

1923.

Whaling  
South Shetlands  
No. 317/23

C.S.

SUBJECT.

192

Previous Paper.

Season 1922/1923  
Complaint against Messrs Salvesen's factories  
South Shetlands for furnishing false returns  
of whales caught

MINUTES.

PA 11/7/23

Letter from Whaling Officer 12 April 1923 (1)  
Comparative statements compiled by W. Bennett  
Encls 7a + 7b.  
Statements compiled by W. Hardy Encls 10 + 1d.  
Returns supplied by Capt Sinclair 1e  
Return compiled by W. A. G. Bennett. 1f.  
Charge formulated by W. A. G. Bennett. 1g.  
Letter from W. Bennett 12 April 1923 (2)  
Copy of minutes by Governor 18 April 1923 (3)  
Magistrate, South Shetlands.  
Accordingly  
W. A. G. Bennett  
25 April 1923

Subsequent Paper.

Don. Col. Rec.  
My observation to follow please  
J. Hamilton  
S. Shetland  
7/6/23

Hon. Col. Sec.

My observations herewith please.

J. Hamilton,  
Govt. Naturalist

2<sup>nd</sup> July 1923

Minute from Naturalist 2 July 1923  
Memorandum from Mr. A. G. Bennett

(4)

(4a)

V.E.  
Submitted

M.A.B.

Office

2 July 1923

O.C.

What I require is a ~~summary~~  <sup>précis</sup>  
of the charges against the Captain Sinclair,  
(with comments) furnished by the Government Naturalist  
in a form which can be transmitted  
to the Secretary of State. I take it  
that he is of opinion that it is desirable  
in the interests of administration that this  
matter should not return. The substance  
of the charges appears to be (1) that he  
always keeps his vessels in a state of filth  
(2) that his returns are unreliable (3) that  
he has caught humpbacks without a  
permit (4) that he prevents official control  
and without wet acts make things so difficult  
for any whaling officer other than the whajibaka  
of the Dependency, that they prefer to have

no dealings with him.

It considerably enhances the difficulties of dealing with ~~that~~ the ~~matter~~ that vessels of this firm that though they are the only whaling ships registered in Stanley they never visit the port <sup>near</sup> why is this?

~~ttttt~~

The Govt. Naturalist should be asked to let me have his summarized report by tomorrow Tuesday evening. I thought that there was official mention of Captain Sinclair's having continually harped on some letter or a letter of censure received from the Colonial Office. I have not been able to find any record in my files of any such censure having been administered but if reference might be made to Captain Sinclair's expressions of resentment if they were uttered.

~~ttttt~~ 2 July 1923

Government Naturalist

For order & necessary action

G.R. 13

O.C. Secy

2nd July 1923

Hon. Col. Sec.

Memorandum herewith  
please,

Encl. (5)

2. The rumour as to an official censure of by the C. O. was apparently due to Captain Sinclair's remark to Mr. A. J. Hardy that the owners (Messrs Halversen) had "growled" at him (Capt. Sinclair) on account of Neko's low average per whale. By inference attention had been officially drawn to this: some criticism was made on Neko's catch in m.p. 414/22.

3. The blubber/press oil proportions for the season 22/23 for Neko and Sevilla are both reasonably good, ~~and~~ Sevilla's particularly ~~good~~ so, in fact a good deal better than would be expected from previous seasons' work by Captain Sinclair.

J. Hamilton.  
Govt. Naturalist

14/7/23.

Y/S.  
Submitted  
G.R.H.  
Oic/sec  
4 July 1923

With draft despatch The 1<sup>st</sup> enclosure  
is Mr. Hamilton's report  
and the second is (16) Lamin  
14/7/23

Despatch to S of S. No. 90 of 7/7/23 (6)

S of S Telegram of 6<sup>th</sup> Oct 1923 — Encl (7)

File S of S. Desp. No 85 of 10<sup>th</sup> Oct 1923 N. P. 375/23



1

Sir

In furtherance of Messrs Salvesen & Co's vessels  
& the special defiance of Sivilla (Capt Sinclair)  
(the only British Captain that comes here) I am forwarding  
for your consideration the attached papers:-

Neko left 11<sup>th</sup> & should reach S Georgia  
April 16<sup>th</sup> or 17<sup>th</sup>.

Capt Sinclair came to Deception over a wrecked  
whaleboat on Sunday 8<sup>th</sup> April, bringing with  
him parcels of papers from other ships, & his own,  
at the time explaining that he anticipated in  
his declaration that he would catch 14 Finwhales  
& make 650 bbls of oil up to April 11 or 12. Any  
difference from this he would report by Radio as  
he left. I now hear he will not leave until  
April 17<sup>th</sup>. Arriving at S Georgia by Apr 22 or 23<sup>rd</sup>.

