per year and board.

The Great Central Railway Company paid the claimant £300—compensation for herself and children and she was allowed a pension of £2.15.4 per month for three of them. The boys' share stopped as soon as they reached 16.

At the time of the hearing in Saskatoon, August 17, 1925, the elder boy was making a good living for himself and the younger boy was going to school.

The claimant married in 1919, A. E. Wilkinson, Janitor.

This claim was put in first to the British Reparation Claims Department and was transferred by them to this Commission because claimant had acquired a domicile of choice in Canada, before December 30, 1922, the latest date for acceptance of claims for consideration by the British Royal Commission.

There is no claim for loss of effects.

In this case the decedent having a very small income, the claimant was fairly well protected by Workmen's Compensation and Insurance, and it is not a claim which would warrant substantial compensation out of Canadian funds.

The younger son, Frank Norton, has been getting an education and would merit special consideration.

I would allow Mrs. Wilkinson \$800.00, George Henry, \$500.00, and Frank Norton \$1,000.00.

This claim falls within the First Annex to Section (I), of Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$2,300.00 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.

JAMES FRIEL,  
Commissioner.

April 19, 1926.

## DECISION

## Case 1172

Re FRANK WEBB

Claimant is a British subject, born in England in 1888, who came to Canada in 1920 and is living here. He is a 4th class marine engineer and was employed as fireman and greaser on two ships that were sunk by the enemy, namely, the *Eagle Point*, 5,222 tons, captured and sunk by enemy submarine March 28, 1916, and the *Baron Erskine*, 5,585 tons, captured by enemy submarine and sunk August 19, 1915. The claim is on account of injury to his eye on one of these occasions, and loss of time and employment.

The claim was put in first to the British Reparation Claims Department, and by them transferred to this Commission.

I would allow the claim at the amount declared, namely, £150 for personal injury and solatium, £103.10.6 for loss of effects, or the equivalent of those amounts in Canadian money, \$1,243.81.

This claim falls within the First Annex to Section (I), of Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,243.81 is fair compensation to the claimant, with interest at 5 per cent from the 10th day of January, 1920, date of signing of the Treaty to date of settlement.

JAMES FRIEL,  
Commissioner.

July 6, 1926.

## DECISION

## Case 1173

Re PERCY R. CURTIS

Claimant is a British subject and was living in Calgary when the war broke out. He enlisted there and shipped his civilian wearing apparel, and various household things, pictures, books and bedding and such like to his wife who had gone to England. The goods were sent by the ss. *Mount Temple* and were lost when that ship was captured and sunk by the *Moewe*, December 6, 1917. The case was heard by the late Commissioner who noted it for allowance at the amount claimed, \$248.12.

This claim falls within the First Annex to Section (I), of Part VIII, of the Treaty of Versailles, category (9), and I find that \$248.12 is fair compensation to the claimant with interest at 5 per cent per annum from the date of loss to the date of settlement.

JAMES FRIEL,  
Commissioner.

November 4, 1926.

## DECISION

## Case 1174

Re CHRISTOPHER GORDON

Claimant is a British subject born in Aberdeen, Scotland, November 29, 1899. He came to Canada in 1921, with the intention of living here. He had a sister married in Ottawa and two brothers and a sister in Valleyfield. His two brothers had enlisted in the Canadian forces in 1915, and both of them served throughout the war. When the war broke out, claimant himself, tried to enlist in Scotland, but was turned down as being too young. He then joined the mercantile marine and his seaman book shows he served on several ships, entering

French and British ports during the war. He was serving on the British merchant ship *Teckwood*, 5,315 tons, sunk by enemy submarine in the Mediterranean on the 28th April, 1917, and his claim is for loss of effects, time and medical fees paid.

The claim was made out on the Foreign Claims forms in November 2, 1921, and sent to that Office. Claimant was then living in the city of Ottawa and when the British Reparation Department came to deal with the claim they returned it to Canada, August 4, 1922, with the notation:

"Seafaring, since removed to Ottawa."

By this time claimant had become discouraged at not getting work here and he had to go to Detroit where he got work and is there now. He is still a British subject.

He was not resident in Canada at the time of the loss or the time this Commission was instructed, but he was a resident of Canada when the claim was put into the British Reparation Claims Department, and they would not pay it on that account. It seems to me that he is deserving consideration and there is no other tribunal of which he could have recourse. It is only a small claim and adapting the British Admiralty scale, I would recommend compensation at the amount of \$300.00, 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 of Versailles, 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 \$300.00 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

November 4, 1926.

