

(No. 7866.)

"TEANE" S.S.

THE MERCHANT SHIPPING ACT, 1894.

REPORT OF COURT.

In the matter of a Formal Investigation held at the Nisi Prius Court, The Guildhall, Swansea, on the 19th, 20th and 21st days of December, 1928, and the 11th day of January, 1929, before WILLIAM CHRISTOPHER HOWE, Esq., Deputy Stipendiary Magistrate of Swansea, assisted by Captain W. PETERKIN, O.B.E., Captain H. P. LEARMONT, R.D., R.N.R., Nautical Assessors, and Major S. H. HAMBING, M.I.N.A., Naval Architect Assessor, into the circumstances attending the loss or supposed loss of the British Steamship "Teane" of Bristol, Official Number 131,222, which left Swansea on the 25th January, 1928, with a crew of 15 hands and a deadweight of about 1,200 tons, bound for Oporto, Portugal, being last reported as passing Lundy Island on the afternoon of the said 25th day of January, 1928, and has not since been heard of.

The Court having carefully inquired into the circumstances attending the above-mentioned shipping casualty, considers that there is no conclusive evidence as to the actual cause or causes of loss, but on the facts more particularly set out in the Annex hereto, that of the many possible causes, the most probable are:—

(a) That, after passing Lundy Island, the ship would have encountered heavy weather with a beam sea from the south and west in the vicinity of the English Channel and the Bay of Biscay, on and after the 27th day of January, 1928.

(b) That the coal cargo the ship carried, particularly as to holds Nos. 1, 3, and 4, being inadequately trimmed, shifted when the ship encountered heavy weather, as stated above, and she consequently foundered.

Dated this 11th day of January, 1929.

WILLIAM C. HOWE,
Judge.

We concur in the above Report.

W. M. PETERKIN,
H. P. LEARMONT, } *Assessors.*
S. H. HAMBING, }

ANNEX TO THE REPORT.

This Investigation was held at the Nisi Prius Court, Guildhall, Swansea, on the 19th, 20th and 21st days of December, 1928, and the 11th day of January, 1929.

Mr. G. St. Clair Pilcher, instructed by the Solicitor to the Board of Trade, appeared as Counsel for the Board of Trade.

There were no Parties to the Inquiry.

Description of Ship.

The "Teane," Official Number 131,222, was a single-screw steamer, schooner rigged, built of steel at Sunderland in 1911, by the Sunderland Ship-building Company, Limited, and was registered at the port of Bristol.

The vessel was originally named the "Walter Dammeyer." She passed through various owner-ships until she was purchased by Mr. John Fowler, of the firm of Messrs. Turner, Edwards and Company, of Bristol, from Messrs. P. H. Schmidt & Co., Hamburg, on the 31st December, 1926, and renamed the "Teane."

Dimensions.

The vessel was of the following dimensions, viz.: Length 205 feet, breadth 30.6 feet, and depth in hold, from tonnage deck to ceiling amidships, 12.8 feet. The fore-castle was about 22 feet long. The forewell was 60 feet long, the bridge 57 feet long, and raised quarter-deck 66 feet long. She was built Class 100 A1 at Lloyd's. Her gross tonnage was 884.59 tons, and net registered tonnage 482.97 tons.

Machinery.

She was fitted with one tricomponent inverted direct acting surface condensing engine, having three cylinders, 16½ inches, 26 inches and 43 inches diameters, the length of stroke being 30 inches and nominal horse-power 129, giving her a speed of 19½ knots. She was fitted with two cylindrical multi-tubular steel boilers, each 11 feet 6 inches in diameter, and 10 feet long, working to the pressure of 180 lbs.

The engine and boilers were constructed by Messrs. The North Eastern Marine Engineering Co., Ltd., of Sunderland, in 1911.

Deck-houses.