The attached & enclosed papers I closely  
studied & compared after he left. I have  
tried to show that the whole is more or less a  
fabrication by comparative statements

Please note that in the British Museum forms  
that the 14 Finwhales are actually anticipated  
together with sex, length, & the actual foetus  
The same is the case in the summer whale forms.

Thus nothing can be taken as the truth that has been supplied by these boats.

Most of the Factories have now a passable catch. - whaling having improved somewhat from March onwards.

The weather has been remarkably mild for the place & improved with the whaling.

I expect to arrive in Stanley April 26 or 27th. & I shall send Mr Hardy by first chance

I am  
Sir.

Your obedient servant

A. J. Bennett,  
Whaling Officer

To the Honourable  
Colonial Secretary.  
Stanley.

S/S. Sevilla	Whales		Oil Blubber		oil Press		Total oil		
	from weekly returns to Mr Hardy	from Declaration	From weekly returns to Mr Hardy	From <sup>Declar</sup> <del>Declaration</del> <sub>weekly returns to Mr Hardy</sub>	From Weekly returns to Mr Hardy	From Blubber	to Mr Hardy	Declaration	
Declaration December 1922 Mr Hardy to Dec 30th.	78	85 + 7	2968	2943 - 25	1529	1454 - 75	4497	4397 - 100	This one day more on declaration produces 7 whales more & the loss of 100 bbls of oil
Declaration January 1923 Mr Hardy to 1-27 Jan	90	94 + 4	3235	3367 + 132	2220	2277 + 57	5455	5644 + 189	This month appears to be passable.
Declaration February Mr Hardy Jan 28 - Feb 24	60	77 + 17	1348 <del>1348</del>	1485 <del>1508</del> + 137 + <del>160</del>	1769	1508 - 261	3117	2993 - 124	This would seem to be a packet of lies
Total up to Feb 28 by Declaration + Mr Hardy to Feb 24th	228	256 + 28	7551	7795 + 244	5518	5239 - 279	13069	13034 - 35	This so far as can be checked by Mr Hardy's weekly returns Sevilla got 28 more whales than stated to whaling office at the time & lost 35 bbls of oil in so doing if all next week is taken in (26) he still has 2 whales more & loses 1311 more bbls of oil
It is worth noting that when I visited the ship on Feb. 3rd The Manager was confused as to his catch Mr Hardy had 168 whales " " " 175 "									He stated to me that he had Press oil 4500 " " 4277 The whole shows that Capt Sinclair cannot or will not state accurately any fact regarding his catch.



S/S. Neko.	Whales		Blubber oil		Pruss oil		Total oil		
	By weekly notes to Mr Hardy	By Declaration	By weekly notes to Mr Hardy	By Declaration	By weekly notes to Mr Hardy	By Declaration	By weekly notes to Mr Hardy	By Declaration	
Declaration December 1923 Mr Hardy - 31 Dec	58	58	2,100	2,100	1,250	1,250	3,350	3,350	a correct statement on the face of it
Declaration Jan 1-31 Mr Hardy Jan 1-28 <sup>th</sup>	89	109 + 20.	3820	3320 - 500	1825	1925 + 100	5645	5245 - 400	Thus with 3 days more on Declaration than Mr Hardy's weekly notes, he shows 20 more whales + loses 400 lbs of oil The following week shows 19 whales only + 400 lbs of oil.
Declaration Feb 1-28 Mr Hardy Feb 1-25	65	64 - 1	1610	1610	1145	1145	2755	2755	With 3 days to go on Mr Hardy's weekly notes, he loses 1 whale + the oil is the same
Total to Feb 28 by Declaration do by Mr Hardy to Feb 25.	212	231 + 19	7530	7030 - 500	4220	4324 + 100	11,750	11,350 lost 400 = £100 duty	In three months he has gained in declaration 19 whales + lost 400 lbs of oil in so doing
By weekly note Neko had on 4 <sup>th</sup> March	225	—	7750	—	4420	—	12170	—	Note on or about March 2 <sup>nd</sup> 1923 Neko had, as accidentally stated by the Captain 5 Hump = barrels not declared to + without permit
Neko wired me from admiral's Bay that he had 218 whales + noted Mr Hardy that he had 212									Thus the figures supplied by Salvagers ships are inaccurate in order to mislead. They cannot be relied upon. app B 10-4-23. defrauding the Revenue also may be the motive