DECISION

Case 1175

Re KENNETH J. GIRWOOD

Claimant is a Canadian, born in Montreal, May 24, 1871. When the war broke out, he was employed in Mexico and lived there. He and his wife took passage on the oil tanker *San Zeferino*, carrying oil from Mexico to the British Government. That ship struck a mine and was beached, with a loss of two lives, near Deal, Kent, England, September 18, 1915. The claimant's wife, then sick of typhoid fever, was removed in her night clothes to the rescuing ship and died soon afterwards in the hospital at Dover. The immediate cause of her death was exposure. The claimant thinks she would have recovered from her illness.

She was then 25 years of age. They had no children. She expected to take up nursing in England. He, himself, was going over to join the British Service. The British Minister in Mexico had helped him to obtain passage on the ship.

Claimant lost personal effects and money to the amount of \$1,182.32.

I would allow claimant \$3,000.00 on account of the loss of his wife, 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, and the amount claimed for loss of personal effects and money lost, \$1,182.32, with interest at the rate of 5 per cent per annum from the date of loss, September 18, 1915, 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 \$4,182.32 fair compensation to the claimant, with interest as above stated.

JAMES FRIEL,  
Commissioner.

December 10, 1926.

## DECISION

## Case 1176

*Re Mrs. FLORENCE EMILY SIMONS*

Claimant is a British subject, born in England, and came to Canada with her family in 1914. Her son, Frederick William Simons, was a steward on the ss. *Royal Edward*, and lost his life when that ship was sunk by enemy submarine, August 13, 1915. He was then nineteen years of age. He left his mother, who was dependent on him to a considerable extent, had no means, and had to keep three young children. Decedent contributed regularly to the support of the family. Claimant received compensation from the owners of the vessel to the extent of \$500.00.

This claim was before the late Commissioner at Montreal in June, 1923, who noted it for allowance at the amount claimed, \$3,000, with interest at the rate of 5 per cent per annum from January 10, 1920, the date of the ratification of the Treaty of Versailles, to the date of settlement. I agree.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (1), and I find \$3,000.00 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,  
Commissioner.

December 14, 1926.

## DECISION

## Case 1177

*Re Mrs. FLORA FULLBROOK*

Claimant is a British subject, born in England, August 14, 1874, who came to Canada to live in 1921, and claims on account of the loss of life of her husband, George Allan Fullbrook, also a British subject. He was a seaman and acted as greaser in the engine-room of the *Llandoverly Castle*, and went down with that ship when it was sunk by enemy submarine, June 27, 1918.

Decedent was then 38 years old and left as dependents his wife and a son, since grown up and married. Fullbrook's wages were £84 per year and found, and he added something to his income by trading—bringing home articles from foreign countries. The widow and boy were allowed £300 by the British Workmen's Compensation. She is receiving a pension of \$22 per month from the owners of the ship. There was no claim made for loss of personal effects.

This case was heard by the late Commissioner at Toronto in October, 1923.

Claimant was then earning a living by washing and scrubbing and that sort of work and was failing in health.

Dr. Pugsley thought he could not entertain the claim because at the time of the injury complained of claimant was not a resident of Canada and did not come to this country until 1921. The file was referred to England but returned by the British Reparation Claims Department in December, 1923. The Commissioner thought that the Canadian Government should include this claim with others in a similar position and endeavour to have them reopened for consideration by the British Government.

We may as well pay this claim.

The British Reparation Claims Department in their commission are instructed not to consider claims of persons domiciled in parts of the Empire which are receiving reparations money. The British authorities expect us to pay such claims as this one probably out of the share we receive from German reparation funds.

I would allow Mrs. Fullbrook \$3,000.00, 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 of Versailles, to date of settlement.

This claim falls within the First Annex to Section (I), Part VIII of the Treaty of Versailles, category (1), and I find \$3,000.00 fair compensation to the claimant, with interest as above indicated.

January 12, 1927.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1178

Re ROBERT GRAY

Claimant is a British subject, born in England, who came to Canada with his family in 1919 to live.

He was ship's cook on the British trawler *Gazehound*, 138 tons, when that vessel was sunk by enemy submarine off Aberdeen, June 5, 1915.

