

D4.29

67/14
C

Guide to
The Prevention of Loss and/or Damage
To Evacuee Property During Transportation
and for
The Preparation and Filing of Loss and/or Damage Claims

Prepared by
Transportation Section, Evacuee Property Division

United States
Department of the Interior
War Relocation Authority

461 Market Street
San Francisco 5, California

April 1, 1944

UNITED STATES
DEPARTMENT OF THE INTERIOR
WAR RELOCATION AUTHORITY
461 MARKET STREET
SAN FRANCISCO 5, CALIFORNIA

TO: Project Directors
Transportation Supervisors
Project Property Officers

That the transportation of evacuee personal property is an important factor in the Authority's program has never been doubted by those familiar with the scope of this activity and the ramifications of its influence.

This compilation is a serious attempt to assist all concerned with the carrying through to a satisfactory conclusion of a particular phase of our work. We expect the information contained herein to be of value in securing for our services the confidence of both the carriers and the evacuees.

R. B. Cozzens
R. B. Cozzens
Assistant Director

For the purpose of adjusting Transportation Claims for loss and/or damage sustained during transportation by common carriers, shipments of evacuee-owned property may be divided into two general classes:

- (1) Shipments for which the owner or his agent (other than WRA) is named as consignee in the governing bill of lading, and
- (2) Shipments for which the Government is named in the bill of lading both as the shipper and the consignee.

When the owner or his agent (other than WRA) is named as consignee, the owner is in a position to protect his property rights by filing a claim for loss or damage in his own name. Shipments to owners on leave from projects fall within this group.

When, however, the Government is named both as the shipper and the consignee, and the records and tallies made at point of origin and destination are Government records, the matter of proof of ownership, and proof that loss or damage occurred while the shipment was in a carrier's possession becomes more difficult for an owner filing his own claim in his own name. Property shipped from the evacuated area to an evacuee at a relocation center comes within this category.

Manual Chapters 100.2.1 and 100.2.2 provide that Project Evacuee Property Officers may, upon request (Form WRA-153) of an evacuee-owner, aid him in the preparation and prosecution of a claim (for loss and damage incurred by his property during transportation) filed in the name of the owner.

The following has already been issued for the guidance of Transportation Section field men and warehousemen in the preparation and shipment of evacuee property, and is restated to assist Project Evacuee Property Officers in the receipt of such property and, if necessary, in the preparation of claims for loss or damage filed in the name of the owner.

I. CLAIMS ON SHIPMENTS OF EVACUEE PROPERTY
DESTINED TO A RELOCATION CENTER

A. Liability of Carrier

Ordinarily loss or damage to a shipment during transportation resulting from negligence of a common carrier is recoverable from the carrier by the consignee or owner.

B. Measure of Recovery

The measure of recovery is the full actual value of articles lost or irreparably damaged plus freight charges, if paid, subject to a maximum amount which reflects any release of liability provided for in the bill of lading plus freight charges, if paid.

It follows, therefore, that on evacuee property upon which freight charges are payable from public funds, any charges recovered representing freight charges on property lost or damaged shall accrue to the Treasurer of the United States, whereas that portion of the amount recovered which represents the value of the property lost or damaged shall accrue to the owner of the property.

C. Supporting Papers for Loss and Damage Claims

Claims on Less than Carload Shipments Should Be Supported by:

- (a) Copy of delivering carrier's inspection report.
- (b) Copy of invoice or statement showing how the amount of the claim is reached.
- (c) If the loss and/or damage is of a concealed nature, owner's statement of Concealed Loss and Damage (on form to be supplied by the carrier).*
- (d) Form 154 - Affidavit of Non-blocked Account.

Claims on Carload Shipments Should be Supported by:

- (a) Copy of delivering carrier's inspection report.
- (b) Copy of invoice or statement showing how the amount of the claim is reached.
- (c) Certified copy of the tally into the car (or Evacuee Property Report) issued at point of origin.

* Explanation of Concealed Loss and Damage (see IV)

- (d) Certified copy of the tally from car at destination.
- (e) In cases of shortage a statement showing numbers of seals applied at point of origin, and a record of the numbers and condition of the seals when car was delivered to consignee.
- (f) If the loss and/or damage is of a concealed nature, owner's Statement of Concealed Loss and Damage (on form to be supplied by the carrier).*
- (g) Form 154 - Affidavit of Non-blocked Account.