The vessel was of the raised quarter-deck type, with machinery amidships. The deck erections were as follow:—

On the bridge deck, a steel saloon-house—24 feet by 22 feet by 7 feet. A steel fidley and galley, 19 feet 6 inches by 10 feet by 7 feet. The cabins were in a steel house, 23 feet by 15 feet by 7 feet.

A steel chart-house was built on the saloon top, being 6 feet 6 inches by 6 feet 6 inches by 7 feet.

Hatchways.

There were four main hatchways to the holds:—

No. 1.—16 feet 10½ inches long by 12 feet wide.

No. 2.—23 feet 5 inches long by 13 feet 11 inches wide.

No. 3.—18 feet 9 inches long by 13 feet 11 inches wide.

No. 4.—13 feet 1½ inches long by 12 feet wide.

These hatchways were covered with 3-inch wooden hatches, supported on cross-webs.

The hatch coamings were 2 feet 6 inches high at the sides, and 3 feet high at the middle line.

There was a hatch to the fore store-room 2 feet by 2 feet under the fore-castle on the main deck, and a hatch on the raised quarter-deck to the after-store, 3 feet 9 inches by 3 feet 6 inches, with an 18-inch coaming.

On the bridge-deck were two coaling hatches 9 feet 1½ inches long by 2 feet 9 inches wide, the coaming being 18 inches high.

Bulkheads and Holds.

There were four main steel transverse water-tight bulkheads:—

No. 1.—Fore-end of No. 1 hold.

No. 2.—After-end of No. 2 hold.

No. 3.—Fore-end of No. 3 hold and after-end of machinery space.

No. 4.—After-end of No. 4 hold.

There were two wooden division bulkheads.

One was fitted abreast of the fore-mast, dividing Nos. 1 and 2 holds, and the other fitted abreast the main-mast, dividing Nos. 3 and 4 holds.

Bulwarks and Ports.

The bulwarks were 3 feet 6 inches high, with three freeing ports in the forewell, on each side of the vessel. The after-port had no hinged door, the remainder being fitted with hinged covers of the balanced type, each 2 feet 10 inches by 1 foot 6 inches, with a 10½-inch sill.

The after-bulwarks had three freeing ports on each side, each 2 feet 10 inches by 1 foot 6 inches with a 10½-inch sill and fitted with balanced hinged covers.

In the forewell were two scuppers each side 6 inches by 4 inches, and on the raised quarter-deck there were three scuppers, each 6 inches by 3½ inches.

All these scuppers were cut direct through the bulwarks.

There were four mooring pipes on the well-deck and two on the raised quarter-deck, each 15 inches by 12 inches, the bottom of the pipe being 6 inches from the deck.

Ventilators.

There were 12 ventilators on the vessel:—

Three to the forehold, 15 inches diameter, with 3 feet coamings, and 7 feet to lip of cowl.

Three to the afterhold, 15 inches diameter, with 3 feet coamings, and 5 feet 6 inches to the lip of cowl.

Two on the forecastle to the crew space, 7 inches diameter, 2 feet coamings, and 3 feet 6 inches to lip of cowl.

One on the forecastle to the fore store room, 6 inches diameter, 2 feet coaming, and 3 feet 6 inches to lip of cowl.

One on the raised quarter deck to the tunnel, 6 inches diameter, 3 feet coaming, 5 feet to lip of cowl.

Two to the stokehold, 20 inches diameter, 5 feet 3 inches coamings, and 8 feet to the lip of cowl.

The vessel was supplied with the necessary wood plugs and canvas covers for these ventilators.

Double Bottoms and Ballast Tanks.

No. 1 Tank.—From frame 102 to frame 82—capacity 34 tons.

No. 2 Tank.—From frame 82 to frame 57—capacity 70 tons.

Dry Tank.—From frame 57 to frame 51.

No. 3 Tank.—From frame 51 to frame 39—capacity 34 tons.

No. 4 Tank.—From frame 39 to frame 10—capacity 52 tons.

