

FALKLAND ISLANDS.

No. 464/15

WAR/PRI/1#16

Governor's Office.



From		SUBJECT.
Secretary of State for the Colonies.		Prize "BANGOR" Contention by the master of the that the capture was effected in Chilian territorial waters.
No.	Date	
Misc.	8th November, 1915.	

Colonial Secretary's Record No.

MINUTES.

Despatch to S/S. 110-182 of 31st Dec 1915.

Registered Number of last Despatch.

*AD.
31.12.15.*

455/13

No. next Despatch.

63/16.



PALELAND ISLANDS.

No. 182.

Government House, Stanley.

31st December, 1915.

Sir,

I have the honour to acknowledge the receipt of your despatch, "Miscellaneous", of the 8th November, 1915, transmitting for report a complaint from Captain O. Fr. Hansen, late Master of the Prize S.S. "Bangor", respecting her capture, and the treatment of her Officers and Crew.

2. The "Bangor" was brought into Port Stanley on the 18th March, 1915, and, as in the case of other Prize Vessels, an armed guard placed on board on the vessel being taken in charge of by the local authorities.

3. The "Bangor" was captured as suspected of being employed in the interests of the enemy, and for local reasons it was not considered desirable to give the crew of the vessel the free run of the shore or of the Town of Stanley. Orders were accordingly given that the crew were not to be allowed to land. The Master of the vessel with permission landed at his pleasure. At first he was accompanied by an official from shore, but this was subsequently discontinued.

No application was made to me for any of the officers or crew to land, until the 28th of June, 1915, when Captain Hansen asked for "permanent permission for the officers of the ship to go ashore twice a week, three or four at a time". Captain Hansen added "I can fully depend upon my officers to act in a gentlemanly manner at

all

THE RIGHT HONOURABLE

THE SECRETARY OF STATE FOR THE COLONIES.



all times, and I sincerely trust this application will be granted by the authorities!

On receipt of Captain Hansen's application I granted the permission asked for.

4. I cannot find and there is no recollection whatsoever that Captain Hansen at any time asked this Government, for any advance of money on account of the ship or otherwise. I am aware that he obtained advances from the Norwegian Consul.

5. With reference to Captain Hansen's representation, that on the 7th July he was called ashore to the Governor's Secretary, and that whilst on shore members of the crew of the "Bangor" were transferred to another ship, I beg to say that the Colonial Secretary, (I have no Secretary) informs me that Captain Hansen was not asked to come on shore to see him, but that Captain Hansen was asked, through his Consul to whom the Colonial Secretary telephoned, to come and see him after Captain Hansen had already come on shore and was with the Consul.

6. The Colonial Secretary had no knowledge whatsoever about the transfer of the crew of the S.S. "Bangor", ^{to H.M.S. Macedonia,} none of the arrangements for which passed through his Office. The arrangements were made by the Naval Authorities who had taken charge of the Prize "Bangor".

7. On representation made by Captain Hansen at the time, this was fully explained to him before he left this Colony, when Captain Hansen was informed that it was a pure accident that the transfer took place whilst he was on shore, and that those who arranged the transfer were quite unaware that he had been asked to see the Colonial Secretary.

8. No member of the crew of the "Bangor" was transferred

to



to H.M.S. Macedonia against his wish. Each man was transferred to H.M.S. Macedonia for free passage to Monte Video at his own option, and the offer was gladly accepted.

9. Had Captain Hansen been in earnest in his desire to pay off his crew, as he represents, there was ample time and opportunity for him to have done so before certain members of his crew left Port Stanley in H.M.S. Macedonia. I am doubtful however whether this complaint can be considered as genuine. From Captain Hansen's previous representations of his want of funds one is not led to believe that he was in a position to pay off his crew.

10. The Captain of H.M.S. Macedonia however shewed consideration to the Captain, Officers and Crew of the "Bangor", by applying to me for an advance of money to enable him to make advances to them on account of their wages. The money was drawn from the Treasury to enable this to be done, and payments varying from £1 to £5 were made to 34 out of 40, the total number of the vessel's crew, before they left this Port. Captain Hansen declined the offer of £10 made to him. The first mate and the first engineer and three of the crew also declined the offer of advances made to them.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Douglas Young
Governor.



FALKLAND ISLANDS.

Downing Street,

MISCELLANEOUS.

8 November, 1915.

Sir,

With reference to previous correspondence on the subject of the Steamship "Bangor" I have the honour to transmit to you the accompanying copy of a letter (with enclosures) from the Foreign Office, with regard to a contention by the Master of the Vessel that the capture was effected in Chilean territorial waters and that the crew were subjected to improper treatment.