His claim is for personal injury and personal effects lost and was presented to the British Reparation Claims Section of the Board of Trade, who returned it, stating that—

"Persons belonging to portions of the British Empire for which provision has been made by the appropriation of specific fractions of the German Reparation payments when ultimately received, are excluded by the terms of reference of the British Royal Commission on compensation."

This claim was excluded because Gray has become a Canadian. Canada is receiving her share of German reparation payments. I think we will have to look after this and similar claims.

I would allow it at the amount declared, \$300.00, 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 of Versailles, 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 \$300 fair compensation to the claimant, with interest as above indicated.

January 11, 1927.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1179

Re MRS. RUTH JONES

Claimant is a British subject, born in Wales in 1865. She came to Canada in 1921. Her husband John Vincent Jones was boatswain on the British Merchant Ship *Mobile*, 1,950 tons, sunk by enemy submarine, April 28, 1915. He had a claim on that account before the British Reparation Claims Department for solatium and loss of personal effects. Jones died in April, 1921. Mrs. Jones' claim was sent to the British authorities who returned it on the ground that she had become resident in Canada. The late Commissioner heard her case at Toronto in October, 1923, and was moved to disallow the claim because the deceased was resident in England when the vessel was torpedoed in 1915, and the widow of the claimant did not come to Canada until after her husband died and the Commissioner is of the opinion that he had no jurisdiction. This is in line with other cases of claimants who became resident in Canada without having their claims dealt with by the British Reparations Claims Department. The British Commission has no authority to consider cases belonging to parts of the Empire to which a separate share of reparation receipts has been allowed.

Claimant is entitled to compensation and apparently having become a Canadian, this Commission is the only source through which she can get it. I would recommend that a claim on the basis of what was coming to her husband for solatium and on account of personal loss of effects, adopting the British Admiralty scale, should be awarded her.

I would allow claimant \$445.00, the amount coming to her husband, with interest at 5 per cent per annum.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$445.00 fair compensation to the claimant with interest at 5 per cent per annum from the date of the ratification of the Treaty (January 10, 1920), to date of settlement.

January 11, 1927.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1180

Re JOHN FREDERICK OUTHOUSE

Claimant is a British subject born in England in 1887, who became a resident of Canada in 1921. He was a fisherman on the steam fishing trawler *Kilmarnock* sunk by enemy mine September 22, 1914, and claims for loss of earnings, which would be his share of the catch, clothing and nautical instruments, in all, £97. He received £9 through the British Board of Trade, Grimsby, England.

This claim was heard by the late Commissioner who marked it for special report to the British authorities for consideration by their Reparations Claims Department, owing to claimant not being a resident of Canada at the time of the disaster and not until 1921.

There is no use referring these claims back to the British authorities, who will not consider cases belonging to parts of the Empire to which a separate share of reparation receipts has been allotted. If we do not pay compensation in a case of this kind, there is no tribunal to which claimants would have recourse. I have been recommending payment in these cases and I would allow claimant solatium and on account of loss of personal effects I would allow the amount claimed by him, \$475.89 less the amount he received by the British Board of Trade, \$44.15.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$431.74 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.

January 11, 1927.

JAMES FRIEL,  
Commissioner.

DECISION

Case 1181

Re MRS. BELLA WISHART GEORGE

Claimant is a British subject, born in Scotland in 1884, who came to Canada with her children after the war. She is the widow of Thomas Walls George, also a British subject, born in Scotland who during the war served as chief steward and mess room steward on different British Merchant ships. He was on the *War Bittern*, when that ship caught fire in the Atlantic with a cargo of T.N.T. and other high explosives. The crew worked with desperation and succeeded in

bringing the ship to Liverpool, September, 1918. George had contracted chills in the struggle developing into pneumonia and he died, October 4, 1918, leaving a widow the claimant and two young children without means of support. He was then 34 years of age. He had been earning from £200 to £240 a year. She has been assisted by the Navy League of Canada, who presented her claim to the British Reparations Department, who transferred it to this Commission, by reason of her having become domiciled in Canada. She is employed as a cook in a home in Toronto. The fire on the *War Bittern* was not due to enemy action, so the claim fails, but claimant's declaration and her husband's discharge book show that he was torpedoed twice before he was on his last ship. He was assistant steward on the ss. *Cameronia*, 10,963 tons, sunk by enemy submarine in the Mediterranean, April 15, 1917, with loss of 11 lives, and chief steward on the ss. *Tiberia*, 4,880 tons, when sunk by enemy submarine in Belfast Lough, February 27, 1918. Decedent at the time of his death had a good British claim for solatium or torpedo money and loss of effects on both of these ships, which claim would survive to the widow and children.