Peak Tanks.

Fore peak—capacity 24 tons.

After peak—capacity 10 tons.

The total water ballast being 224 tons.

Sounding and Air Pipes.

The sounding and air pipes to the ballast tanks were fitted with screw plugs on the main decks.

Pumps.

One duplex ballast pump, 6 inches by 5½ inches by 6 inches.

One duplex feed donkey, 5 inches by 3 inches by 4½ inches.

One 5-inch Downton pump connected to the main bilge lines.

The suction to the holds, bilges and tanks were varying from 2½ inches to 3½ inches in diameter.

Steering Gear.

There was a steam steering gear of the Donkin type, fitted at the fore part of the chart-house, with chains and rods running through blocks to quadrant aft.

A double-armed hand screw gear was fitted aft.

Compasses.

One on the bridge and one aft.

Lifeboats and Equipment and Condition of Lifeboats.

Two Class IA lifeboats carried under davits on the bridge deck, each boat being 18 feet by 6.4 feet by 2.45 feet capable of carrying 17 persons. These boats were fully equipped in accordance with the Board of Trade requirements and duly certified.

There was also a dinghy, 14 feet by 5 feet, under davits on the port side of the saloon house.

There were 16 Boddy life-jackets stowed in the locker on the navigating bridge, and six 18-inch life-buoys—two on the bridge front and two on each side of the bridge.

Lights and Fog Signals.

These were in accordance with the Board of Trade requirements and duly certified as such.

Details of Cargo and Loading.

No. of hold.	Capacity.	Cargo stowed. (Tons.)	Space occupied (calculated) cubic feet.	Type of cargo.	Space unoccupied.
1	12,484	101.75	4,824	Fernhill nuts. W. Perch "A" nuts.	2,847 cubic ft. about 63 tons.
		105.75	4,813		
		207.5	9,637		
2	17,967	298.95	12,573	Bute Merthyr large. Bute Merthyr small.	1,135 cubic ft. about 25 tons.
		98.60	4,259		
		397.55	16,832		
3	15,295	220.55	9,276	Bute Merthyr large. Bute Merthyr small	2,807 cubic ft. about 62 tons.
		74.4	3,212		
		294.95	12,488		
4	7,261	99.25	4,523	Ponthenry Anthracite Beans.	2,738 cubic ft. about 60 tons.

TOTAL 999.25 tons.

In addition to the above there were:—1 hogshhead of wine and a case of boot protectors weighing 1 ton 10 cwt. 3 quarters, stowed on top of the coal in No. 1 hold. Total bunkers, 134.5 tons.

LIST OF CREW.

S.S. "Teane." Voyage 12. Crew list.

A. F. Newbury	...	...	Master
A. H. Jolliffe	...	...	1st Mate
F. R. Boyce	...	...	2nd Mate
W. F. Petterson	...	...	Steward
R. J. Johnston	...	...	1st Engineer
W. G. Jarvis	...	...	2nd Engineer
E. Dunsford	...	...	A.B.
A. B. Jamiell	...	...	A.B.
J. J. Jenkins	...	...	A.B.
B. Holm	...	...	A.B.
A. Gould	...	...	A.B.
T. Tuitt	...	...	Donkeyman
W. Tollivar	...	...	Fireman
U. Jozaffe	...	...	Fireman
D. Fatinga	...	...	Fireman

Weather Conditions.

Extracts from the logs at the Meteorological Office show that in the vicinity of the English Channel and the Bay of Biscay, heavy weather from the south and west with squalls of force 7 to 8 with high beam sea, prevailed on the 27th January, 1928.

Stability.

This vessel was not inclined and consequently no data were available as to the position of the centre of gravity of the vessel, and so the metacentric diagram submitted was of no practical value and the stability of the ship could only be dealt with generally.

The trim of the vessel was not materially different to previous voyages, and was not unreasonable on this occasion.