31st October, 1915.

2. I shall be glad to receive your observations upon the allegations regarding the treatment of the crew.

I have the honour to be,

Sir,

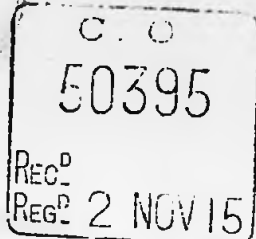
Your most obedient,
humble servant,

A. Brown Law

GOVERNOR

W.D. YOUNG, ESQ., C.M.G.,
&c., &c., &c.

COPY



FOREIGN OFFICE

150598/15.

October 31 1915.

Sir:-

With reference to your letter of the 28th August last (39744) and previous correspondence respecting the case of the Prize vessel "Bangor", I am directed by Secretary Sir E. Grey to transmit to you herewith, to be laid before Mr. Secretary Bonar Law, a copy of a note, with its enclosure, from the Norwegian minister in which it is contended that the vessel was captured in Chilean territorial water, and that the crew were subjected to improper treatment.

A copy of a letter which has been addressed to the Admiralty on the subject is also enclosed.

Sir E. Grey would be glad to learn whether Mr. Bonar Law concurs in the proposed reply to Monsieur Vogt and at the same time to be favoured with any information on the subject which Mr. Bonar Law may be able to supply and may deem advisable to add to the proposed reply, more especially as regards the treatment accorded to the crew of the vessel.

Reference is also being made to His Majesty's

Procurator

The Under-Secretary of State
Colonial Office.

(150598/15)

Procurator General.

I am,

Sir,

Your most obedient,

humble servant,

COPY.

Ad.No.92565/15.

(150598).



The Norwegian Minister presents his compliments to the Secretary of State for Foreign Affairs, and, with reference to the note which Sir Edward Grey was good enough to address to him on the 18th of July last relative to the S.S. "Seattle" ex "Bangor", has the honour, by order of his Government, to transmit herewith enclosed a statement made out by the master of the named vessel, and containing particulars as to her seizure as well as to the treatment of her officers and crew after such seizure.

In submitting the above mentioned document Monsieur Vogt has been instructed by his Government to apply for Sir Edward Grey's kind assistance in order that he might be informed of the reports of the British Authorities concerned as to the exact place of the seizure, the Norwegian Government assuming that in case the vessel was seized within the territorial waters of a neutral country, His Britannic Majesty's Government will release the vessel and compensate the Norwegian parties concerned, who have sustained loss in the matter.

The Minister has also been instructed by his Government to submit to His Britannic Majesty's Government that an investigation might be kindly made so as to ascertain whether the officers and crew of the named vessel have been exposed to any treatment, which would entitle them to make a complaint such as the one contained in the above mentioned statement.

Norwegian Legation,

London,

October 13th 1915.

The Foreign Ministry,
Victoria Terrace 7.

COPY.

(150598).



CHRISTIANIA,

September 22 nd, 1915,

The ship with officers and crew on board was brought in to Falkland Islands.

I undersigned Captain C. Fr. Hansen, master of S/S. "Seattle" ex "Bangor" beg to ask the honourable Foreign Ministry to protest at the British Government, because my ship the 13th of March this year was captured by the British warship "Bristol" in the Magellan-Street in Chilesian territorial waters. Regarding the details I beg to give such information:

The 3rd of February I started from Baltimore with coals for Buenos Ayres. However the rudder-chains were damaged and I had to call at Montevideo for repairs. When I wired from Montevideo to the receivers of the cargo in Buenos Ayres, I got the answer, that I should apply to Dornor and Bernitt for instructions. This firm were also agents for the time-charterer of the ship Mr. H. Suhren. After having consulted the brokers of the ship the Montevideo branch of Christophersen Hermanos, I found, that I had to follow the instructions of Dornor and Bernitt to the effect that I should go to Corral for order, the cargo being resold to Chile. In the Magellan-Street between Desolation Island and King Wilhelms the 4th Land I was then captured by the British cruiser "Bristol" the 14th of March at 53° 1' 22" south Latitude 73° 46' 30" Longitude west Greenwich. I enclose a photography of the chart, which I used and upon which I have marked by a cross, named "stop" the place, where the ship was captured. As the Hon. ministry will see, this place is quite unquestionably situated in neutral waters. The position was made out by bearings.

The Foreign Ministry,
Victoria Terrace 7.

The

The capture took place about 2 o'clock in the afternoon. The weather was clear so that it was very easy to take exact bearings. I entered the position in the log-book but this was taken from me, when the ship was captured.