* Explanation of Concealed Loss and Damage (see IV)

D. Recovery of Freight Charges on Loss and/or Damaged Articles,
When Transportation Charges are borne by the Government

When the Government bears the transportation charges on a shipment of evacuee-owned property which has sustained loss and/or damage while in transit, the freight charge on the weight of the article damaged or lost accrues to the Treasurer of the United States. Therefore, after the carrier has paid a Loss and Damage Claim filed in the name of the evacuee-owner, the Project Evacuee Property Officer is in a position to deduct from the carrier's next succeeding transportation bill the freight charge on the Lost or Damaged articles. Payment of the L & D claim by the carrier is in itself an acknowledgment of its liability.

II. PREPARATION OF EVACUEE PROPERTY FOR SHIPMENT

A. General Packaging Requirements

The following is the general rule for guidance in packaging Household Goods (see Definition, below), for shipment. (See II(D) for modification in connection with carload shipments.)

Bedding in barrels, boxes, crates, wrapped bundles or wrapped rolls; books in barrels or boxes; carpets or rugs in barrels, boxes, crates, wrapped bundles or wrapped rolls; clothing, draperies or linens, in barrels or boxes; furniture, upholstered, or having surfaces liable to damage, must be fully protected by boxing, crating or wrapping (excelsior pads or their equivalent must be used when necessary to properly protect the articles); glassware, packed in barrels or boxes; marble slabs, mirrors or pictures, in boxes or crates; musical instruments in barrels or boxes; pottery, packed in barrels or boxes; refrigerators, mechanical, must have compressor unit held securely in position; sewing machines, in boxes or crates; stoves or ranges, in boxes or crates; trunks containing household or personal

effects, must be corded and locked or sealed, or in boxes or crates; all other household goods requiring protection against breakage or chafing must be in bags, barrels, boxes, wrapped bundles or crates.

Tariff Definition of Household Goods

Ratings on household goods apply only on second-hand (used) household or personal effects such as clothing, furniture, or furnishings for residences, with not to exceed one piano. The term "Household Goods" does not include silverware, jewelry and articles of extraordinary value, bicycle, acids, drugs, explosives, matches, paints, inflammable oils, liquors, provisions, vehicles (except children's vehicles) or general merchandise.

B. Articles of Extraordinary Value

The following articles will not be accepted for shipment by "freight" carriers, and should be forwarded by "express":

Bank bills, coin or currency, deeds, drafts, notes or valuable papers of any kind; postage stamps, letters, and packets of letters with or without postage stamps affixed; precious metals or articles manufactured therefrom; precious stones; revenue stamps; antiques; or other related or unrelated old, rare, or precious articles of extraordinary value.

C. Acids, Inflammables, Explosives

Chapter 50.3 of the Administrative Manual denies, under certain conditions, the use by Evacuees of certain articles and commodities termed contraband, and sets up the procedure for their transportation, when transportation is authorized.

Further, there exist legal prohibitions against the offering of certain acids, explosives and inflammables for shipment by a common carrier.

When acids, explosives, or articles of an inflammable nature are offered for shipment or discovered among property offered for shipment, Transportation Division warehousemen, field men, and supervisors must satisfy themselves that such articles may lawfully be accepted for shipment and shipping containers, markings and packing requirements for their handling and transportation are in accordance with the rules and regulations prescribed by the Interstate Commerce Commission as published in Agent W. S. Topping's Freight Tariff No. 4, ICC No. 4, MF-ICC No. 2. This information may be

obtained from the carrier's agent at point of shipment or from the Transportation Section of the Evacuee Property Division at San Francisco.

D. Packaging Requirements for Carload Shipments of Evacuee Property

The western railroads have granted WRA a special rate concession on "Furniture, Household Goods and other Japanese Evacuee Property" when shipped in carload lots, viz: the "B" Class rate or the tariff commodity rate, whichever is the lower, subject to a minimum weight of 20,000 lbs. when the length of the car does not exceed 40'7½" and of 26,000 lbs. when the length exceeds 40'7½" but does not exceed 50'6", predicated, however, upon a release of valuation of the property to 10¢ per pound (applied to the weight of articles damaged and/or lost.)