Free water on the well deck and possible free surface of water in some or all of the ballast tanks would materially decrease the vessel's margin of stability.

The s.s. "Teane" was chartered by Messrs. D. M. Stevenson and Company to carry coal from Swansea to Oporto, Portugal, and arrived at Swansea to coal at 5.5 p.m. on the 22nd January, 1928, from Bristol.

A preliminary statement as to the cargo to be shipped was supplied by Messrs. Kirkham Bros. and Co., Ltd., Swansea, the charterers' agents.

The loading was started at 8 a.m. on January 23rd and finished at 12.13 p.m. on the 24th January, the total coal cargo shipped being 999 tons 5 cwts., distributed as per detailed list in paragraph on loading.

The draught on completion of loading was 12 feet 8 inches forward and 15 feet 6 inches aft, giving a mean draft of 14 feet 1 inch, and trimmed 2 feet 10 inches by the stern.

The freeboard was 1 foot 2½ inches—that is 1½ inches more than summer freeboard.

The freeboard assigned by Lloyd's Register of Shipping to the vessel was:—

Centre of Disc—1 foot 0½ inch below Statutory Deck Line with a deduction of 3½ inches for fresh water and the addition of 2 inches for maximum load line in Winter with other allowances for Indian Summer and for Winter—North Atlantic.

The vessel sailed at 8 a.m. on the 25th January, 1928, and the Pier Master gave evidence to the effect that all hatches were on, and tarpaulins spread at that time.

The vessel was reported to have passed Lundy Island p.m. on the 25th January, 1928, since which time nothing has been heard of her.

It was stated in evidence that the "Teane" was a "dirty ship," but the Court is of the opinion that she was similar to most vessels of her type.

From the weather reports submitted to the Court from the Meteorological Office, the vessel would have had weather from the south and west, with a high beam sea, with winds varying between 7 and 8 (Beaufort Scale).

The vessel was measured for classification for coal trimming rates by the Employers Clearing House on behalf of the owners and representatives of the trimmers, the principle of classification being governed by a national agreement between the Shipping Federation and Trade Union Representatives.

The actual classification after measurement is made by the Joint Conciliation South Wales Area Trimming Board. Each hold is classified in accordance with the measurement referred to above. This vessel was classified as an easy trimmer in Nos. 1, 3 and 4 holds, and a full trimmer in No. 2 hold. The function of the Employers Clearing House is to watch the interests of the ship owners. They and the representative of the trimmers measure vessels for classification in accordance with which the trimming rates are fixed.

The Clearing House also supervises the trimming of the coal cargoes, but it was stated in evidence that they did so without in any way relieving the master of legal responsibility, and also that they took no action unless a complaint was made by the master or one of his officers; but if such a complaint was received by them, they brought it to the notice of the trimmers' representative, and it was then dealt with. If, however, no complaint was received, the supervision undertaken by this body was, in the opinion of the Court, ineffective.

From the evidence, it appears that the classification of the various holds of a coal-carrying vessel, as either self trimmer, easy trimmer or full trimmer, is for the purpose of determining the rate per ton of cargo to be paid to the trimmers, and has no reference to the actual trimming necessary for the safety of the vessel, as set out in Circular 1665.

The Board of Trade in their Circular 1665, which came into force 1st October, 1927, drew attention

to the necessity of trimming coal cargoes so that the coal should be so trimmed that its surface, both fore and aft and athwartships, lies considerably below its normal slope, especially when consisting of peas, nuts and beans, and where the breadth of the hatchways is below a certain ratio relative to the registered breadth of the vessel.

Although the Circular 1665 has been in circulation since October, 1927, the contents do not seem to have received due consideration, nor was the significance of its recommendations fully realised.

The managing owner stated that he had no knowledge of the above circular previous to the date of the sailing of the "Teane."

