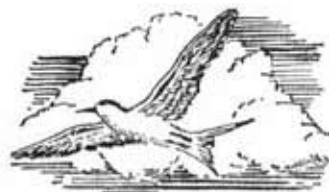


In conjunction with
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The New Zealand
THE OFFICIAL JOURNAL OF THE
CLASSIC YACHT ASSOCIATION OF NEW ZEALAND



CLASSIC YACHT

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QUARTERLY

Issue 9

October '97

NIGHT of CHAMPIONS

The main hall of the Ponsonby Cruising Club was full on Saturday 2nd August as the Classic Yacht Association celebrated its Inaugural Annual Dinner and Prize Giving.

The PCC had been decked out with sails and pictures of the boats by the steering committee which created a feeling of intimacy, even with the large numbers attending.

Guests were welcomed at the door with a glass of champagne which no doubt contributed to the ambience, and the food was plentiful.

Hamish started with an, only slightly edited excerpt from 'The Wind in the Willows' about rats (men?) messing about in boats which brought many laughs from the floor as people recognised themselves in the characters he was describing. He was followed by Chad who took shameful advantage of his position as chief storyteller of the Association to rewrite the history of the racing season, and to propose a theory that the blood on the water during what had been some serious racing, was no more than the residue of the red wine spilt from the glasses of the less serious crews!! The hard luck stories, slanderous statements and outrageous comments continued with many interjections, particularly from Moana's supporters who were the target of many of his comments and who were also, fortuitously placed right at the front!

Hamish took over again and restored a modicum of order with his tribute to the Mitchelson family to acknowledge their generous donation of the 'Mitchelson Trophy', to the CYA. Hamish brought us all back to the reason we love to sail these boats with his story of the early days of the Little Jim, and her association with the people and the events that have shaped our nation's history. He recalled the ANZAC day event which we have dedicated to the old crews of the boats, and he recalled the pleasure we all had racing with our old crews that day. I could not help but feel a little personal sadness

in my memories of the day. Steve and Elva Carey had come all the way from Dunedin to sail on the Thelma for that day. Without the work that Steve did on the Thelma in the 1940's, she would probably not have made her centenary in 1995. Steve was already sick on ANZAC day, but he helped to sail a good race. Steve (Francis L) Carey passed away on 19th July, a sad reminder that the people who sail

putting together the deal between Logans and the CYA.

Some of the more amusing prizes awarded were the 'Hard Luck prize', awarded to Marty from the Kotuku for being unable to attend his own social function! (Marty organised the annual picnic on Motuihe on 22nd February), & the prize for the 'Most Startling Performance' went to John Davis from the Reverie for his performance in the Maburangi regatta.

The Logan Trophy for the first division New Zealand Classic Yachtsman of the Year was awarded to Greg Scopas of the Ngataranga. Greg cleaned up many of the prizes on the night including that for most frequent competitor, Ron Copeland of the Nomad was awarded the Logan Trophy for second division New Zealand Yachtsman of the Year, both wins reflecting the structure of the handicapping, which gives recognition for participation.

The prize giving was rounded off with the issuing of battleflags for next season. Ron and Greg were issued with giant Logan flags embroidered with a distinctive laurel wreath. The battleflags are a new innovation and will have a similar function to the yellow jersey in cycling. The winner of each race is entitled to fly the battle flag in the following race as an added incentive for the other competitors to de-throne the previous winner.

The Rawhiti provided the crowd with the most beautiful female of the evening- 2 month old Celia Balemi. Miss Rawhiti 1997 is no doubt one of a new generation of sailors who will be coming through to beat the pants off the incumbents before they know where they're at. It was a wonderful evening which finished in the early hours of the morning. Congratulations to the Steering Committee for your superb organisation, to the Ponsonby Cruising Club and Logan Clothing for helping to make it happen, and most of all to the Classic Yachties and the admirers who came along, and who make the CYA the success it is.



Chad Thompson, Gary Gwynne and Greg Scopas



Greg Scopas-1997 NZ Classic Yachtsman of the year



Mark Bartlett-winner of the Mitchelson Trophy

these boats must pass on, but that their legacy is the care and attention they have given to these boats, and the pleasure and memories still to be had in these beautiful vessels.