Comparison of Weekly notes of catch while on-board  
 Seirilla with statement of whales caught as shown  
 in Gannet's books & Brit Mus forms

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Date	Shown in Gannet's Books & Brit Mus forms					Supplied to Mr Hardy Weekly by Capt Seirilla					Difference
	Whalers	Blue	Fin	H.B.	Total	Date	Blue	Fin	H.B.	Total	
2 weeks ending Dec. 16 <sup>th</sup> 1922	Sacra	11	-	-	11	2 weeks ending December 16 <sup>th</sup> 1923					
	Swona	12	1	-	13						
	Spuma	14	1	-	15		35	2	-	37	
		37	2	-	39		35	2	-	37	+2
week ending Dec 23	Sacra	5	-	-	5	W.E. Dec 23					
	Swona	9	-	-	9						
	Spuma	7	2	-	9		21	2	-	23	
		21	2	-	23		21	2	-	23	✓
W.E. Dec 30	Sacra	<del>3</del>	2	-	5	Dec 30 <sup>th</sup>					
	Swona	5	2	-	7						
	Spuma	8	-	-	8		14	4	-	18	
		16	4	-	20		14	4	-	18	+2
W.E. Jan 6 <sup>th</sup> 1923	Sacra	6	1	-	7	Jan 6 <sup>th</sup>					
	Swona	7	2	-	9						
	Spuma	10	1	-	11		20	6	-	26	
		23	4	-	27		20	6	-	26	+1
W.E. Jan 13 <sup>th</sup>	Sacra	7	1	-	8	Jan 13 <sup>th</sup>					
	Swona	8	2	-	10						
	Spuma	12	2	-	14		27	3	-	30	
		27	5	-	32		27	3	-	30	+2
W.E. Jan 20 <sup>th</sup>	Sacra	3	1	-	4	Jan 20 <sup>th</sup>					
	Swona	4	5	-	9						
	Spuma	2	7	-	9		9	13	-	22	
		9	13	-	22		9	13	-	22	✓
W.E. Jan 27 <sup>th</sup>	Sacra	1	4	-	5	Jan 27					
	Swona	1	2	-	3						
	Spuma	2	4	-	6		5	7	-	12	
		4	10	-	14		5	7	-	12	+2
W.E. Feb 3 <sup>rd</sup>	Sacra	-	1	-	1	Feb 3 <sup>rd</sup>					
	Swona	2	-	-	2						
	Spuma	2	3	-	5		3	4	-	7	
		4	4	-	8		3	4	-	7	+1

Date	Gunn's Brit Mus form				Mr Hardy				Difference		
	Whaler	Blue Fin	HRS	Total	Date	Blue Fin	HRS	Total			
W.E. Feb 10 <sup>th</sup>	Sacra	1	1	-	2	W.E. Feb 10 <sup>th</sup>					
	Swona	3	-	4	7		4	4	6	14	
	Spuma	1	3	2	6		4	4	6	14	+1
		5	4	6	15		4	4	6	14	+1
W/E Feb 17 <sup>th</sup>	Sacra	5	1	1	7	W.E. Feb 17					
	Swona	2	6	1	9		9	14	4	27	
	Spuma	2	5	3	10		9	14	4	27	-1
		9	12	5	26		9	14	4	27	-1
W.E. Feb 24 <sup>th</sup>	Sacra	1	1	-	2	W.E. Feb 24 <sup>th</sup>					
	Swona	-	5	-	5		2	10	-	12	
	Spuma	4	5	-	9		2	10	-	12	+4
		5	11	-	16		2	10	-	12	+4
W.E. Mar 3 <sup>rd</sup>	Sacra	2	4	-	6	W.E. Mar 3 <sup>rd</sup>					
	Swona	4	5	-	9		12	14	-	26	
	Spuma	4	4	-	8		12	14	-	26	-3
		10	13		23		12	14	-	26	-3
W/E Mar 10 <sup>th</sup>	Sacra	3	3	1	7	W.E. Mar 10 <sup>th</sup>					
	Swona	2	6	6	14		12	14	6	32	
	Spuma	6	5	3	14		12	14	6	32	+3
		11	14	10	35		12	14	6	32	+3
W/E. Mar 17 <sup>th</sup>	Sacra	5	1	-	6	W.E. Mar 17 <sup>th</sup>					
	Swona	1	5	2	8		6	11	6	23	
	Spuma	-	5	-	5		6	11	6	23	-4
		6	11	2	19		6	11	6	23	-4
Total until 17 March 1933		187	109	23	319	-17 <sup>th</sup> March	179	108	22	309	
						Difference	+8	+1	+1	+10	

