

FOR OFFICIAL USE

(No. S. 349.)

"ARRAVALLE" (M.V.).

THE MERCHANT SHIPPING ACT, 1894.

REPORT OF COURT.

In the matter of a Formal Investigation held at the Guildhall, Swansea, on the 8th and 9th days of July, 1930, before Sir EDWARD MARLAY SAMSON, K.B.E., K.C., Stipendiary Magistrate, assisted by Captain H. F. DAVID, R.D., R.N.R., Captain F. W. KERSHAW, O.B.E., R.D., R.N.R., and Mr. W. BATES, into the circumstances attending the loss in Bantry Bay, on the 28th day of March, 1930, of the British motor vessel "Arravale" of Milford, official number 137,769, which left Milford Haven on the 24th day of March, 1930, bound for the fishing grounds on the West Coast of Ireland, with a crew of seven hands and a boy passenger.

The Court having carefully inquired into the circumstances attending the above-mentioned shipping casualty, finds for the reasons stated in the Annex hereto, that the loss of the vessel, whereby loss of life ensued, was due to the failure to verify the position of the vessel by keeping a proper look out or by the use of the lead, whereby the vessel struck on the rocks on a dangerous coast and became a total wreck.

The Court finds the Skipper, Mr. George Cecil Canwell Mileham, in default and severely censures him and suspends his certificate for 12 months.

The Court desires to express its sympathy with the relatives of those lost in this sad casualty.

Dated this 9th day of July, 1930.

E. MARLAY SAMSON, Judge.

We concur in the above Report.

HUGH F. DAVID }
F. W. KERSHAW } Assessors.
W. BATES }

ANNEX TO THE REPORT.

This Inquiry into the circumstances attending the loss of the British motor vessel "Arravale" of Milford, was held at the Guildhall, Swansea, on the 8th and 9th days of July, 1930.

Mr. Hugh Bellingham (Messrs. Strick and Bellingham), of Swansea, appeared for the Board of Trade. Mr. H. W. D. Williams (Messrs. Eaton Evans and Williams, Milford Haven) appeared for the owners—Messrs. Peter Hancock & Sons, of Milford Haven. Mr. G. T. Kelway represented the skipper of the vessel. Mr. T. R. Harris, of Swansea, appeared for the relatives of J. Truscott, the third mate, who was one of the drowned.

The "Arravale," official number 137,769, was originally built as a ketch-rigged sailing vessel at Pembroke Dock in the year 1924 by Peter Hancock and Company, and owned by that firm. She was a single-decked vessel with two masts rigged as a ketch, elliptic stern, carvel built, of wood, and was a fishing vessel.

The registered dimensions of the vessel were, length 74 feet, main breadth 19.7 feet, and depth of hold 9.45 feet. She was of 64.8 tons gross and 17.03 nett registered tonnage.

She had one internal combustion vertical direct-acting engine of two cylinders, two-cycle, built by A. Wedoop and Company. Her brake horse power was 80, indicated horse power 98, and her speed was

eight knots. She had one steam boiler with a working pressure of 100 lbs. to the square inch to work the winch used for hauling the fishing gear, the deck being strengthened for the purpose.

She carried one boat on deck aft, the length of the keel of the boat being 16 feet, which was of sufficient size to carry all hands. She also carried two lifebuoys, eight lifebelts, two fire extinguishers and 10 flares. She had one compass situated in the wheelhouse, which was last adjusted on the 19th March, 1929.

The "Arravale" was fitted with the following:—two hand pumps and one steam ejector; she carried the necessary lamps as approved by the Board of Trade.

She was originally a sailing vessel; a motor engine was installed in her in March, 1929. She still retained 50 per cent. of her original sail power. Before conversion into a motor vessel the floors and frames were stiffened considerably and a bed constructed for seating the engine; a wooden frame of considerable strength was fitted in the stern to carry the necessary stern tube for the propellor shaft which was on the starboard side; this was preferred to boring the stern post, as that would have weakened her structure.

The "Arravale" passed her last survey on the 19th March, 1929; she was, in all respects, thoroughly staunch and seaworthy. Wooden partitions had been constructed between the fish room and the motor room, which were not watertight, but partitions to the motor room were made gastight.

The value of the vessel as estimated by the owners was £4,000, and she was insured against total loss for £3,000, which has been recovered by the owners.

The "Arravale" left Milford Haven on the 24th March bound for the fishing grounds on the west coast of Ireland. She carried a crew of seven hands and a boy passenger. The vessel proceeded to The Smalls, from there to the Fastnet and then to Dunmanus Bay, where trawling operations were commenced at 10 a.m. on the 26th March. She went from there to Bantry Bay, and commenced trawling there at 10 a.m. on the 27th March. She continued trawling at Bantry Bay from east to west and vice versa, until midnight on the same day.