Gary Gwynne from Logans paid a handsome tribute to the Association in his address, and made particular mention of Chad's contribution in making the partnership between Logans and the CYA work. Gary was obviously pleased with the work of the Steering Committee as a whole, and the work put in by Mark Bartlett (of the Katrina II) in particular, in

THE *Classic* EVENTS CALENDAR

1997-1998 Season

November

1. Sunday 23 1997 - The Royal Akarana Yacht Club Anniversary Regatta

December

- ▶ 2. Saturday 6 1997 - Scott Wilson Memorial Race to Patio Bay

January

3. Saturday 17 1998 - Rangitoto Festival (to be confirmed) (not a Logan race)
4. Mahurangi Weekend Friday 23 January - Night Race to Mahurangi
5. Saturday 24 January - Mahurangi Festival Regatta
6. Sunday 25 January - DYC Around Islands Race (optional) (not a Logan or CYA race)
- ▶ 7. Saturday 24 January - Anniversary Regatta - Race to Auckland
8. RNZYS Kawau Weekend Thursday 6 February - Night Race to Kawau

February

- ▶ 9. Friday 7 - Harbour Race
10. Saturday 8 February - Round Kawau Race
11. Saturday 21 February and Sunday 22 February - CYA Overnight BBQ and Raft-Up at Islington Bay (social function only)
12. Saturday 28 February 1998 - DYC+s Regatta for Geo. Winstone Memorial Trophy.

March

- ▶ 13. Saturday 7 1998 - RNZYS race to Te Kouma for E J Mitchelson Memorial Cup.
14. Saturday 21 March 1998 - PCC+s Vintage and Veterans Regatta

April

- ▶ 15. Saturday 4 1998 - RNZYS Race around Rangitoto.
16. Sunday 19 April 1998 - PCC Closing Day Regatta.
17. Saturday 25 April - VCC ANZAC Day Regatta (Old Crew Day).

▶ = Logan Cup races (total of 14 Logan races)

QUEENIE GOLD CUPS

The Classic Yacht Association has received two gold cups kindly donated by the daughter of the late Tom Hill, Mrs LK Smith and his grandchildren, Mr WM Smith and Mrs KJ Nelson. Tom Hill won the cups in 1923 and 1924 in the Queenie, when the gold cups were the trophies for the annual RNZYS Tauranga race.

Queenie was built in 1904 by Logan

Bros, and Tom purchased her in 1916 and then proceeded to set the standard in the third division keel yacht races. Queenie carried sail number C1 while the alpha numeric system was in use.

The CYA is arranging for the cups to be mounted on a suitable base. They will be known as the Queenie Gold Cups as a memorial to Tom Hill and his association with the boat.

As Queenie qualifies for the Association's second division, the cups will be awarded annually by the CYA to the winner of the second division race at the Mahurangi Regatta, New Zealand's biggest classic yacht regatta held each Auckland Anniversary Weekend.

The donors will be invited to formally present the Queenie Cups at next year's annual Prize Giving.

Letter from the Editor

Thanks to everyone for a brilliant night at the prize giving and Dinner, the CYA really has been a great way to get a special crowd of people together.

With the passing of a few of our members recently, Ross Cochrane, Steve Carey, ... it has really brought home to me the pleasure that we have from hearing the stories these men have given in the telling of their tales of sailing in the early days on these boats. If you have a tale of sailing on these boats in the early years, or you know of someone who has a story to tell, please drop me a line. Attention to the details isn't necessarily the main point of these stories- the atmosphere, the friendships and the sailing conditions seem to be the essential elements of a good yarn. I'd love to share your stories with all of the CYA and it would be nice to preserve some of these "tall tales and true", so future generations can know how different, and yet the same, were the sailing days of an earlier generation.

Cheers,

Sandra Gorter

3 NEW MEMBERS FOR THE STEERING COMMITTEE AT THE AGM

The CYA had a good turnout at the AGM at the PCC on 29th July. The main points of business members had come to discuss were the election of an addition three new members to the Steering Committee to help with the considerable workload. The new members are John Waters (Irene), Chris Smith (Moana), and Lisa Duder (Undine).

Chris Smith addressed the meeting for some time on the operation of the CYA's handicapping system. Chris' considerable efforts to adopt a system which is both fair and representative were evident in the patient way he articulated the system, and his willingness to take on board all of the points raised concerning what must be one of the most diverse set of boats a handicapper could face.

There was a call for Logan points to be awarded for cruising events as well as racing, and Peter Cairney suggested that the classic yachts become involved in Sailability NZ, the sailing programme for people with disabilities.

After extensive discussion on all matters, John Davis thanked the steering committee on behalf of all of the members for the long hours they have put in to making the CYA the successful association it is.

SNIPPETS

In a play on designers, Greg's new t-shirt monogram for the Ngataranga reads 'a little on the Wild side'

Now John is wondering if an appropriate monogram for a Hinemoa t-shirt would be: 'A1- Cox!'

DINGHY FOR SALE

Kauri Clinker, beautifully restored 1930 Charles Bailey and Son built, 12'6" kauri clinker. Varnished hull, seats, knees, oars in leather, cream paint below waterline and inside hull, pohutukawa knees and stem, brass fittings and plaque, forward deck, all original and in excellent condition.