# Neko

## Whales.

## Oil.

Date.	Blve.	Fin.	H'back.	Total.	Blubber oil.	Press oil.	Total.
Nov. 30. 1922.	16.	16.	1	19	550.	456.	1006.
	24.	23. 39	.	23. 42	1050. 1600	444 900	1494. 2500
	31.	16 55	.	16 58	500 2100	350 1250	850 3350
Jan. 1923.	7.	16 71	6 7	22. 80	880 2980	390. 1640	1270 4620
	14.	26 97	8. 15	34. 114	1440 4420	560 2200	2000 6620
	21.	14 111	4 19	18. 132	900 5320	500 2700	1400 8020
	28.	9 120	6 25.	15 147	600 5920	375. 3075	975 8995
Feb.	4.	8. 128	11. 36	19. 166	550 6470	400 3475.	950. 9945
	11.	2 130	11 47	13 179	200 6670	275 3750.	475. 10420
	18.	3 133	21 68	24. 203.	540 7210	260 4010.	800 11220
	25.	2 135	7 75	9. 212.	320 7530	210 4220	530 11750
Mar.	4.	6 141.	7. 82	13. 225.	220 7750	200. 4420	420 12170
	141.	82.	2.	225.	7750	4420	12,170

Compiled from paper slips given me for each week by the manager, which slips I still have.

Anthony Hardy.  
Asst. Whaling Officer.

# Sevilla.

## Whales.

## Oil.

Date.	Blm.	Fin.	H'back.	Total.	Blubber oil.	Press. oil.	Total.
Nov. 1922.							
30	16 35.	2	-	37	1258.	450	1708.
	23. 21 56	2 11	-	23. 60	1109 2367	711 1161	1820 3528
	30 14 10	4 8	-	18. 78	601 2968	368. 1529	969. 4497
Jan. 1923	6 20 90	6 14	-	26 104	1074 4042	610. 2139	1684. 6181
	13 27 117	3 11	-	30 134	1284 5326	666. 2805	1950 8131
	20 9 126	13. 30	-	22 156	602 5928.	503 3308.	1105. 9236
	27. 5 131	7. 37	-	12. 168	275. 6203	441 3749	716 9952
Feb.	3. 3. 134	4 41	-	7. 175	232 6435	528. 4277	760. 10712
	10 4 138	4. 45	6	14 189	176 6611	230 4507	406. 11118
	17 9 147	14 59	4 10	27 216	615 7226	575 5082	1190. 12308
	24 2 149	10 69	-	12 228.	325 7551	436 5516	761 13069
March.	3. 12. 161	14 83	-	26 254.	810 8361	501 6019	1311 14379
	10 12. 173.	14 97	6 16	32 266	921 9282	709. 6728	1630 16010
	17 6 179.	11 108	6 22	23 309	690 9972	710 7438	1400 17410.
	179	108	22	309	9972	7438	17410

Compiled from paper slips supplied me each week by the manager, which lists I still have.

Anthony Hardy,  
Asst Whaling Officer.

Anticipate  
14 Fin whales to be adjusted by Radio  
No oil 350  
3 300  
650

**FALKLAND ISLANDS.**

Tongue oil is pressed  
no separate figures  
No 2 Press is mostly Tongue oil  
28/4/13

WHALING SEASON, 1922-1923

AREA { South Georgia.  
South Shetlands & Graham Land.  
South Orkneys.

FACTORY *S/S Savilla* COMPANY *Messrs C. S. Selman & Co. Ltd*

WHALES.	BLUE.	FIN.	H'BACK.	SPERM.	OTHER.	TOTAL.
September	-	-	-	-	-	-
October	-	-	-	-	-	-
November	-	-	-	-	-	-
December	-	47	8	-	-	55
January	-	63	31	-	-	94
February	-	26	40	11	-	77
March	-	35	51	17	-	103
April	-	6	27	-	-	33
May	-	-	-	-	-	-
TOTAL	-	204	154	28	-	392

OIL PRODUCTION (Shewn in number of barrels).