The superintendent engineer had previously received the circular and had communicated verbally to the master such parts thereof as he thought desirable, but was under the impression that the general instructions issued by him to masters covered the requirements of the circular. It is therefore apparent that he issued no special instructions, but repeated what may be regarded as general instructions to get coal cargoes well trimmed. The contents of the circular was not communicated to the master.

The chief supervisor of the Employers Clearing House had full knowledge of the contents of the circular, and stated that he discussed the same with his subordinates, which included the supervisor appointed for the "Teane." This supervisor denied any knowledge of the circular, and therefore did not see its instructions carried out, although he did inspect the vessel and reported to the chief supervisor that the holds were made safe.

The trimmers also had no knowledge of this circular and stated that they trimmed in accordance with their usual practice.

It is clear that the provisions of the circular were not observed in relation to the s.s. "Teane," and the coal in Nos. 1, 3 and 4 holds was not trimmed to prevent shifting in bad weather. There was space in each of holds Nos. 1, 3 and 4 for approximately 60 tons of coal. This, having regard to the inadequate trimming, the consequent sloping surface of the coal, and the weather the ship must have encountered, was in the opinion of the Court of critical importance.

The Court considers that the Employers Clearing House, as an organisation for, amongst other objects, the supervision of the loading of coal cargoes, whilst it has no responsibility in law, should be made a more effective means of securing that all coal cargoes are stowed and trimmed in strict accordance with the Circular of Instructions 1665. For this purpose we recommend that after any coal cargo has been loaded, and before the ship sails, the supervisor of this organisation should secure from the master a signed statement or certificate that the coal has, in all holds, been trimmed to his satisfaction and according to the conditions laid down in the circular referred to.

At the conclusion of the evidence of witnesses called by the Board of Trade, Mr. Pilcher submitted the following questions for the consideration of the Court:—

QUESTIONS.

1. What was the cost of the s.s. "Teane" to her owners?

What was her value when she last left Swansea?

What insurances were effected upon and in connection with the ship?

2. As regards the loading and trimming of coal cargoes, was the s.s. "Teane" classed? If so, by whom, when and how was she classed?

3. Before the s.s. "Teane" last left Bristol for Swansea to load:—

(a) Were Mr. Phillip Alan Fowler, registered manager and/or Mr. Ernest Arthur Machon, superintendent engineer, aware of the con-

ditions laid down in the Board of Trade Circular of Instructions No. 1665 to their surveyors, dated September, 1927, which came into force on the 1st October, 1927, regarding the safe loading and trimming of coal cargoes?

(b) Had the master of the s.s. "Teane" knowledge of the contents of the said circular instructions?

(c) What instructions, if any, were given by the owners or any persons in their employ to the master with regard to the loading and trimming of coal cargoes to be carried by the s.s. "Teane"?

(d) Were such instructions, if any, sufficient to ensure that the conditions laid down in the Board of Trade Circular Instructions 1665 as to loading and trimming of coal cargoes shipped on board the s.s. "Teane" should be carried out?

4. When did the s.s. "Teane" arrive at Swansea to load for her last voyage?

What amount of bunker coal remained in her bunkers at that time?

5. What amount and description of (a) coal, (b) general goods were shipped on board the s.s. "Teane" for cargo in January last?

Who was responsible for the plan of loading, distribution of weights and trim of ship?

6. Did the master receive any instructions from the owners' agents, or any other person at Swansea, as to trimming the coals loaded into the four holds of the ship?

7. Did any of the conditions set out in the Board of Trade Circular No. 1665 as to loading and trimming apply to the coals loaded into any of the holds of the vessel?

If so, which of the conditions applied and to which holds did they apply respectively?

8. What responsibility, if any, rests with the Employers Clearing House at Swansea or their servants in connection with the trimming of coal cargoes loaded at the port?

9. What, if any, efforts were made by the Employers Clearing House at Swansea or their servants to ensure that the conditions as to loading and trimming contained in the Board of Trade Circular Instructions No. 1665, which applied to the s.s. "Teane" on her last voyage, were carried out?