\$3000.00 ph/fax: Cameron Marr 266 8855

Mahurangi Regatta 1998

LABOUR WEEKEND Sat. Oct. 26th

Rakino Rally

meet Rakino Passage

Sunday: Race around Rakino for "VICTORY RUN TROPHY"

Sunday Night: BBQ and Prizegiving

ANNIVERSARY WEEKEND Sat. Jan. 24th

Classic Wooden Yacht 10th Anniversary Event Celebration & Party

- Commemorative Plaque - all entrants
- Complimentary Keg
- Big Birthday Cake!
- Special prizes!
- A Logan Series Event!

Contacts for both events:

Auckland: Greg Scopas - 520 9473

Warkworth: Peter Oxborough - 09 425 5264

In 1929 Bailey designed and built a 57' triple skinned kauri yacht for Captain Gillings of Auckland, she measured: 57' x 15'6" x 6'6" and had a displacement of 44 tons. Initially intended as a trading topsail schooner she was fitted with a 15HP engine, but she was refitted as a luxury yacht in 1937 when she was sailed to Tahiti and sold to an American owner.

Valkyrie sailed from Tahiti to Hawaii in 1938 and returned to the life of a hard-working boat, where she was used as an inter island barge by the US marines during the war. After Pearl Harbour she was left to rest and sadly became a derelict, moored at Pearl Harbour for many years. Now far away from her home, the value of her kauri construction was not recognised by the Americans and so she floated on her mooring in Pearl Harbour waiting patiently for a new owner.

In the late 1950's the marine department sold her for US\$3000.00 to an owner who realised that her beamy hull would accommodate a comfortable houseboat, and she was fitted out with all the facilities for the family, including a bath tub!



Valkyrie in San Francisco Bay 1988

a brigantine, but sailed as a topsail schooner for many years before she was finally re-rigged as a brigantine. It was late 1965 and the Valkyrien now measured 58' on the waterline, 65' overall and still had her ample 15'6" of beam. Two thirds of her hull was kept free as cargo space, she was now a working vessel again.

Valkyrien had developed into a small character ship like those of a bygone era. She oozed the look of adventure, waiting for her new chal-

lenger to sail the high seas, drawing much attention from many interesting characters around the yacht harbour. Needless to say, many glasses of wine were enjoyed toasting to her future, everyone involved in the rebuilding was very proud of the end result.

Now it was time for the second part of the project, the challenge of putting her to work. In 1966 she was chartered by the Scripps Institute of California. The Valkyrien sailed to Pitcairn Island with five scientists aboard to test radiation fallout from nuclear testing in the South Pacific. For three months she had a total of nine men aboard - no place for a woman on that voyage. I stayed in the

exciting days. A day sail on the classic yacht Sirocco was a treasured experience not to be forgotten.

Valkyrien sailed into Honolulu after three months in the south seas, based at Pitcairn Island. She now looked "well weathered", and the skipper, crew and scientists were all well pleased to be home. Once again I moved aboard, many interesting charters, day sails and scientific voyages were to follow in the Hawaiian waters. In between charters (her bread and butter income), we went dredging for pink coral to depths of 3000 feet, and diving for black coral. The coral was sold for making jewellery.

sailed back to the marina where the black coral trees were washed down with fresh water and dried before being sold. We had inherited a permanent and much loved crew member in the form of Floyd, a female part Labrador didn't know she was a dog, and believed she was a person like us. She was a good sailor and insisted on being part of all the activities - she brought much joy and laughter to all on board.

The Valkyrien was a comfortable vessel to sail on, and I always felt secure knowing that her hull was three skins of New Zealand kauri. Life on board the Valkyrien was always interesting. Being a large vessel to maintain, it was necessary to keep her working continuously, and although I loved being a part of her, it was a rugged life for a woman. My pioneering spirit was running low after five years and my time with the Valkyrien sadly came to a close. I left Hawaii in 1969 to live in Queensland, Australia. The skipper of the Valkyrien kept me informed, and eventually his dream of returning her to a trading vessel became a reality when she sailed to the remote Solomon and Marshall Islands. When Valkyrien returned to Hawaii she was sold, refitted once again as a luxury yacht and finally rigged as a brigantine and being sailed to a new home in California. A well deserved change for such a hard working lady.

I returned to New Zealand to live in 1971, often wondering over the years if I would ever see the Valkyrien again. In June 1996 I received the unexpected news that she is living in San Francisco. In 1996 the Valkyrien returned to the Waitemata harbour, and here was one person who welcomed the old lady back to her home port as a long lost friend.