At midnight of the 27th the crew proceeded to haul in the trawl; this occupied about one hour, and about 1 a.m., the trawl being found to be split, the crew began to repair it. The repairs were completed about 2 a.m., when the "Arravale" began to haul in her trawl. At midnight of the 27th, the distance and bearing of the Roanecarrig Lighthouse from the "Arravale" cannot be determined, as there is no sufficiently reliable evidence; the weather was favourable for observation when she began to haul in her trawl; she then was heading west with mizzen sail set and motor engine running free with the clutch out. The Roanecarrig light was stated to be last observed at about one o'clock, showing white and approximately north. The weather conditions, as indicated by the Keeper in charge of the Roanecarrig Lighthouse at midnight on the 27th were:—wind, south, force 4; weather cloudy and a gloomy sky. The state of the sea was a light swell; visibility was not obscured by haze or mist, but later the weather became somewhat misty. Whilst the vessel was drifting, the skipper and the three members of the crew then on deck were wholly engaged in the repair of the trawl; the skipper omitted to take proper and sufficient measures to ascertain and verify the position of the vessel from time to time; no good and proper look-out was kept and the skipper omitted to give any necessary instructions for such purpose. The lead was not used and no instructions were given by the skipper for that purpose. In consequence of these omissions the "Arravale" struck on the rocks about 2.15 a.m. on 28th March in the vicinity of the Corrigna Ledge, and continued to remain thereon until she became a total wreck. Immediately upon the "Arravale" becoming fast upon the rocks, the skipper telegraphed to the engine room to go ahead. The engineer stated that the engine room was soon full of water and the engine overpowered. The skipper gave the order that the pumps should be put

into action, hand and steam, but it was found that these also were overpowered by the water. The skipper made a flare consisting of tarred net and paraffin which burnt for some time. During this time the engineer came on deck and joined the remainder of the crew and the passenger. Finding that no assistance came from the shore, at about 3 a.m. the skipper gave the order for the boat to be launched. This was launched on the port side, after which the crew and the passenger embarked in the boat, but the boat immediately capsized, and five of the crew and the boy passenger were drowned. The skipper and the engineer, after the boat capsized, were able to draw themselves up on the vessel by means of the trawl net which was hanging overboard, and were ultimately taken ashore at daybreak by means of a line passed from the shore.

The Court are unable to say that the lives of the crew and passenger would have been saved after the vessel had struck upon the rock if the skipper had given an order for the lighting of the flares which were upon the ship or for the sounding of the fog horn or for the putting on of the life jackets before the boat was launched, but they consider it was his duty to have given such orders.

The Court consider it desirable that all boats such as were carried by the "Arravale" should be fitted with life lines similar to those used on larger fishing vessels and make a recommendation to that effect.

The Court, in expressing sorrow at the loss of life and sympathy with the surviving relatives, place on record that the owners of the vessel, immediately upon notice of the loss of life, took all proper steps for the interment of those who perished in the wreck.

At the conclusion of the evidence, the following questions were submitted on behalf of the Board of Trade. Mr. T. R. Harris addressed the Court on behalf of the relatives and Mr. Bellingham replied:

The questions were as follows:—

1. Who were the registered owners and the registered manager of the m.v. "Arravale"?

2. When the m.v. "Arravale" last left Milford Haven on the 24th March, 1930, was she in good and seaworthy condition as regards hull and machinery?

Was she properly equipped with life-saving appliances, distress signals, charts, and sailing directions?

3. What instructions, if any, were given by the owners or any of them to the skipper as to where the vessel should fish on the voyage in question?

4. On what fishing grounds did the vessel start trawling? For how long did she trawl on those grounds?

5. Thereafter did the skipper decide to change his fishing ground to Bantry Bay? If so, was the knowledge and information he had of the Bay sufficient to enable him to navigate his vessel with safety whilst she was there?

6. When did the m.v. "Arravale" begin to trawl in Bantry Bay? In what directions did she proceed when trawling? When did she cease trawling and begin to haul in her trawl?

7. What was the distance and bearing of Roan-carrig Lighthouse from the m.v. "Arravale" when she began to haul in her trawl?

How was she heading at that time? What sail was set on her? Was she being propelled by her motor engine?

8. When was the trawl got on board? Did the crew proceed to repair it? If so, when were the repairs completed?

9. When was the Roan-carrig Light last observed? What colour was the Light showing when it was last observed? How did it bear from the m.v. "Arravale"?

10. What were the weather conditions when the Roan-carrig Light was last observed?

(a) Direction and force of the wind.

(b) State of the sea.

(c) Visibility.

11. When did the m.v. "Arravale" first strike the rocks? What rocks did she first strike?

12. Whilst the vessel was drifting and before she first struck the rock

(a) were proper and sufficient measures taken by her skipper to ascertain and verify the position of the vessel from time to time?