10. Was the coal cargo shipped on board the s.s. "Teane" in January last properly stowed, trimmed and secured from shifting? Were the conditions set out in the Board of Trade Circular Instructions No. 1665 which applied to the ship complied with?

11. When the s.s. "Teane" left Swansea on the 25th January last:—

(a) Was she in good and seaworthy condition as regards hull and equipment?

(b) Was she properly supplied with boats, life saving appliances and distress signals, spare hatches, tarpaulins and wedges for securing the same?

(c) Were the hatchways properly covered, protected and secured?

(d) Was the vessel provided with adequate means for quickly freeing the decks of any water shipped thereon?

(e) Was the vessel in proper trim and had she the required freeboard for a winter voyage?

12. Was the s.s. "Teane" so loaded on her last voyage as to ensure safe stability?

13. What is the cause of the vessel not having been heard of since she was reported as passing Lundy Island on the 25th January last?

The Court then considered the questions and answered as follows:—

1. Cost of the s.s. "Teane" to her owners, £8,250. Her value when she left Swansea was estimated at £10,000 to £11,000, and the Insurances effected upon and in connection with the ship were as follow:—

	£
Hull	6,000
Machinery	4,000
Freight	1,500
Disbursements	1,000
Premiums	850
Total ...	13,350

2. For the purposes of loading and trimming coal cargoes she was classified. This classification had been made by the Joint Conciliation South Wales Area Trimming Board about April, 1927, and was as follows:—

Holds Nos. 1, 3 and 4 ...	easy trimmer.
Hold No. 2	full trimmer.

3.—(a) At the time the ship left Bristol for Swansea, Phillip Alan Fowler, registered manager, had not seen the Board of Trade Circular of Instructions No. 1665, which purports to be instructions to their Surveyors. This is dated September, 1927, and came into force on 1st October, 1927, and relates to the safe loading and trimming of coal cargoes. He was not then aware of the conditions which the circular laid down, but has since had the opportunity of perusing its contents, and expressed the opinion that the instructions which he always gave to the masters of his ships were to the same effect as those contained in the circular.

Ernest Arthur Machon, superintendent engineer, was acquainted with Circular No. 1665. He had, before the ship left Bristol for Swansea in January, 1928, received a copy thereof from His Majesty's Stationery Office at Cardiff, with which office he had an account.

(b) There is no evidence to show that the master of the s.s. "Teane" had any direct or detailed knowledge of the circular referred to, and the Court does not agree with the view expressed by Mr. Fowler, the registered owner, that the instructions given to the master amounted to the same thing. Mr. Machon, however, states that he communicated to him verbally such parts thereof as he thought necessary in consideration of the character of the ship. In the opinion of the Court, the master had not such a knowledge of the contents of Circular No. 1665 as he should have possessed.

(c) As stated in (b) above, parts of the circular of instructions were communicated verbally by Mr. Machon, the superintendent engineer, to the master, and the general instructions that the master must have coal cargoes trimmed were specifically emphasised to Captain Newbury on 9th December, 1927, at the owners' office at Bristol before he left for Swansea.

No special instruction with regard to the proper trimming of coal cargoes, where such cargoes consisted of peas, nuts, or beans appears ever to have been given to the master, and the Court is not satisfied that the general instructions, however much emphasised, served the same purpose as a full knowledge of Circular 1665.

(d) The instructions referred to in (b) and (c) above, were not sufficient to ensure that the conditions laid down in the Circular of Instructions No. 1665 as to the loading and trimming of coal cargoes shipped on board the s.s. "Teane" would be carried out.

4. She arrived at Swansea to load for what proved to be her last voyage on the 22nd day of January, 1928, at 5.5 p.m., and the quantity of bunker coal then in her bunkers was approximately 10 tons.