The ship with officers and crew on board was brought in to Falkland Islands. I learnt that the reason for the capture was, that the ship was suspected for intending to bring coals and stores to German warships. The suspicion was according to my knowledge entirely unfounded, what besides is proved by the circumstances that, when the capture took place, all German ships in those waters had been sunk.

At the Falkland Islands the ship remained till the beginning of July. I beg also to ask the hon. Foreign Ministry to protest against the way, in which both we officers of the ship as well as the crew were treated during the stay here. We were treated quite like prisoners of war. The crew was not allowed to leave the ship, I, personally, obtained leave to go on shore accompanied by an armed guard and only after special permission for each time from the British Authorities. On board was always an armed guard consisting of 6 men and 2 non-commissioned officers. The catering was left to ourselves. I therefore asked the governor to get some advances to defray the expenses, but this was refused. I had to cable to my owner, Mr. G.W. Bruenech, Osören pr. Bergen, to obtain the necessary cash by cable, which of course was a very expensive way.

On the 7th of July I was called ashore to the governor's secretary. While I was absent from the ship and without my knowledge the crew with exception of 1st officer, 1st engineer, purser and 2nd steward was transferred

transferred to an english ship and brought to Montevideo. The crew got only one hour for making themselves ready for leaving "Seattle". As a consequence of my absence, I could not pay the crew off and give them their papers back, I and the said four ship-officers, who were not brought to Montevideo, must go with the ship to Sierra Leone. On board we were very badly treated. I was lying ill and had then a cabin of my own. The 4 others were stewed together 2 and 2 in each cabin. The food was very scarce and also extremely bad. The Chief, Lieutenant Commander W.F. Pollard behaved brutally and impolitely toward us.

During the stay at Sierra Leone we enjoyed pretty much our freedom, though on our own expense. The 9th of August we were transferred as prisoners to Falmouth aboard a Belgian ship "Albertville". On board we were kept under a still more rigid custody. Always, when this ship was in port, we had to stay in our cabins with a guard outside.

From Falmouth we were brought to Devonport, where we still were kept in close custody: Armed guard in the nights, and in the hours, when we were allowed to take a walk in the gardens of the establishments, we were always accompanied by a guard. However, I obtained permission to write to the Norwegian envoy in London, and by his intervention we were at last given free about the beginning of this month.

According to the instructions of the owners, I ask the hon. Ministry to protest by diplomatic way against the treatment of the ship. On behalf of myself and the said officers, I ask the hon. Ministry to obtain redress for us for the personal injuries, that we have sustained.

Yours &c.

(Signed). O. Fr. Hansen.

COPY

(150598/15)



FOREIGN OFFICE

Oct. 31/15

Sir:-

with reference to your letter of July 11th last (N.L.) and previous correspondence respecting the case of the prize vessel "Zangor" I am directed by Secretary Sir E. Grey to transmit to you to be laid before the Lords Commissioners of the Admiralty, a copy of a note, with its inclosure from the Norwegian Minister, in which it is contended that the vessel was captured in Chilean territorial waters.

I am at the same time to refer to the correspondence which has passed with your Department as regards the question of Chilean territorial rights in the Straits of Magellan, terminating with your letter of the 24th ultimo (N. 23176).

In Sir E. Grey's view such a claim as that now put forward is one which can only properly be raised by the Chilean Government. This course would appear to be in accordance with former practice (Fratt's Story p. 21; the "You Anna Catherine" 3 Robinson 15; 3 Robinson 162, note) and although the cases cited were those of enemy ships the rule would seem to be applicable in the case of other vessels also. Moreover, as the facts with regard to the capture

of

The Secretary
of the Admiralty.

(150098/15)

of the "Langer" must to some extent be in dispute, he is of opinion that the claim, if put forward by the Chilean Government, must be made in the Prize Court. The latter course does not appear to be inconsistent with Art. 3 of Hague Convention No. XIII and it is consistent with Art. 4 (1) of the unratified Convention No. XII.

Sir E. Grey proposes accordingly to reply to the Norwegian Minister's note in this sense, but he would be glad to learn whether the Lords Commissioners of the Admiralty concur and at the same time to be favoured with any information on the subject which they be able to furnish and any facts advisable to add to the proposed reply, more especially as regards the precise locality in which the vessel was captured and the treatment accorded to the crew.

Copies of this correspondence are being sent to the Colonial Office and His Majesty's Procurator General, who are also being asked for their observations in the matter.

I am,

Sir,

Your most obedient,

humble servant,