In this special rate concession, the carriers have relaxed their usual packaging requirements for Evacuee Property in carload lots, merely requiring that articles tendered for transportation be in such condition and so prepared for shipment as to render the transportation thereof reasonably safe and practicable.

As a result, many articles do not require packing or crating; however, careful judgment must be exercised by Transportation Section personnel whenever they depart from customary packaging practices.

While it is desirable to reduce packaging costs to a minimum consistent with the delivery at destination of all articles in as good condition as when received by WRA at point of origin; nevertheless, the following general rules must be observed:

- (1) All finished and upholstered parts and pieces of comparatively new furniture in good condition (furniture not scratched or soiled) are to be protected against damage and soiling, by crating and/or wrapping in fibreboard, burlap, or two or more thicknesses of heavy wrapping paper. It has been found on many occasions practicable and more economical to wrap in cardboard instead of crating.
- (2) Mirrors are to be removed from bureaus, vanities, chiffoniers, etc., and boxed or crated with the glass well protected.
- (3) Book cases with glazed doors, and showcases with glass doors and sides to be boxed, or shipped in strong crates with glass well protected.

(4) Desks with enclosed pedestals containing drawers on one or both sides of an open knee space, but without strong supporting cross pieces at the foot of the pedestals are to be crated to prevent loosening of the pedestals.

(5) Sewing machines. Old style, drop-head machines should be suspended in crates by cross pieces under the drawers on either side with legs hanging free of floor of crate, with top of the machine flush with the top of the crate; the cabinet type machine also should be suspended in its crate after its head has been removed and boxed separately. All drawers should be securely closed. Machines should be wrapped with heavy paper, burlap or old clothing.

(6) Detachable cast-iron legs are to be removed from stoves and similar articles. Articles having fixed cast-iron legs should be crated to protect the cast-iron parts.

(7) Heavy and unwieldy articles such as lawn mowers and hand trucks to be lashed to trunks or heavy boxes or stowed so that they cannot shift in transit. Such articles should never be stowed next to fragile crates or articles.

(8) Steel bed rails to be bundled by a rope or wire tie at each end, and firmly wedged to to prevent damage to other articles.

(9) Inner spring mattresses should not be rolled. When suitable cartons are available, they should be shipped in cartons.

E. Freezing Hazard to Motor Vehicle Engines

Radiators and tanks of motor vehicles (including tractors) must be emptied before being tendered for transportation.

A notation should be entered in the body of the bill of lading when the radiator and tanks have been drained, substantially as follows: "Radiator and tanks of tractor (or other vehicle) were drained when loaded".

F. Packaging Requirements for Less than Carload Shipments of Household Goods

Articles comprising less than carload shipments must be prepared for shipment in a manner consistent with safe carriage and affording not less than the minimum of protection required by the tariffs (see II (a) for the general rule) of rail and truck (other than "van") carriers. Penalties ranging from 10% to 50% of the transportation charge may be assessed by the carriers if tariff packaging requirements for less than carlot shipments are not observed.

G. Released Valuation Clause

Condition 5 of original Government bill of lading provides: "This shipment is made at the restricted or limited valuation specified in the tariff or classification at or under which the lowest rate is available, unless otherwise indicated on the face hereof."

The lowest rating on Household Goods is usually obtained by WRA when the value does not exceed, or is released at 10¢ per pound. However, it must be remembered that if loss and/or damage is incurred during transportation recovery from the carrier is limited to the released value shown in the bill of lading. A specific released valuation, therefore, should be shown in the bill of lading only when there is a resulting advantage to the Government. Should a carrier's agent request that a released valuation be entered on the bill of lading, his attention should be directed to condition 5 of the Government bill of lading.* When at Government expense, transportation shall be via the most economical means consistent with efficient operation. When transportation is at an evacuee-owner's expense and the owner desires a greater valuation than 10¢ per pound be placed upon his property, he should be required to indicate on his request for shipment (Form WRA 156) the valuation desired to be stated on the bill of lading.

Freight rates on Household Goods increase as the released valuation increases.