I would recommend the maximum British allowance for stewards \$525.00 solatium or torpedo money in each case; \$330.00 for cash and effects on the ss. *Cameronia*, and \$295.00 for cash and effects on the ss. *Tiberia*, with interest from January 10, 1920, to date of settlement.

This claim of Thomas Walls George falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$1,675.00 fair compensation, payable to the widow Bella Wishart George, with interest at 5 per cent per annum from the date of the ratification of the Treaty, January 10, 1920, to date of settlement.

JAMES FRIEL,  
Commissioner.

February 8, 1927.

## DECISION

### Case 1182

Re DONALD McPHEE

Claimant is a British subject, a native of Scotland, born there in December, 1891, but sailing out of Vancouver since 1910. He was on the merchant ship *Marina*, 5,204 tons, when that ship was sunk by enemy submarine off the coast of Ireland, October 28, 1916. He claimed to the British Reparation Claims Department on account of loss of personal effects.

The claim was transferred to this Commission in September, 1925, by reason of claimant's having a domicile of choice in Canada. This was after the hearings in Vancouver and claimant has not been before the Commission.

I would allow the claim for personal effects at \$200.00. This man would be entitled to solatium or torpedo money, and adapting the British Admiralty Scale, I would allow the claimant \$235.00, subject, however, to further proof and presentation of his discharge book, because the declaration he submitted to the British Office apparently was not sworn to.

This claim fails within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$435.00 fair compensation to 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.

*Subject to proof as stated.*

JAMES FRIEL,  
Commissioner.

February 8, 1927.



## DECISION

## Case 1183

*Re* MRS. CAROLINE GRANT

Claimant is a British subject, born in Scotland. She claims on account of the loss of the personal effects of her husband John Grant, also a British subject who was ship's cook on board the British Merchant ship *Silverton*, 2,682 tons, sunk by enemy submarine off Canac Rock, Africa, July 13, 1916.

Mrs. Grant came to Canada in 1919 and is now living in this country. John Grant died October 8, 1918, at Bassun, British Burma, India, of dysentery contracted while at sea.

This claim was first submitted to the British Reparation Claims Department and by them transferred to this Commission.

Claimant had he lived, would be entitled to solatium or torpedo money and I would allow it at \$200.00. I would allow £45.10 or in Canadian money \$223.22) the amount declared for personal effects, 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.

This claim falls within the First Annex to Section (1), Part VIII, of the Treaty of Versailles (so far as John Grant was concerned), categories (1) and (9), and I find \$423.22 fair compensation to claimant with interest as above indicated.

JAMES FRIEL,  
*Commissioner.*

## Case 1184

*Re* RONALD REITH

No action taken. No particulars or proof furnished. Claimant did not complete formal claim.

## Case 1185

*Re* JAMES WOOD

No action taken. Claim paid by the British Authorities.

## Case 1186

*Re* T. G. HUNTER

This is a claim for loss of personal effects to the value of \$278.00 due to the sinking of the ss. *Anglo Colombian* by enemy submarine on the 24th September, 1915.

The claimant was notified to appear before me at Toronto May 8, 1924, but did not do so, subsequently the registered letter notifying him to appear was returned to this office, indicating that he was not at his former address and had left giving no other.

There is on file a statement on a printed form of declaration but not declared to.

The value of the effects lost are set out as follows:--

2 suits of clothes valued at \$25 each.. . . . .	\$ 50 00
3 shirts valued at \$5.. . . . .	5 00
2 pair boots valued at \$5 each.. . . . .	—10 00
Cash.. . . . .	200 00
Other articles .. . . . .	10 00
1 hat.. . . . .	3 00
	\$278 00

In a letter written by him, the cash lost is given at £15, and the claimant in this letter stated that he left Montreal on the steamer *Anglo Colombian*, which was sunk by enemy submarine on the 24th September, 1915.

The evidence on file is not sufficient to enable me to find in favour of the claimant, and I am therefore obliged to disallow this claim.

