

BAR00010067

DRAFT

157 80

J. F. Shepherd Esq.,
Turner & Newall Ltd.,
Rochdale, Lancs.

January, 1943.

Dear Shepherd,

Thank you for your letter of 22nd December and for the copy of the contract between the Metals Reserve Company and Mess Asbestos Distributors Ltd., which was executed by Messerman and yourself on 18th December. Thank you also for the copies of the two letters dated 17th December addressed to you by Messerman and Sheriff respectively.

I observe that the contract provides for the delivery of only 6404 short tons of grade 4 material against the original U.S. allocation of 8768 short tons; and that your estimate of 6404 is up to 2000 short tons of "C & U 3" in the total of 6404 has been dropped. I observe also that your estimate of 6404 is "C & U 3" in certain circumstances has been limited to 3000 short tons instead of 4000 tons as previously agreed.

I note your view that the contract satisfactorily concludes our negotiations with the representatives of the U.S. Board of Economic Warfare and that you will now make every endeavour to fulfil it.

With regard to the third paragraph of your letter, I confirm that the contract has been inspected and approved by the Ministry of Supply, and that the Department would be prepared to protect you against any claims made against you in respect of any U.S. contracts which you are compelled to revise solely as the result of the additional quantities which you are required to send to the U.S.A. In that connection I revert to the offer which I made in my letter of 8th October in connection with the proposed diversion of shipments from the U.S.A. to the U.S.A., viz. that we will be prepared to accept a statutory direction, in the event of a regulations requiring you to ship to the U.S.A. the quantities to the U.S.A. which you are required to

Yours sincerely,

SUPP 14 / 416

PLAINTIFF'S
EXHIBIT

JM-1623