Valkyrie

by Heather Szabo

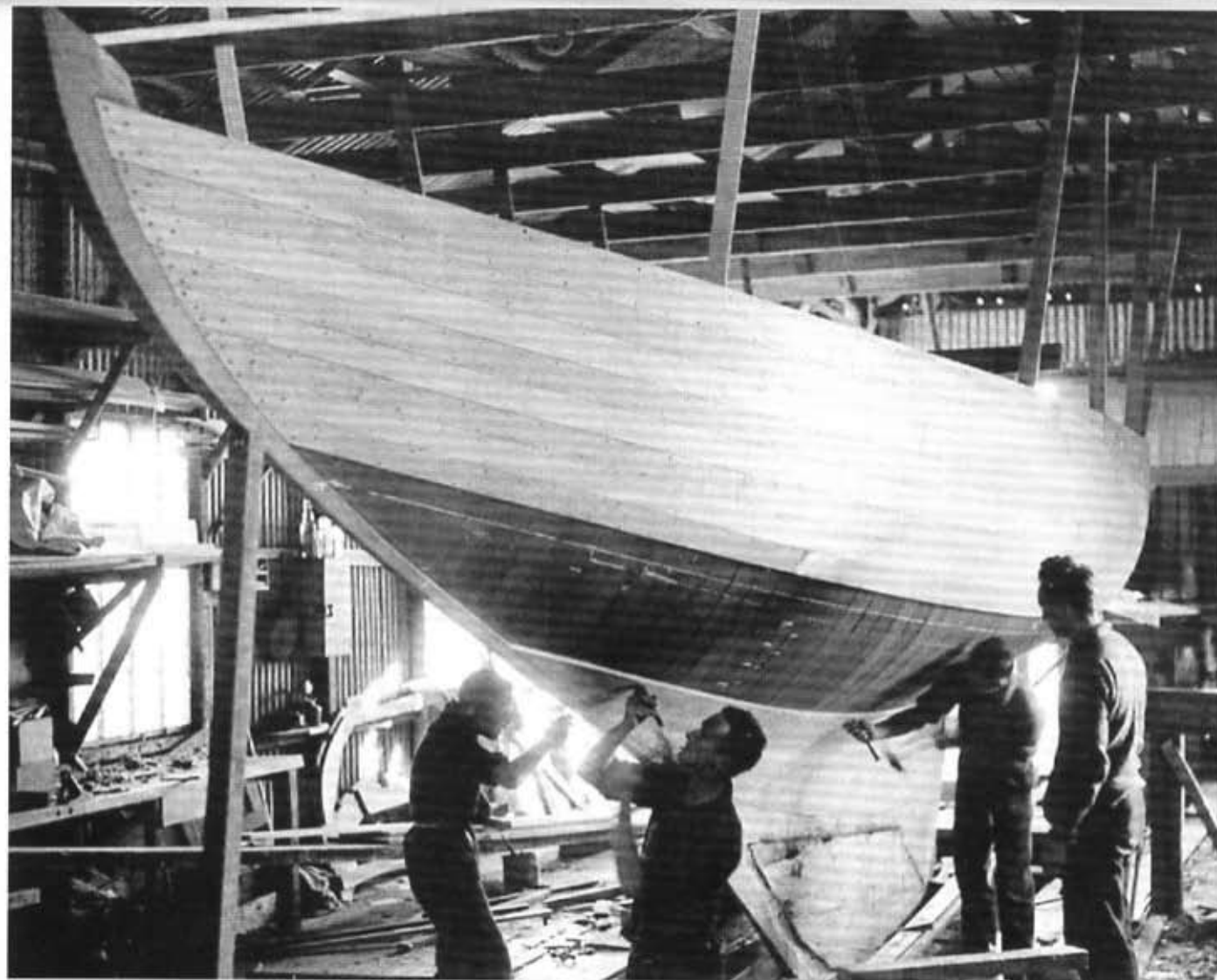
In 1964 I arrived in Hawaii from New Zealand on board the 106' schooner Dwynwen after many months of adventurous sailing in the South Pacific. My partner who was the Skipper of the Dwynwen, proposed a plan to rebuild the Valkyrie, and soon after, he became a 51% owner and we moved aboard to begin the major task of rebuilding the Valkyrie. As a New Zealander I was proud to be part of the project of rebuilding and restoring this proud sailing vessel. My contribution was to provide the daily meals for the many workers who took part in the project, and to provide much moral support as we struggled through the 15 months of rebuilding work. Everyone worked very hard, and long hours, sometimes six and seven days a week, but we all felt rewarded the day we motored down to dry dock to step the masts. I personally made sure that we had secured a NZ florn under each mast.

After her survey and antifouling a decision was made to rename her Valkyrien, meaning the female version of Valkyrie, or Norse angel of the sea. A change in her destiny once again, as we replaced the name plate on her stern. I was given the honour of breaking a bottle of red wine (Paul Mason from California), and renaming her Valkyrien. A new era had begun, it was an emotional time for all concerned as we were now half way to the completion of the project.