WILLIAM PUGSLEY,  
*Commissioner.*

I would mark this "No Action" in case claimant ever shows up and within a reasonable time prosecutes his claim.

JAMES FRIEL.

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**Case 1187**

*Re CHRISTIAN JENSEN*

No action taken. Claimant not a British subject.

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**Case 1188**

*Re Mrs. LOUISE E. JARVIS*

Claim is for loss of personal effects on the ss. *Mooltan*, sunk 26-7-17. It was decided that as claimant was domiciled in England and subsequently went to the United States to live the case does not come within the jurisdiction of this commission.

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**Case 1189**

*Re Miss G. M. MITCHELL*

No action taken. Claimant does not belong to Canada.

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**Case 1190**

*Re Mrs. AGNES REID*

No action taken. Claimant did not appear.

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**Case 1191**

*Re J. O'SULLIVAN*

No action taken. Seaman injured by shell fire. Cannot locate claimant. Not sufficient information on file to go on with.

**Case 1192***Re* J. HAYWARD

No action taken. Cannot locate claimant.

**Case 1193***Re* GEO. H. FOWLER

No action taken. Cannot locate claimant.

**Case 1194***Re* MRS. MARY ALEXANDER

No action taken. Cannot locate claimant.

**Case 1195***Re* MICHAEL CAREW

No action taken. Cannot locate claimant.

**Case 1196***Re* MRS. ELIZABETH ROBERTSON

No action taken. Cannot locate claimant.

**Case 1197***Re* THOS. J. BOULTON

No action taken. Cannot locate claimant.

**Case 1198***Re* MOYLE SMELTZER

This claim has been referred from the British Reparations Department and letters sent to the address given have been returned.

There is nothing we can do about this case with the material at hand. The papers may go in with the "no action" file.

JAMES FRIEL,  
Commissioner.

February 2, 1927.

**Case 1199***Re* EDWARD COURTEY

This claim was put in to the British Reparation Claims Department and finished in a sort of way on the form of The National Sailors' and Firemen's Union, of Great Britain and Ireland, London, England. It was for £20 for personal effects lost when claimant was serving on the ss. *Clubmore*. The

record shows a ship *Clodmoor*, 3,753 tons, sunk by enemy submarine off the British coast May 3, 1917, which is probably the vessel referred to.

The date and place of birth of the claimant is given as January 16, 1881, at Montreal.

The papers were referred here with a notation from the British Reparation Claims Department to the effect that they could not locate this man. (See letter March 8, 1924, from H. Beers, List B.)

Claimant is probably entitled to solatium or torpedo money and to compensation for loss of his effects but the record is incomplete and we cannot make an assessment and it will have to go into the "no action" file for the present.

February 3, 1927.

JAMES FRIEL,  
Commissioner.

#### Case 1200

*Re Mrs. VICTORIA A. L. STUTTLE*

Claimant is a native of England, who came to Canada in 1919. She claims on account of the loss of her son on the ss. *Missanabie*, torpedoed September 9, 1918.

Her case was heard at Toronto on October 10, 1925, but afterwards the English authorities asked for the documents and are apparently dealing with the case, which is a meritorious one, the sum of £300 received by her from the Workmen's Compensation Board and the pension of \$90.00 a year not being sufficient compensation for her loss, the claim, so far as we are concerned, will have to go into the "no action" file, at least for the present.

February 5, 1927.

JAMES FRIEL,  
Commissioner.

#### Case 1201

*Re CHARLES LEO*

This claim is for loss of effects, wages and injury to health owing to the torpedoing of the ss. *Anglésea*, on which claimant was ship's carpenter.

He seems to have been born in Hull, P.Q., February 14, 1876. He is a resident of the United States and seems to have sailed on their ships.

His claim was filed with the British Reparation Claims Department and by that Department transferred to this Commission by reason of claimant's having given his birth place, as Canada.

We wrote him on July 29, 1926, to ascertain if he was still a British subject, requesting if so, to furnish an affidavit to that effect but there has been no reply.

The claim will go into the "no action" file for the present.

February 7, 1927.

JAMES FRIEL,  
Commissioner.

#### Case 1202

*Re Wm. MURRAY*

No action taken. Claim accepted by the British Authorities.