QUALITIES.	BLUBBER OIL.		PRESS OIL.				SPERM OIL.	SPERM.	TOTAL.
	No. 1. O.	No. 2.	No. 1.	No. 2.	No. 3	No. 4.			
September	-	-	-	-	-	-	-	-	-
October	-	-	-	-	-	-	-	-	-
November	-	-	-	-	-	-	-	-	-
December	-	2943	-	386	1068	2.02 1.94	-	4394	52.9
January	-	3367	-	902	1345	1.07 6.46	-	5644	60.0
February	-	1485	-	494	1014	.98 10.15	-	2999	38.8
March	-	2943	-	208	2100	1.05 9.45	-	5481	56.1
April	-	895	-	0	490	-	-	1685	-
May	-	-	-	-	-	-	-	-	-
TOTAL	-	11663	-	2490	6347	-	-	20500	-

BALEEN *3 Three* TONS GUANO *104* BAGS Average 52.29

WHALES CAUGHT PER CATCHER.

NAME OF CATCHER.	BLUE.	FIN.	H'BACK.	SPERM.	OTHER.	TOTAL.
<i>S/S Savilla</i>	81	69	9	-	-	159
<i>" Savilla "</i>	41	63	13	-	-	117
<i>" Savilla "</i>	55	25	6	-	-	86
TOTAL	204	154	28	-	-	392

Estimated value of OIL £ *22545/0* BALEEN £ *45/0/0* GUANO £ .....

I solemnly declare that the foregoing particulars are to the best of my knowledge accurate.

*McG*  
*Savilla 89 Blue 55 Fin 13 H'Back 137*

*The Sinclair*  
Manager.

It is important that this form should be properly filled in and returned to the Whaling Officer at the end of the season.

# FALKLAND ISLANDS.

WHALING SEASON, .....

AREA { South Georgia.  
South Shetlands & Graham Land.  
South Orkneys.

FACTORY..... *Sevilla* ..... COMPANY.....

WHALES.	BLUE.	FIN.	H'BACK.	SPERM.	OTHER.	TOTAL.
September	-	-	-	-	-	
October	-	-	-	-	-	
November	-	-	-	-	-	
December	-	-	-	-	-	84
January	-	-	-	-	-	95
February	-	-	-	-	-	79
March	-	-	-	-	-	96
April	-	-	-	-	-	20
May	-	-	-	-	-	
Total	204	143	27			374
TOTAL	Note 14 Finbacks are added to April's anticipated catch.					374

*in attached original*

### OIL PRODUCTION (Shewn in number of barrels).

QUALITIES.	BLUBBER OIL.		PRESS OIL.				SPERM OIL.	SPERM.	TOTAL.
	No. 1.	No. 2.	No. 1.	No. 2.	No. 3.	No. 4.			
September									
October									
November									
December									
January									
February									
March									
April									
May									
TOTAL									

*Compiled from Gunners Books  
and Brit Museum forms.*

*A.G. Bennett  
10 April 1923*

BALLEN.....TONS

GUANO.....BAGS

### WHALES CAUGHT PER CATCHER.

NAME OF CATCHER.	BLUE.	FIN.	H'BACK.	SPERM.	OTHER.	TOTAL.
<i>Swona</i>	68	55	13	-	-	136
<i>Spuma</i>	81	62	9	-	-	152
<i>Sacra</i>	55	26	5	-	-	86
TOTAL	204	143	27	-	-	374

Estimated value of OIL £..... BALLEN £..... GUANO £.....

I solemnly declare that the foregoing particulars are to the best of my knowledge accurate.

*Note: 7 Finbacks are added to the original to  
Swona & Spuma in anticipation of catches there*

Manager.

It is important that this form should be properly filled in and returned to the Whaling Officer at the end of the season.

CHARGE.

7

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#

That Captain Sinclair, when and as Master of the British ship Neko of Leith, and now Master of S/S Sevilla of the same Port, both being owned by Messrs Salvesen and Co.

Did contrary to section 42 of the Summary Jurisdiction Ordinance No5/1902, make and subscribe a false declaration in relation to the number and species of whales caught in the waters of the Dependency of South Shetlands and Graham Land for the season 1921-1922, in his return of catch, and oil production, to the Whaling Officer

*A.G. Bennett*

Justice of the Peace.

Whaling Officer.

6th February 1923.

310  
of 12 MS 12







Sir

Expecting a whaler in to-night by which I hope to send you these papers. I would beg to draw to your notice the following:—

Neko. Capt Poulson.

By Weekly notes to Mr Hardy	
of progress of catch to 4 <sup>th</sup> March 1923	225
Shows in British Museum forms	<u>239</u>
Difference	Whales 14

This confirms Mr Hardy's statement attached.

I am,  
Sir,

Your obedient servant

To The Honourable  
Colonial Secretary  
Stanley

A. J. Bennett  
Whaling Officer

Extract from Governor's Minute of the 13th of April, 1923.

. . . . .