(b) was a good and proper look-out kept?

(c) was the lead used?

13. Did the vessel remain fast on the rocks which she first struck? If not, how soon after she first struck did she come off? If she did come off, did she go ashore and, if so, where?

14. When was the boat of the m.v. "Arravale" launched? When did the crew and the passenger embark in the boat? Did the boat capsize?

15. After the m.v. "Arravale" first struck did the skipper take all proper steps to preserve the lives of those on board the vessel?

16. How many persons lost their lives as a result of the casualty? What were their names and ratings?

17. Was the loss of the m.v. "Arravale" and/or the loss of life caused or contributed to by the wrongful act or default of Mr. George Cecil Cranwell Mileham, the skipper, and Mr. Sidney James, the chief engineer, or either and if so, which of them? Does blame attach to Mr. Peter Llewellyn Hancock, Mr. Reginald Llewellyn Hancock, Mr. Frederick Lovell Hancock, the joint owners, or to any, and if so, which of them?

The Court answers these questions as follows:—

1. The registered owners of the m.v. "Arravale" were Messrs. Peter Hancock and Sons, and the registered manager was Mr. Reginald Llewellyn Hancock.

2. When the m.v. "Arravale" last left Milford Haven on the 24th March, 1930, she was in good and seaworthy condition as regards hull and machinery and was properly equipped in accordance with the Board of Trade Regulations in respect of life saving appliances, distress signals and charts. There were no sailing directions.

3. No definite instructions were given by the owners as to where the vessel should fish on the voyage in question but there was a recommendation of Bantry Bay.

4. The vessel started trawling in Dunmanus Bay at 10 a.m. on the 26th March, and continued there for approximately 24 hours.

5. The skipper then decided to change his fishing ground to Bantry Bay. He had sufficient knowledge of Bantry Bay to enable him to navigate his vessel in safety whilst he was there and he had the means of information in the charts which the vessel carried if he had availed himself of them.

6. The "Arravale" began to trawl in Bantry Bay about 10 a.m. on the 27th March, trawling east to west and *vice versa* and ceased trawling at 12 midnight and began to haul in the trawl.

7. There is no sufficient evidence to determine the distance and bearing of the Roan-carrig Lighthouse when the "Arravale" began to haul in her trawl or as to the direction in which she was heading; the mizzen sail was set and the engine was operating with the clutch out.

8. The trawl was got on board about 1 a.m. on the morning of the 28th March, and the three men and the skipper who were on the deck proceeded to repair it; the repairs were completed about 2 a.m.

9. There is no sufficient evidence as to the time at which the Roancarrig Light was last observed after midnight on the 27th; it was white when it was last observed and bore in a northerly direction from the "Arravale."

10. The weather conditions at midnight were:—

(a) The direction of the wind was south and its force 4.

(b) The state of the sea was smooth with a ground swell.

(c) The visibility was good.

11. The "Arravale" first struck the rocks about 2.15 a.m. on the 28th in the vicinity of Corrigna Ledge.

12. Whilst the vessel was drifting and before she first struck the rocks:—

(a) There were no proper and sufficient measures taken by the skipper to ascertain and verify the position of the vessel from time to time.

(b) There was no good and proper look-out kept.

(c) The lead was not used.

13. The vessel remained fast on the rocks after she first struck.

14. The boat of the "Arravale" was launched about 3 a.m. when the crew and the passenger embarked and the boat immediately capsized.

15. After the "Arravale" first struck, the skipper did not take all proper steps to preserve the lives of those on board the vessel in that no orders were issued for the lighting of the hand flares or for the sounding of the fog horn or for the putting on of life jackets before the boat was launched.

16. Six persons lost their lives, whose names and ratings were as follows:—

Joseph Pipe, mate.

J. Main, boatswain.

J. Truscott, third hand.

F. Hodges, cook.

J. Kennedy, second engineer.

T. James, boy passenger.

17. The loss of the "Arravale" was not caused by any wrongful act on the part of the skipper, but was caused by his default as set out in the answer to question 12.

The Court do not find that the loss of life, save in so far as it was due to the default whereby the vessel was lost, was caused or contributed to by any wrongful act or default of the skipper, as it is not sufficiently established that even if the proper steps had been taken by the skipper as set out in the answer to question 15, the lives of the crew and passenger would have been saved. The loss of the "Arravale" and the loss of life were not caused or contributed to by any wrongful act or default of Sidney James, the chief engineer.

No blame attaches to Mr. Peter Llewellyn Hancock, Mr. Reginald Llewellyn Hancock, or Mr. Frederick Lovell Hancock, the joint owners, in respect of the casualty.

E. MARLAY SAMSON, *Judge*.

HUGH F. DAVID.

F. W. KERSHAW.

W. BATES.

} *Assessors.*

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