We returned to our berth alongside the Alawai marine boat yard and continued for a few months, building the raised dog house, finishing the decks, etc. and on completion of her rigging and the arrival of her sails from Sails and Covers, New Zealand, Valkyrien was ready to sail the high seas once again. She was originally designed as



Initially - (1), later registered as - (18), rebuilt in Hawaii 1961-63 and renamed "Valkyrien".....



Little Jim under construction Gerry lane is third from left.

Gerry Lane now aged 89 years completed an apprenticeship with Bailey & Lowe in the late 1920's and early 30's. During his apprenticeship he got to know Arch Logan when he supervised maintenance and modifications on Logan yachts in Bailey & Lowe's yard. After completing his apprenticeship he worked with Bill Couldrey in the construction of Little Jim and help start construction of Waiomo. There was little money in boat-building and he went teaching for the rest of his working life. Gerry is probably the last living person to have worked professionally with Arch Logan.

HR: What year did you start with Bailey & Lowe?

GL: I think it was 1927 but I'm not quite sure. I served a five year apprenticeship.

HR: What was Charles Bailey like?

GL: Liquor was one of the problems with the Baileys. I remember they had a terrible quarrel when Walter told Charlie that he was spending the firm's money in the pub.

HR: What vessels at Bailey & Lowe did you work on at the time?

GL: One was a Tug, a 50 footer for a gentleman from Whangarei. He had a habit of getting sizeable vessels from Bailey and Lowe. I also worked on the Lady Eva. The Tug was a 50 footer, two skinned vessel, so before long I was keeping the boiler on high pressure, and running through diagonals, 6 by half they were. The outer skin was then equal to the two thickness of the

diagonals. This is the principal they worked on.

HR: Did you work on any launches at all?

GL: Yes quite a few vessels. Various sizes. One of which stands out was designed by an Naval architect in Sydney and it went to the Bay of Islands. It was a sporting boat and we had to keep to a lot of specifications which irritated us, as we felt we knew better. The work was sometimes dangerous and I nearly lost my life twice.

HR: Can I ask you about Mr Logan and what he was like?

GL: He was a pleasant man, in himself, but he wanted things done exactly as he said, no deviations allowed.

HR: What was his reaction when he saw something was not done to his

direction, did he get angry?

GL: He did not display anger but he would be rather cold about it. To tell the truth I cannot give you an example as we followed his ideas closely.

He came round to the shop (Couldrey's) quite often and he never drove a car. He had to be picked up by Mr Ellis who used his father's car. Mr Ellis was a great finishing man on boat work. He was really a cabinetmaker but he could not use an adze for example and he wasn't able to fair out like we could. He didn't have a good eye, but otherwise he was a very useful person because he could finish out a cabin nicely.

When I decided to give up boat building and turn to teaching, Mr Logan just said to me, - you're leaving us - and I said - yes Mr Logan, I want something which is more permanent than boat building. He was referring to leaving the trade. I think he

Gerry Lane

talks to Hamish Ross about the building of Little Jim and Arch Logan.

was regretful. There was another boat to go (Waiomo), so I stayed until we had faired out everything that needed doing so that planking could be started.

HR: Did Mr Logan have an accent when he talked?

GL: No, I think it was typically New Zealand, quite pleasant. He wanted things to be done the Logan way. He did not want to deviate at all. No variations whatsoever.

HR: Did he show his plans and drawings much?

GL: No he didn't. He made up all the moulds and we had to put them together - they were marked so we could put them together.

HR: He built the moulds himself?

GL: Yes and the timber for the keel, stem, the bib and also the stern post. They were trucked from Stanley Bay to the workshop and set up under his direction. I made the rudder of Little Jim but had to make it to Mr Logan's directions.

HR: When you were at Bailey & Lowe did Logan use to come down and supervise maintenance on the yachts?

GL: Anything that was to be done on a Logan yacht, Rainbow for example, the owner instructed Mr Logan. It was quite interesting to work with Mr Logan on the Logan yachts. I said to him when I put a bolt in down the stern post, I said it went into - nothing - That is a crude boat building remark used to mean there was nothing behind it and Mr Logan said it couldn't be. I did not argue the point. But he didn't like the truth, which was there was a soft-ish patch in the stern post. Mr Logan knew that, but he would not let you tell him any different.

When at Bailey and Lowe I did work on the Giffords vessel. The Giffords were very fussy. The boss kept me on the job which made me rather proud.

Mr Logan supervised Rainbow at Bailey & Lowe. He wanted everything screwed down on the outer edge and I had to take 140 screws over to Parkers, they were engineers, and grind down the head of each screw just a little bit, so as it would go into a certain size hole. This was what Mr Logan planned so we had to do it. I had done work on Ariki with the foreman, so I got to know Mr Logan quite well.