H. Marking Less Carload Articles and Packages

Each and every package or bundle or loose piece of less than carlot freight must be plainly, legibly and durably marked by brush, stencil, marking crayon (not chalk), rubber type, metal type, pasted label (labels must be securely attached with glue or equally good adhesive), tags (must be of metal, leather, cloth or tag board) or other method which provides marks equally plain, legible and durable, showing the name of only one consignee with street address and one destination. (The name of the point at which notice of arrival of shipment is to be given also should be shown if different than the name of the destination point.)

For the duration, carriers have discontinued the making of records of the movement of less than carlot shipments through interchange and transfer points, and now rely solely upon the marks on each individual article or package for identification of consignee and destination. Under the stress of the war effort many articles become separated from the waybill which should accompany such shipments while in transit. The need of adequate and durable markings on each piece or package is, therefore, self-evident.

* Note on Condition 5, GBL

I. Fragile Articles

Packages containing fragile articles or articles in glass or earthenware must be marked "Fragile, Handle with Care", or with similar precautionary marks.

III. LOADING AND STOWAGE IN CARS

A. Ordering of Cars

The ODT has placed upon the shipper the duty of loading cars to full space capacity; therefore, car orders should designate the length of the car desired. Ordinarily, orders should not specify a length greater than necessary for the full utilization of car space. In no event should an order be placed for a car exceeding 50'6" in length. Requests for cars should be confirmed in writing to the carrier and a copy of the request forwarded to the Chief of Transportation at San Francisco.

The carrier's agent should be informed that the car being ordered is for the loading of household goods, and he should be requested to furnish a clean, weathertight car.

B. Inspection of Cars for Loading

Before loading is begun, cars should be carefully inspected by Transportation Section officers for leaks and have assurance from carrier that car does not have faulty brakes. Protruding nails should be removed. If in the opinion of Transportation Section officers carriers have provided unfit equipment, such cars should be rejected.

C. Stowage in Cars of Household Goods

As there has been a relaxation of the packaging protection, it is important that evacuee property be stowed in cars in a manner designed to reduce to a minimum the backward-forward and side-to-side shifting of any portion of the load while the car is in transit.

Experience has indicated that the following loading plan produces best results: First, to lay across the end of the car (side to side) a base of heavy articles (trunks, heavy wooden boxes and strong crates of comparable shape, not easily susceptible of damage) so closely stowed that there may be no side-to-side shifting.

Build up a tier by a second layer of medium weight (but not fragile) articles, care being exercised to fill odd spaces with cartons, bedding, rolled mattresses, etc., which cannot be damaged by sway of

the car, to prevent side shifting. The upper layer (to roof of car) may then be made up of light weight and fragile articles, compactly stowed and braced by snugly filling of odd spaces with light weight cartons, bedding, rolled mattresses, etc.

Successive tiers may be built up in like manner, except that it is often practicable to load in one end of the car (a) articles such as bed ends, bed springs, and box mattresses, standing end on end on a layer or base of trunks, heavy boxes, etc., and (b) bulky but sturdy articles such as school desks and benches.

Articles such as sewing machines and tables should not be used as base for heavier articles.

No article should be stowed upon another article of less weight (per cubic foot) unless the lighter article is packaged in a sufficiently strong crate or box.

Care should always be taken that light weight and fragile articles or packages are not used to prevent the shifting of heavy pieces or packages.

As is often the case the manner of loading renders any subsequent unloading through one car door more difficult than through the other. A notice (either placard or chalk) should be placed on a car door indicating through which door unloading should be begun, such as: "Unload from other side."

D. Bracing in Cars of Partial Loads

The attached photostat indicates the recommended manner of bracing a partially loaded car in general use by professional consolidators of household goods. This is also recommended as practicable for the bracing of part carload lots when being forwarded to a stop-off (transit) point for a completion of loading.

It should be unnecessary to remove, at the stop-off point, any of the bracing other than the Foot Brace shown as "C" in the photostat.

Transportation Department Supervisors and warehousemen are especially cautioned to give particular care to the stowage and bracing of property in a partly loaded car.

IV. TALLYING

A. Tallying of Articles Delivered to and Received from Carrier

Carriers shall be held accountable for the delivery at destination of all articles in as good condition as when received for shipment at point of origin.