## Case 1203

Re WILLIAM R. BRANKSTON

The claimant was a seaman in the Mercantile Marine, and has two claims:

1. Personal injury received in the sinking of ss. <i>Barrowmore</i> . . . . .	£ 15.0.0 = \$ 72.90
2. For loss of personal effects in sinking of ss. <i>Ribston</i> . . . . .	£160.0.0
<i>SS. Snowdon Range</i> . . . . .	£130.0.0
<i>SS. Barrowmore</i> . . . . .	£100.0.0
Loss of pay through unemployment . . . . .	£94.10.0

Total . . . . . £484.10.0 = \$2,354.67

Making a total claim of . . . . . \$2,427.57

This claimant received from the Board of Trade  
the sum of £150.0.0 . . . . . = \$729.00

Leaving a net amount recoverable of . . . . . \$1,698.57

Sitting was held at Toronto, May 8, 1924.

Mr. Brankston appeared and stated that he was a seaman in the Mercantile Marine. Born in England. Did not come to Canada to reside until about two years ago.

The file in this claim was returned to England in January for consideration and the witness now states that he received payment about a fortnight ago of £103.

The claimant recognizes that he has no claim against the Canadian authorities, and has received a settlement from England, so he withdraws his claim as far as Canada is concerned.

## DECISION

## Case 1204

Re STANLEY ARCHIBALD ABBOTT

Claimant was born in London, England, December 6, 1889. He was a seaman on the ss. *Tweed* (transport) torpedoed and sunk in the English channel, March 13, 1918, and claims for loss of effects and on account of shock.

The claim was presented to the Foreign Claims Office on the form of the National Union Ships' Stewards, Cooks, Butchers and Bakers, dated June 21, 1919, and signed by Ernest John Garrett, insurance agent and guardian of Stanley Abbott, who made a statutory declaration verifying the claim. Under date of January 14, 1923, Mr. Garrett wrote that Stanley Abbott was then in Montreal. There is also a letter on file from the father of the claimant, C. A. Abbott, dated May 10, 1923, from Battersea, S.W., by which it appears that the claimant forgets the time, where he is and wanders about aimlessly for months.

Mr. Garrett writes under date of October 23, 1923, that Abbott was then in England living at 24 Clarendon St., South Bank, Middlesbrough, Yorks.

Stanley Abbott made a declaration at Montreal, April 26, 1923, verifying his claim before C. L. Buchanan, Commissioner of the Superior Court, for the District of Montreal in which he gives his occupation as a photo-engraver—ordinary seaman at the time of loss. There is a letter from the claimant, dated

Montreal, August 4, 1924, in which he says it is not likely he will return to the United Kingdom.

A letter from E. J. Garrett, to the British Reparation Claims Department dated October 23, 1923, is marked in pencil by them "too late."

If this man was in Canada he would be entitled to torpedo money and an allowance for loss of personal effects, on proof of his having been on the ship when sunk.

We wrote Mr. Garrett, July 23, 1926, but received no reply.

This file will have to go into the "no action" file for the present.

Commissioner.

February 7, 1927.

Another letter addressed to Stanley Abbott, at 2590A Esplanade Ave., Montreal, was returned by the Postal authorities.

This claim is dismissed.

JAMES FRIEL,

Commissioner.

April 1, 1927.

### DECISION

#### Case 1205

Re MRS. EVA MAY KOHLER,

Wife of Captain Carl J. R. Kohler

Claimant is a Canadian. She was stewardess on the schooner *Perce*, 364 tons, of Liverpool, N.S., when that vessel, which sailed from Halifax January 6, 1917, with cargo bound for Santos, Brazil, was captured and destroyed by the German raider *Secadler*, January 28, 1917.

The claim is for the usual solatium and loss of personal effects. Adopting the British Admiralty scale for seamen I would allow for solatium the sum of \$350.00 and for loss of personal effects the amount declared, namely, \$200.00.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, categories (1) and (9), and I find \$550.00 is fair compensation to Mrs. Eva May Kohler, 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.

March 31, 1927.

### DECISION

#### Case 1206

Re MRS. MARY CHAMBERLAIN

This is a claim filed for the loss of the life of James Chamberlain, seaman, who was employed on the ss. *Ancona* which was reported missing on May 27, 1917, and has not been heard from since. The amount of the claim is not stated.