HR: So the owners of Logan yachts would take their yachts to Bailey & Lowe and Mr Logan would come around to Bailey & Lowe and supervise things?

GL: Yes that is correct. The boss never worried or never went near the job, it was off his hands and Bailey & Lowe would receive a cheque for it. We put our time down, we each had a little notebook, we would put our time down... so many hours - Rainbow or Ariki. That is how it was done.

HR: Was Mr Logan protective of his drawings?

GL: So much so that he never showed us any.

HR: Even when you were working on the boat you never saw the plans?

GL: No. We only had the moulds and his directions. The same for Waiomo.

HR: Why do you think Mr Logan was protective of his plans?

GL: Well no one ever doubted it, but Logan was the best designer in this part of the world. It was his lines which were sent to South Africa and they made up a vessel (the Tess) and their local vessels were no good any longer. Everyone was aware of this. He was a genius.

HR: Did you meet any of the other Logan Brothers - Did any of his brothers come down at any stage?

GL: There was one. I forget which one but it was one of the other boat-builders.

HR: You were partners in the building of Little Jim?

GL: Yes. We went into this thing as partners really and of course there was

rent to pay for the shop and then all the other costs of course, so in the end I got very little for my effort. Never mind. That was the way we agreed to in the first place. It was in a sense a partnership. Bert Ellis had worked for Col Wild and was a neat worker. It was Coudrey, Ellis and myself as partners.

HR: Did Mr Logan give praise when he saw work being done well?

GL: He didn't say anything. He treated workers as workers.

HR: Did Mr Logan help supervise Waiomo in the same way as he supervised Little Jim?

GL: He was more confident of Coudrey organising the shop and there was less supervision. I think he was probably rather sorry I left. It would be reasonable to suppose that, simply because of my skill. I had more skill than the others, more knowledge. I took it more seriously, perhaps that is another angle. When I finished my apprenticeship for Bailey & Lowe they use to keep you for six months or more, and if they were satisfied, they would keep you with their gang and you would work on all sorts of vessels.

HR: Did Mr Logan spend a fair time talking to Bill Coudrey about what he expected and what he wanted? - then Coudrey directed you?

GL: Yes generally speaking. (Looking at the 'Little Jim' Video)



Bill Coudrey with little Jim as she is pulled from the shed prior to launching.

HR: Is that Coudrey at the bottom of the picture isn't it?

GL: Could be. He was very short. I was the only one who had been an apprentice the others were labourers. The labourers were very accommodating.

HR: There is Coudrey on the left and Logan again on the right isn't it?

GL: Yes. I remember we were told a photographer was going to come down and going to watch us at work.

HR: That is the vessel. A good view of her. She had a long way to go to the water as Shoal Bay was quite shallow. It was shallow at time. That is Michelson on the left with Coudrey.

GL: Yes. The last time I was on her was when we put the mast in and I was putting the truck on her at the top of the mast. A ship with either three funnels or four funnels came in Auckland at the time. It was very rare. A Matson Line ship. (Showing early photos of the 'Little Jim')

HR: Here is a picture of her first sail out. **GL:** She was built for the -B- class but she measured up and ultimately ended up in the -A- class. There is the

Moana. Our foreman put an extra plank on the Moana. I forget whether I worked on it. Barry Robinson was the man at Baileys who did it.

HR: Did Bailey & Lowe raise it and put an extra plank on the Moana?

GL: Yes. But I don't think I worked on her. They treated the apprentices very well. They brought them back for six months after they finished their apprenticeships.

HR: When Mitchelson had Arch Logan design Little Jim. Do you think Logan may have intended to build the boat up himself at some stage?

GL: I just think he wanted control of the whole thing.

HR: Here is a copy of Little Jim's lines, you probably have never seen these!

GL: That's very interesting, and remarkable he didn't burn them. Extraordinary. Coudrey took a great interest in designing.

HR: Was there some connection between Logan and Coudrey for Coudrey to get the Little Jim job?

GL: Oh undoubtedly. When I first when to Bailey & Lowe's, Coudrey was senior apprentice for a short time while I was there. Coudrey irritated the Lowes. Walter Bailey had died. Theo Lowe was a young man, Bill Lowe's son was inclined to be difficult although I couldn't complain as he gave me a very good ticket when I asked him for one at the end of my time - but there was difficulty between Lowe and Coudrey. I think that everyone respected the Logan's. There was no doubt their work was good and the yachts were fast. Pittar had Logan design and build Rainbow and she went over to Sydney and she cleaned everything up there. Also Logan had success in South Africa as well (with a number of boats). He destroyed a whole class over there. So there was very little doubt that they were the yacht designers of the Pacific I would say.