It is therefore of extreme importance that a careful tally (or Evacuee Property Report) of articles delivered to a carrier for shipment be made at point of origin; and a second tally of such articles be made when received from the carrier at destination, to be preserved by the proper authorities. In addition, the original tally should clearly set forth the condition of all pieces and packages which bear evidence of damage or loss at the exact time they are delivered to the carrier for forwarding. The destination tally likewise should show the condition of all articles or packages bearing evidence of loss and/or damage when received from the delivering carrier. Comparison of these two tallies will indicate the extent of the loss and/or damage, if any, incurred during transportation and for which the carrier may be liable.

On Less than Carload shipments there should be itemized in the bill of lading the number, kind, and contents of packages shipped and when, at time of shipment, there is evidence of damage and/or loss, the condition of the package and its contents.

On Carload shipments a copy of all Evacuee Property Reports, (manifest) listing by family name and number of the owner of each article and piece of property loaded into the car, must be tacked in a conspicuous place inside of the car convenient to the door through which the unloading at destination will take place.

B. Accomplishment of Bill of Lading

A space is provided on the back of each original Government bill of lading for the purpose of itemizing (by the receiving property officer at destination) the loss and/or damage, if any, sustained by a shipment while in the custody of the carrier. Only loss and/or damage incurred during transportation should be entered here. Notice is thus given the carrier of the intention of the Government to file a claim against it to recover the value of such loss and/or damage. This notice should include a detailed, itemized description of the shortage and/or damage, showing separately the weight, quantity, and value of each item lost or irreparably damaged. These must be stated in exact terms, avoiding indefinite ones such as "estimated" and "approximately." In case of wholly reparable damage, the weight, quantity, and value need not be shown, but the actual cost of repairs of any reparable damage will be shown and an itemized statement of repair cost. Available receipts or other evidence to support the repair cost should accompany claim papers, if and when claim is filed.

C. Inspection by Carrier - Inspection Reports

The local agent of the delivering carrier shall be given both the privilege at time of delivery of inspecting a shipment which sustained loss or damage while in transit and the opportunity to restore

the property to its original condition. This may obviate the necessity of filing a claim. If this is not done, the consignee shall obtain an inspection report in duplicate from the delivering carrier, one copy of which shall be used to complete the claim to be subsequently filed against the carrier.

The loss and/or damage described in the carrier's Inspection Report ordinarily should agree with the loss and/or damage listed on the reverse side of the original Government Bill of Lading by the consignee.

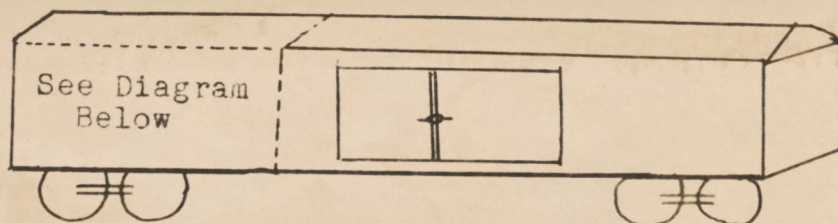
D. Concealed Loss and Damage

When shortage in or damage to a shipment is not revealed at time of delivery but is later discovered, and its occurrence while in the hands of carrier is indicated, the carrier will at once be notified fully of the facts, in writing, and requested to inspect the physical evidence of loss or damage. The consignee will then obtain copy of carrier's Inspection Report in duplicate.

E. Car Seals

A careful record should be maintained showing condition of seals and/or absence of seals on cars containing carload shipments.

If a car arrives under original seals and the shipment checks short, immediate steps should be taken by the consignee to determine (a) whether car moved under shipper's seals or carrier's seals. (b) If under carrier's seals and the loading took place at a government warehouse or on a public delivery track, whether or not the car was sealed before it was moved from the warehouse or other place at which loaded - (Note: Transportation Section field men, supervisors and warehousemen will, when loading carload shipments, maintain a record showing when loading was completed and when, where and by whom the seals were applied). (c) Any other obtainable facts concerning the sealing and loading of the car that would be of value in proving a claim for the shortage.



- Use fairly good grade of lumber,
free of knots.
- A - Cross Braces 2"x6" - 3 nails
 - B - Standing Brace 2"x6" - nailed
to Cross Braces
 - C - Foot Brace 2"x4"
 - D - Toe Clips 1"x6" - 3 nails