Para. 4. On return of Mr. Bennett and Mr. Hardy the Magistrate South Shetlands should investigate and report on the matters referred to in attached papers.

5. When the Magistrate's report has been received it will be possible to decide what further action should be taken. The attention of Messrs Salvesen has already been drawn to the production of oil by "Neko" in season 1921-1922. If breaches of Whaling Regulations can be proved in 1921-22 or 1922-23 the matter must be taken up.

. . . . .

An examination of the figures has led me to the conclusion that there has not been deliberate falsification of the figures unless Humpbacks have been illegally killed and returned as belonging to another species or else omitted altogether.

2. During my stay in Neko in 1921 when Captain Sinclair was master and Captain Poulsen was mate the general slovenliness of the ship impressed itself on me and it is probably inevitable that the same carelessness would extend to the keeping of records. Sevilla was noted as being very dirty last (1922/23) season as well as Neko so that it seems probable that both the persons named have similar tendencies.

3. On account of Captain Sinclair's naive admission that in preparing his forms he had added 14 whales which he expected to catch after April 7th it is clear that any returns from him after that date are invalid, but since he admitted that they were guess work they can scarcely be regarded as constituting an attempt to deceive.

The date April 7th is named by me as being the probable date of Captain Sinclair leaving Schollaert Channel since he arrived at Deception in a catcher next day.

4. With reference to amount of oil at a given moment, while a factory is working oil may be present on board as blubber, in the boilers, in the settling tanks or in the storage tanks, it is therefore a matter of very great difficulty for the amount to be stated with accuracy. This would be the more difficult with reference to Sevilla since she is a new ship and the actual capacity of her tanks would not be known until they had been filled and emptied, and therefore any charge based on the assumption that their capacity was known would I consider be based on insufficient grounds.

*J. H. Hamilton*  
*Inspector South Island Govt. Naturalist*  
*2<sup>nd</sup> July 1923*

Memorandum on Captain Thomas Sinclair.

Captain Thomas Sinclair is a native of the Shetland Islands. He went to Greenland on a whaling voyage in his youth and has been for many years employed by Messrs. Salvesen as master of one or other of their vessels connected with the southern whaling.

2. I made his acquaintance in 1921 in South Shetland and formed the opinion that he was a somewhat lazy and probably rather unreliable person. I have no recollection of his expressing antagonism to the Colonial Government or disrespect for its officers; his verbal complaints were directed rather against his owners.

3. He rendered me considerable assistance in the matter of collecting seals the skins of which were required with a view to ascertaining their commercial value.

4. Neko which was his ship and at that time the only factory of Messrs. Salvesen in South Shetland was, during the ten days of my stay on board in a remarkably dirty condition, even for a floating factory.

4. I consider that Captain Sinclair would in a general way be likely to make slightly inaccurate returns from carelessness rather than with intent to deceive, but the omission or misrepresentation of Humpbacks which had been illegally killed would of necessity be deliberate.

5. I attach a memorandum from Mr. A. G. Bennett which contains information on the subject of his dealings with Captain Sinclair.

*Emcl (H.A.)*  
*J. H. Hamilton*  
*For. Naturalist*  
*2<sup>nd</sup> July*

La

Captain T. Sinclair. of Ss Coronda. SS Neko.  
nad SS Sevilla.

1918-9 Some long time coming to Deception to report himself as being on the Whaling grounds. I reminded him that he must report as soon as possible after arrival, to which he replied that he had nothing to do with people at S Shetlands being under Mr Binnie at S Georgia and the Board of Trade. In March he arrived at Deception with a corpse for burial, did not report either himself or the death, and proceeded with a gang of men to dig a grave. Had I not interfered he would have buried the man forthwith. Following the funeral, and in the presence of several managers ( Morwegians) I reminded him that he would deliver his papers, including declaration of catch to me in Deception before he left, by whale boat. His reply was that perhaps he would. He then went off with others in a derisive way. He finally cleared out to S Georgia taking all papers with him.

1921-22 Arrived at S Shetlands minus a Licence and was permitted to whale for the season, protected whales being specified. When he was leaving Belgica Straits I demanded his papers These came in, in a whaler with an impudent message. Two hours later the factory -Neko came in and anchored, I went on board. Bad weather and engine troubles were given as the reason, I later learned that he had sustained a damaged hull The Ronald sailed for Stanley leaving Neko at Deception the same, or the following day.

1922-23 In addition to matters reported, a whaler was wrecked. I heard of this in a casual way, I had to force him by telegraph to report this casualty.

*W. Bennett*  
25.6.23

517/73

(5)

Memorandum on Charges against Captain Thomas Sinclair

at present of S.S. Sevilla.