HR: Logan was building small craft during the 1920s from home in Stanley Point such as M-Classes and the like?

GL: Yes that's right he did. Bill Coudrey once said in rather course language, as was his habit, that one day when sailing in M1 with Logan, she capsized, Logan never got

his feet wet. He climbed around the side.

HR: Did you ever sail with Logan at all?

GL: No.

HR: You didn't go sailing on Little Jim after she was launched?

GL: No. I have sailed with Bill Coudrey but in centerboarders. I tended to have my own boat you see. That was before I was married.

HR: I'd like to ask you again about Mr Logan; he seemed to be very formally dressed in the film, was he always dressed liked that?

GL: Always. I don't think Logan did anything in the workshop. He did foster Bill Coudrey I think, in his attempt to go into the business of boatbuilding. It was good while the work came along like it did, but I could see that there was no hope in it as far as I was concerned, so I just turned away from it.

HR: Mr Logan was a religious man, did you know that at the time?

GL: No I didn't.

HR: Did you ever meet Logan's sons?

GL: Yes. I think I cannot offer anything there. I think I spoke to him when working

on Little Jim at that time. I remember putting the mast in and I said something to Bill Coudrey about it, he said it was your job to cut the step and I said why, and he said you made the spar. But rather sadly my first spar wasn't accepted and it lay under a hedge that was by the George property next door. We had trouble getting good timber. We went over the to the Kauri Timber company and we wanted this length and we wanted that size. The timber had come from USA I think and they had stacked it up and went looked over what they had. It was heavy and not very good. No one wanted the rejected spar and it just lay under the hedge.

HR: Did Mr Logan reject it?

GL: Oh yes, I think so.

HR: How much were you paid as an apprentice at Bailey and Lowe?

GL: A senior apprentice got about £2.10 I think it went up to or £2.05.

HR: Per week was it?

GL: Yes. It was better than 15 shillings which you started on. But Reg Bailey said that's where we make the money out of you people. That's why we pay you £2.05.

HR: You were saying before Mr Logan was never one to lose his temper if things were not right, he would just say so pretty coldly - is that right?

GL: Yes that is correct. I would agree.

HR: Did Arch Logan have any typical expressions?

GL: No I think he spoke quite well, there was no agitation.

HR: Was he an educated man the way he spoke, did he appear to be well educated?

GL: Yes I think you'd say he was an educated man in those days anyway.

HR: Did he have any interests other than yachting?

GL: None whatsoever. I think only the construction of vessels. I can't think of him showing any interest otherwise.

HR: You are not related to the 'Lane' boatbuilding family?

GL: No strangely enough. It was T M Lanes.


HR: I recall reading in some newspaper articles that the Little Jim was tender when she was first launched.

GL: Yes she was tender, that's right, they had trouble with her ballast. I can only assume that Archie Logan had deteriorated perhaps. He never put enough lead in her keel. I can't remember. I think it was only 3 tons.

HR: She had extra lead added around the front, it was wrapped around afterwards (??)

GL: Yes that was done later.

HR: Thank you very much for your time.



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Salvage

by Hamish Ross

It is rare for pleasure boat owners in New Zealand to make salvage claims against other pleasure boat owners. Hopefully this spirit of co-operation will long continue. However others, particularly owners and skippers of commercial vessels may well take a different view to salvage opportunities. The purpose of this article is not to encourage salvage claims but to draw members attention to the basic principles of the law of salvage should they find themselves in difficulty.

WHAT IS SALVAGE?

Salvage is a service provided by a volunteer to save property (usually a vessel or its cargo) from loss or damage at sea. Salvage can be claimed for saving not only the vessel itself but also its equipment and rig as well as saving life. Salvage cannot be claimed against personal belongings of the crew and passengers or the vessel's provisions (this will probably include the contents of a cellar). The law requires three conditions for salvage:

1 the vessel must be in danger at sea;

2 the salvor must either be responsible for, or contribute to the success in rescuing the vessel (usually referred to as "no cure no pay"); and

3 the salvor must be a volunteer as distinct from a person with an existing obligation to assist with a rescue such as a member of the crew, passenger or a person with a statutory duty to assist.

Vessel in Danger:

Before salvage can be claimed the vessel must be in a situation which gives rise to a reasonable fear that the vessel may suffer damage or be lost. Typical situations are where a vessel is in rough seas which may cause the vessel to founder or where it has been damaged and without assistance the vessel is immobilised or where the crew are unaware of local conditions which without help damage is likely to occur from either the elements or hidden physical dangers, recovery of a stolen or sunk vessel. There is no truth in the popular belief that a manned vessel cannot be the subject of a salvage claim.