5.—(a) The total quantity of coal shipped as cargo in January, 1928, was 999 tons 5 cwts. This was made up as follows:—

	Tons.	Cwts.
Fernhill nuts	101	15
Perch "A" nuts	105	15
Bute Merthyr large	519	10
Bute Merthyr small	173	—
Ponthenry Anthracite beans	99	5

(b) The general goods shipped as cargo at the same time consisted of:—

1 hogshead of wine, and 1 ton, 10 cwts. and 3 qrs. of boot protectors.

A preliminary plan of loading was prepared by Mr Rhys Davies, manager to Messrs. Kirkham Brothers & Co., Gloster Chambers, Swansea, who acted as agents for Messrs. D. M. Stevenson & Co., of Cardiff, who were the shippers of the coal cargo, and another plan was prepared by the same person after the loading had been completed. This plan differed from the preliminary one, and was a record of the actual distribution of the cargo coal shipped in each hold.

For these plans, Messrs. Kirkham Brothers & Co., were responsible, but for the distributions of weights and trim of ship, responsibility rested with the master.

6. The master was given general instructions as to the loading and trimming of the vessel at Swansea by Mr. Charles Thomas Bone, the managing director of Messrs. T. H. Couch, Ltd., Swansea, the owners' shipping agents. Mr. Bone, however, was not at that time aware of the Board of Trade Circular No. 1665. neither had his attention been directed to it by the owners.

7. Yes. Section IV 2 (b) was applicable to all the holds of the s.s. "Teane," and, in particular, holds Nos. 1 and 4 were within 1 (b), (c) and 2 (b) of that section on account of the class of coal with which they were loaded.

8. The Employers' Clearing House at Swansea is the owners' organisation for the more effective carrying out of the work of trimming coal cargoes loaded at the port, and whilst their existence does not affect the responsibility of the master of the ship in that connection, its principal function appears to be through its officers to bring pressure to bear upon the trimmers, so that the work of trimming the cargo shall be satisfactorily carried out. Some doubt exists as to whether, in the absence of any complaint

from the master or one of his officers, this organisation, in fact, exercises such supervision as to achieve the purpose referred to.

9. Mr. John Bagley, the chief supervisor of the Employers' Clearing House, Swansea, received Circular 1665, and was acquainted with its contents. He states that he communicated to, and discussed this circular with his subordinate officers, and in particular Mr. Thomas Powell, who was the officer who supervised the loading of the S.S. "Teane." The latter, however, denies any knowledge whatsoever of the circular, and there appears, therefore, to have been no effective effort on the part of the Employers' Clearing House or their officers to ensure that the conditions as to loading and trimming contained in the circular were carried out.

10. The coal cargo shipped on board the S.S. "Teane" in January, 1928, was, as to hold No. 2, properly stowed, but as to holds Nos. 1, 3, and 4, the cargo was not properly stowed, trimmed, and secured from shifting, and the Court is of the opinion that those conditions set out in the Board of Trade Instructional Circular No. 1665, which were applicable to this vessel, were not complied with.

11.—(a) Yes.

(b) Yes.

(c) Yes.

(d) Yes, but the evidence shows that in very heavy weather she experienced difficulty.

(e) Yes.

12. Yes. The distribution of weights was such when she left port as to ensure safe stability.

13. The Court is unable to state definitely what was the cause of the loss of the vessel, but on the evidence adduced before us, we think that the probabilities are either:—

(a) exceptionally heavy weather, or

(b) inadequate trimming of her cargo and a consequent shifting of part or parts thereof when encountering heavy weather after passing Lundy Island.

WILLIAM C. HOWE, *Judge.*

We concur,

WM. PETERKIN
H. P. LEARMONT } *Assessors.*
S. H. HAMBLING }

(Issued by the Board of Trade in London
on Friday, the 22nd day of February, 1929.)

LONDON :

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses :

Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;

York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;

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1929

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