At a sittings held before me at Toronto on October 8, 1923, Mrs. Chamberlain appeared and gave evidence and her claim was supported by the Navy League for Canada. It appears from the evidence that the claimant went to England with her husband during the war and lived with him in London. There is not official record as to what actually happened the vessel, but she is supposed to have been lost as a result of enemy action and Mr. Chamberlain drowned. The claimant last saw her husband on or about May 22, 1917, and

has never heard anything of him since. The Admiralty Report shows that the *Ancona* was attacked by the submarine on September 6, 1916, in the English Channel but was rescued. There does not appear to be any other report officially confirming the loss of this vessel and the claimant's husband sailed in May, 1917, on the *Ancona*. I have no official admiralty report of the sinking.

Mrs. Chamberlain received some compensation from the steamship company while in London which amounted to £300 for herself and her five children, the youngest of whom was at that time five years of age and the eldest fifteen years of age. She received about \$25.00 a month from the Navy League, and gets about \$100.00 a month from England which is a mercantile marine pension and does not come from the Reparation Claims Department.

The claim was referred to the English authorities for consideration on the 17th November, 1923, but was returned here on December 24, 1923, it being decided by the British authorities that they had no jurisdiction in the matter.

From a review of the evidence taken before me I find that the claimant has failed to establish and the official reports do not disclose that the *Ancona* was lost due to enemy action, and as I am limited to claims arising directly out of enemy acts I am obliged to disallow this claim.

WM. PUGSLEY,  
Commissioner.

Upon inquiry through the office of the High Commissioner in London, information has been received from the Admiralty that the *Ancona* was not heard of after passing the *Lizard* on the 27th May, 1917, when on a voyage from London to Lisbon. It is added that the name of the *Ancona* appeared in the German *Hansa* List of July 17, 1917, under the heading of "Doubtful," and the vessel was subsequently classified as a War Risk loss for the purposes of insurance, pensions, etc.

I find, therefore, that this claim comes within category (I) and I recommend payment of \$5,000.00 to Mrs. Mary Chamberlain being compensation and solatium for herself and her children for the loss of her husband. James Chamberlain was 50 years of age at the time of his death. Claimant was born in 1867.

This claim falls within the First Annex to Section (I) Part VIII of the Treaty of Versailles, category (1), and I find \$5,000.00 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.

April 1, 1927.

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Case 1207

Re MRS. ANNIE MARTIN

No action taken. Claim accepted by the British Authorities.

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DECISION

Case 1208

Re WILLIAM S. ANDERSON

Claimant is a Canadian. He was an officer in the Royal Air Force and was a passenger on the Royal Mail Steamer *Missanabic*, returning home on leave when that ship was sunk by enemy submarine with a loss of 45 lives, September 9, 1918.

The claim is on account of the loss of personal effects and some money which he could not recover when the ship was sinking.

I would allow claimant \$223.00, the amount of Bank notes lost and \$347.20 for his personal effects lost, not military.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, category (9), and I find \$570.20 fair compensation to the claimant with interest at the rate of 5 per cent per annum from the date of sinking, September 9, 1918, to date of settlement.

November 3, 1927.

JAMES FRIEL,  
Commissioner.

## DECISION

### Case 1209

#### *Re* THE ESTATE OF CAPTAIN DANIEL WILLIAM MAHONEY

Captain Mahoney was a Canadian. He was Second Officer on the ss. *Marquette*, 7,057 tons, when that ship was sunk by the enemy in the Aegean Sea, on the 23rd October, 1915, 36 miles south from Salonica Bay, with a loss of 20 lives.

Captain Mahoney was master of the sailing ship *Naiad*, 1,907 tons, when she was sunk by the enemy on the 15th December, 1916, 25 miles southeast of Bishop's Rock.

On each occasion he received £50 from the Admiralty on account of the loss of his personal effects.

Captain Mahoney died intestate September 25, 1920, aged 62 years. No administration has been taken out for his estate.

This claim is presented by his widow, Rose Mahoney, of Montreal to whom the rest of his legal representatives have assigned any interest in it which they may have. As in other cases, I am dealing with it as a claim surviving to the representatives of the deceased.

Adapting the British Admiralty Scale, decedent would be entitled to \$350.00 for loss of cash and personal effects on the *Marquette* and to a solatium or torpedo money of \$500.00. He would also in my opinion, be entitled to an allowance of \$530.00 on account of the loss of cash and personal effects on the *Naiad* and to a solatium or torpedo money, \$1,000.00.