No Cure No Pay:

A mere attempt to save a vessel does not give rise to a valid salvage claim regardless of the degree of risk or danger to the salvor. This is because salvage is paid from a fund paid into Court representing the value of the salvage property. If no property is salvaged there is no fund to reward a salvor.

The Salvor Must Be A Volunteer:

Persons who are under a legal or contractual obligation to assist cannot bring a salvage claim. Unless the vessel has been completely abandoned, the crew of the vessel cannot claim salvage nor can passengers as they are both under a duty to render assistance if the vessel encounters danger, although in exceptional circumstances where a passenger takes over control

of the vessel and saves it a valid salvage claim could be brought.

Public Officials can claim salvage if they are under no existing legal obligation to assist. For example, a port authority was precluded from claiming salvage when a ship ran aground because it was under statutory duties to remove obstructions. The Crown can claim salvage if a naval vessel renders assistance.

AUTHORITY TO PROVIDE SALVAGE SERVICES

The owner or if they are not present, the skipper as their agent, has complete authority over who can provide salvage services. A person who is authorised to perform salvage services by the owner or the skipper of the vessel is entitled to salvage the vessel until that authority is revoked. If a person is forbidden to salvage the ves-



sel by the owner or skipper, the salvor cannot perform the services and if they do in defiance, no salvage claim can be made even if successful and they could be at risk of a legal action from the owner. Where no authority has been given and in the absence of an express rejection of salvage services, salvage services can be performed where a prudent master would have consented.

SALVAGE DISTINGUISHED FROM TOWAGE AND OTHER CONTRACTS

Unless exclusive possession is given by the owner or skipper, a salvor cannot prevent other salvors from rendering assistance. If they do so then they risk losing their right to a salvage claim. This does not apply in relation to an abandoned or derelict vessels as in these circumstances a salvor is entitled to exclusive possession.

As indicated above no person can bring a salvage claim if they are under a legal or contractual obligation to perform services. Examples are where the skipper contracts for a tow or for the repair of a holed vessel. In these circumstances the performance of the contract by the third party cannot give rise to a valid salvage claim even if the vessel is saved from danger. However, a valid contract must exist including an agreement on a fee. Even if the fee is the traditional case or two of beer.

This is a point which should be understood by owners and skippers wishing to avoid a salvage claim where they simply require a tow. It is impor-

tant for owners and skippers on a vessel requiring a tow to agree on the nature of the service and the remunerations to avoid the risk of a salvage claim.

THE SALVAGE CLAIM

Claims for salvage in New Zealand are heard in the High Court in its Admiralty jurisdiction. The Court has a discretion as to the quantum and will consider the degree of danger the vessel is in, the skill and conduct of the salvors, the perils the salvors were exposed to. There are two conflicting principles guiding the Court in awarding salvage claims. These are:

i) A policy to award salvors generously to encourage attempts at salvage.

And.

ii) Not award salvage claims to be so great as to deprive the owner of the full benefit of the vessel.

As a general rule salvage claims will not exceed the value of the property nor will they equate with the value of the property as the Courts will generally allow some benefit in the property to the owner.

The Court values the vessel in its damaged state as rescued. It is irrelevant if an inexpensive repair will considerably increase a vessel's value. Courts will be more generous if the vessel has been abandoned or derelict as traditionally salvage is more difficult where the vessel is unmanned. In New Zealand awards have ranged from around 5% up to 20% of the salvaged value. A typical award is around 7% to 10% of the salvaged value.

Until a salvage claim has been paid the vessel is subject to a lien to secure the salvage award.

The Court will apportion a salvage award amongst the salvors where there is more than one. As between the owner, skipper and crew of a vessel there are no firm rules although it has been traditional for the owner of the salvaging vessel to be awarded three quarters of the award, one third of the remaining to the skipper, and the balance to the crew.

By way of recent example, an award of 10% was made in 1991 for salvage of a yacht valued at \$237,000.00 for giving advice and counselling to her skipper and crew over the radio as to beaching a yacht and securing it to a jetty during a cyclone, then subsequently going aboard removing her from the beach and sailing the vessel over two days to safety in uncomfortable conditions.

SUMMARY

Owners and skippers need to bear in mind the possibility of a salvage claim when they receive assistance where their vessel is at risk of being lost. If only a tow is required then one needs to be careful to establish a valid towage contract with agreed consideration. A written contract would be ideal but usually impractical in the circumstances. Witnesses such as crew members to a towage contract agreed verbally will be invaluable should conflicting evidence later emerge.

The law of salvage has developed over hundreds of years and is complex. The above outline is a very general summary and advice must be sought in individual circumstances.

(Hamish Ross is a Partner in the law firm Bell Gully and has recently restored the classic Logan keeler "Little Jim".)