The following charges are made against Captain Thomas Sinclair by Mr. A.G. Bennett, Whaling Officer, South Shetland 1922-1923.

- (i). That he always keeps his vessels in a state of filth.
- (ii). That his returns are unreliable.
- (iii). That he has caught Humpbacks without a permit.
- (iv). That he resents official control and is refractory towards authority.



~~I beg to state that I am per-~~

(i)

2. With reference to the ~~xxx~~ statements which Mrp AgG. Bennett has made as to the condition of filth in which Captain Sinclair permits his ships to be, I beg to state that my personal observations of Neko entirely confirm them. A certain amount of dirt is inseparable from whaling but to allow it to reach the pitch which <sup>it</sup> is apparently Captain Sinclair's habit to sanction can be avoided. The deck of Neko which was of wood between the fore and after planes was usually covered with a thin layer of ~~grassy~~ refuse which could not fail to be carried on the feet into one's living quarters. Such a state can scarcely tend to improve the health of those living in it and ~~by~~ oil produced from material which is contaminated with dirt will be of lower quality than that from even moderately clean substances. I am informed that the ~~state~~ <sup>condition</sup> of things on board the newly fitted out Sevilla during the season recently terminated was very much the same.

(ii)

3. With reference to the unreliability of the returns made by Captain Sinclair; he admitted to Mr. Bennett that when he made out his returns he anticipated the catching of whales <sup>14 Jan</sup> between the time of his clearing and the time when he intended to sail; he informed Mr. Bennett that he had done this, which was not necessary since he could have supplemented his returns by radio if it was required. I consider that since he is

so

so negligent in the care of his ship (as regards cleanliness) it does not seem likely that he will bestow much care on the making of returns. In this connection it may be stated that he returned a catch of 389 whales for the season 1921/22 and that the Norwegian Whaling Gazette for January of this year published his catch as 421, the discrepancy being 32 whales or about 8 per cent. ~~It is not possible, I consider, to prove~~

~~that the returns in the British Museum forms 132 or 132A are incorrect and mention of correct.~~ *In the British Museum forms 132 or 132A are incorrect and mention of correct. ~~that the returns in the British Museum forms 132 or 132A are incorrect and mention of correct.~~ *In the British Museum forms 132 or 132A are incorrect and mention of correct.**

*and mention of correct. With regard to the figures of the Whaling Gazette: ~~figures although the whales had not been caught~~*  
I would point out that this paper is the organ of the Norwegian Whaling Association, a responsible body to which almost all the companies belong.

(iii)

4. The catching of Humpbacks by the gunners of Neko in the 1921/22 season, is, I am informed, common knowledge among the Norwegian whalers. If it occurred it would be impossible to keep it secret since the crews of the catchers being all Norwegians naturally mix with the other whaling people in Norway during the summer and it is inevitable that the previous season's events should be discussed, among them the performances of different gunners, with particular reference to their number and kinds of whale killed by them.



(iv)

5. The resentment of Captain Sinclair to official ~~control~~ control made itself evident when he neglected to clear at the end of the season 1918/19 although he had been warned that his papers would be required: the result of this was that the report for that season was naturally incomplete since ~~many~~ <sup>many</sup> months elapse before mails from South Georgia arrive in the Falklands. During the same season ~~season~~ he had arrived at Deception and proceeded with the funeral of a gunner who had been ~~accidentally~~ lost overboard without reporting the occurrence to the Customs Officer. In the same manner he omitted to report that his ship had been damaged by ice in the season 1921/22, a fact which only came to the knowledge of the Whaling Officer by accident after he had left Neko.

Finally he omitted to report the loss of the catcher Sacra in 1923 and came to Deception to make a report after a number of telegrams had passed between him and the Whaling Officer and he had in the end been ordered to do so.

5. It is not easy to state that the opinion is based on one or another particular incident, but the cumulative effect of consideration of Captain Sinclair's acts and of reports referring to him compel the opinion that he regards official control as an interference to be evaded if possible.

It is to be remembered that until the season 1922/23 Neko was the only British ship working in South Shetland, and this person the only British master. It may be suggested that if he persistently and at times successfully exhibits an attitude of contempt of authority the effect on the Norwegians must be bad since they would naturally expect the Colonial Government

Government to exercise more control over those of British nationality than over themselves, and so if Captain Sinclair ~~ER~~ displays negligence in the observation of duties towards the Government it is almost inevitable that they will endeavour to follow his example.

o. It is with the greatest reluctance that I make the suggestion, but I would recommend that Messrs. Salvesen be requested not to permit Captain Sinclair to return to South Shetland as manager of one of their factories. I consider that this step would have a salutary effect on the entire fleet

*J. Hamilton*

*Govr. Northern*

*Magistrate, South Shetland*

*14<sup>th</sup> / 7 / 22*

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FALKLAND ISLANDS.

