

Lloyds, 9th January 1839.

Sir

The attention of the Committee for managing the affairs of Lloyds, having been called to the frequent claims made upon Underwriters for Averages, grounded upon surveys, respecting which the Agents to this Establishment have not been made acquainted, and which having thereby the appearance of irregularity, difficulties and disputes have arisen in consequence; I am instructed to request, with the view to securing just and prompt settlements in future, as also to obtain for the Agents that importance, and those advantages, which should attach to their Office; that you will, (in addition to your regular advices) report to me the names of the Vessels and Masters, arriving at your port, having damaged Goods on board, which have been surveyed under your superintendance; and (so far as you are able to ascertain) the names of such Vessels with damaged Goods, that have not been surveyed under your directions, and the reasons that may have prevented you from attending the surveys.

In order that these returns may be properly made, I am directed to refer you to that part of your Instructions entitled "Sea damage on Goods" and to draw your special attention to the Circular, (a copy of which is annexed) —

I am, Sir

Your obedient Servant,

W. D. Dixon
Secy

Jas. Dawson Esq
Pictou

Lloyd's, 11th Feb. 1835.

I am directed by the Committee for managing the affairs of Lloyd's; to inform you, that the numerous and urgent complaints, which have for some time past been made, both by Merchants and Underwriters, on the subject of Surveys of damaged Goods, and the Certificates granted thereon, have imperatively drawn their attention to that portion of the duties of Agents to Lloyd's, and have determined them to adopt the most decided measures with the view of preventing in future, that discrepancy of practice which can only have arisen either from inadvertence, from neglect, or from an intentional evasion of the instructions furnished to each Agent on his Appointment.

The total disregard, in many instances of those instructions, as respects, —

- 1st The Survey on board, with reference to Stowage and dunnage.
- 2nd The selection and separation of the damaged, from the sound portions of each package.
- 3rd The Certificates of the Ship Masters, to the fact of Sea damage.
- 4th The immediate Survey of Goods stated to be damaged.
- 5th An authenticated sound price, — and,
- 6th The Charges of the Lloyd's Agents for Surveys: — has led to many unpleasant discussions, & to compromises of Claims for Average, alike unsatisfactory to the Underwriters, and the Assured.

You are now required, in cases where Goods are damaged by Sea Water, to give your Certificate thereof, strictly, in accordance with the following form:

Mark, Number & Description of Package*	No	Contents	Sound	Slightly Damaged	Much Damaged
☐ No 1/20 20 Bales Madda p. ^s	1	100 p. ^s	57 p. ^s	30 p. ^s	13 p. ^s

* (Whether, Tin, Tarpauling, Oil-cloth, Wax-wrappers, or Pitch Paper)

In addition to which, the Captain's Certificate of the nature of the damage is to be considered indispensable, and in the event of refusal on the part of the Ship Master, such objection and its alleged ground, to be expressly stated by the Agent: — And also the certified sound price, either of parcels of the same Goods, or of similar parcels imported about the same time, and a Certificate of the actual Sales of the sound will be expected where

they can possibly be procured: and it is further required that the surveys on such goods should be held at the earliest opportunity, and that within a reasonable time after the arrival of the vessel.

The Committee are also desirous of drawing your particular attention to that part of the instructions which points out the propriety of forwarding the cargoes to their destination, in all cases of vessels being wrecked short of their port, the neglect of which, frequently entails very severe loss upon Underwriters, which might be avoided by a different course of proceeding; the sale of goods short of their destination except under the direction of the Assured, or with a view to save further loss from their perishable condition, being not only at variance with the printed instructions, but in direct contravention of the law -

The Committee direct me to state, that this letter is a Circular addressed to all their Foreign Agents, as a rule for future practice, and that the censure it may appear to convey, is intended to apply to those parties only, who will necessarily feel that the complaints alluded to, have not in their individual cases, been preferred unjustly.

The Committee however wish it to be understood, that these instructions are to be considered imperative on all their Agents, and are resolved to look upon their infringement, either in letter, or in spirit, as a virtual vacation of the appointment. -

I remain &c.

(Signed) W. Dobson

Secy

Circular
Lloyds

Jan 9. 39

Pkt.

[Red scribbled signature]

As: Dawson Esq

Lloyds
Picton

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