On the latter vessel which was on a long voyage, he had what is called a slop chest, that is, clothing, rubber boots, oil skin clothing, tobacco, pipes, etc., that captains have for sale to the men, the value of which in this case was estimated at \$500.00.

I would allow this claim at \$2,380.00, 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 of Versailles, 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 \$2,380.00 fair compensation to the claimant with interest as above indicated.

JAMES FRIEL,  
Commissioner.

November 4, 1927.



## DECISION

## Case 1210

Re ALLEN JENKINS

Claimant is a Canadian. He was second engineer on the ss. *Fort William*, 2,187 tons, which was sunk by a mine two miles south from Dover Pier, English Channel, February 27, 1916.

He is entitled to solatium or torpedo money and an allowance for personal effects.

Adapting the British Admiralty Scale, I would allow claimant \$550.00, together 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.

This claim falls within the First Annex to Section (I), Part VIII, of the Treaty of Versailles, categories (1) and (9), and I find \$550.00 fair compensation to the claimant, with interest as above indicated.

JAMES FRIEL,

Commissioner.

November 15, 1927.

## CLASS E

## THE LATE COMMISSIONER PUGSLEY'S DECISIONS APPROVED BY COMMISSIONER FRIEL

## MERCHANDISE LOSSES INCURRED BY CANADIAN MERCANTILE FIRMS

Case No.	Claimant	How Loss occasioned, by Loss of Vessel or otherwise stated	Amount Claimed		Decision	
			\$	cts.	\$	cts.
1211	Adams, Harry W. ....	"Stephano", 8/10/16.....	2,883	88	2,883	88
1212	Barber-Ellis, Ltd. ....	Seizure of merchandise at Antwerp....	330	09	330	09
1213	W. R. Brock Co., Ltd. ....	"Manchester Commerce", 27/10/14....	22,590	19	22,590	19
1214	The Carswell Co., Ltd. ....	"Medora", 2/5/18.....	502	95	502	95
1215	Continental Costume Co., Ltd. ....	"Lake Michigan", 16/4/18; "Hesperian", 4/9/15; "Medora", 2/5/18..	3,007	00	3,007	00
1216	E. B. Crompton & Co. ....	"Hesperian", 4/9/15.....	820	30	820	30
1217	Crompton Corset Co. ....	"Manchester Commerce", 27/10/14....	933	10	933	10
1218	Crown Tailoring Co., Ltd. ....	"Hesperian", 4/9/15.....	748	56	748	56
1219	Dominion Express Co., Ltd. ....	"Lake Michigan" and "Medora".....	3,528	21	3,528	21
1220	Halliday, F. G. Ltd. ....	"Englishman", 24/5/16.....	1,268	50	900	00
1221	Ideal Clothing Co., Ltd. ....	"Hesperian", 4/9/15.....	107	14	107	14
1222	Ladies Wear, Ltd. ....	"Hesperian", 4/9/15; "Lake Michigan", 16/4/18; "Medora", 2/5/18..	0,237	97	2,760	11
1223	Massey Harris Co., Ltd. ....	Seizure of merchandise at Antwerp....	28,577	72	25,274	89
1224	Samuel May & Co. ....	"Milwaukee", Sept., 1918.....	1,195	18	1,195	18
1225	F. W. Woolworth Co., Ltd. ....	"Hesperian", 4/9/15.....	3,086	78	3,086	78
1226	Wreyford & Co. ....	"Hesperian", 4/9/15; "Medora", 2/5/18; "Lake Michigan", 16/4/18..	935	96	Plus 15% 1,133	84
1227	Boeckh Co., Ltd. ....	Seizure of merchandise.....	512	48	Dismissed. Did not appear.	
1228	Canada Cloak Co., Ltd. ....	Merchandise lost at sea.....	0,969	59	Dismissed. Covered by insurance.	
1229	Hambly & Wilson.....	Loss of merchandise. No declaration.	1,908	80	Dismissed. Did not appear.	
1230	Geo. M. Hendry Co., Ltd. ....	Merchandise delayed, also salary and expenses.	1,333	22	No proof. Dismissed. Indirect damage.	
1231	Western Electric Co., Ltd. ....	Business losses in Belgium.....	Not stated.		Withdrawn.	