No. 90.

6  
GOVERNMENT HOUSE,

STANLEY,

5th July, 1923.

My Lord Duke,

With reference to paragraph 6 of my despatch No. 86 of the 4th of July, I have the honour to transmit a copy of the report of the Magistrate, South Shetlands, on the charges made against Captain Thomas Sinclair, master of Messrs Selvesen's whaling factory s.s. "Sevilla".

2. It is doubtful whether Captain Sinclair has committed an offence against the Whaling Regulations which would justify a charge being made in a court of law; he made a false declaration of his catch, but he informed the Whaling Officer previously that he was anticipating the whales he would get. The weekly returns of whales caught rendered by him to the whaling officer could not be relied upon as shown by enclosure II to this despatch. He probably caught Humpback whales without a permit in 1921/22; two of the men working on board his ship during that season directly informed Mr. Bennett a year later that that was the case but their evidence could not be obtained on oath. It was however a matter of common talk in the fleet. The Assistant Whaling Officer placed on board Captain Sinclair's ship during the last season found conditions so

intolerable/

HIS GRACE THE DUKE OF DEVONSHIRE,

P.C., K.C., G.C.M.G., G.C.V.O.,

SECRETARY OF STATE FOR THE COLONIES.

ENCLOSURE I.

ENCLOSURE II.

intolerable that it was necessary to transfer him to another factory. He complained of the captain's continued deprecatory remarks concerning the Falkland Islands Government, of abusive attacks made upon him by the doctor of the vessel, and of ill-treatment by the captain of negro stowaways from St. Vincent.

3. I concur in paragraph 6 of the Magistrate's report. As Your Grace is aware, the operations of the South Shetlands Whaling Fleet have only been controlled hitherto by the co-operation of the masters of vessels acting under the instructions of the owners. The tendency of the Norwegians might be adverse to the only British master, and it is conceivable that they would deliberately endeavour to get him into trouble - although I believe it is improbable. On the other hand the Whaling Officers would naturally endeavour to support him in every way possible. The Magistrate, the Whaling Officer and the Assistant Whaling Officer are however united in their belief that Captain Sinclair's attitude and actions are prejudicial to good order and that it is advisable that he should not return.

4. Control of Captain Sinclair would perhaps be easier did he visit the Falklands, where a salutary warning might have good effect. Messrs Salvesen's ships the "Sevilla" and "Heko", are the only two factories registered in Stanley, but they do not come near the port, whereas all the other factories call here. I am however inclined to think that he resents official control and would be even worse disposed were he to be let off with a warning. I therefore submit

that/

that Messrs Salvesson be requested to replace Captain Sinclair by another master, if that course is possible. The grounds for making such a request are that this master habitually keeps vessels under his command in a state of extreme dirt, that the Whaling Officers are unable to rely upon the accuracy of his returns of whales caught, and that he has shown resentment of official control.

I have the honour to be,

My Lord Duke,

Your Grace's most obedient,

humble servant,

H. Henniker-Heaton.

(7)

TELEGRAM.

From : The Secretary Of State for the Colonies.

To : His Excellency the Acting Governor

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Dispatched : 6th October,

19 23 Time. 11.15 p.m.

Received : 7th October

19 23 Time. 11.30 a.m.

GOVERNOR

PORT STANLEY

YAJFOUZZIA YAACAWALFO WALPE SINCLAIR AKNADOPYSH  
AMRIPLIAZI TIOEH CATCHER KESUA NEKO FOAIZKLOXU  
TISEDRAERO UWASSIDFAK MAXYTAMRIP SMOEEUDLOE  
IFTAUPYDKA REBKUTAMOH KESUA SEVILLA FOAIZ (?KEEITA)  
NEKO FOAIZUSHDE ECVOLBOMNAN SFROFLYGG RAEROZIPA  
HIEOTLODUE FRIAWIBYTA GHYVSEGER.

Meaning:

6th October. Your Despatch 5th July 88, 90, Sinclair allowed to proceed and licences for third catcher "Neko" issued this season without prejudice further considerations matter and subject to undertaking given by Salvesen that "Sevilla" "Neko" will call Port Stanley end of season for the local enquiries. Explanatory despatch follows

Secretary of State for the  
Colonies.