

(No. 1030.)

"FELICITY."

REPORT of a Naval Court held at Copenhagen into the loss of the brig "FELICITY," of Hartlepool, about seven miles west of the Scaw.

The defendant in this case is charged with negligence in having let his ship get ashore, and also with not doing all he reasonably could to get her off.

He passed Hirtshals Lighthouse 12 miles off to the S.S.E. at 4 p.m. on the 5th of May, his course, according to the evidence of James Bottoms, was E. by N. $\frac{1}{2}$ N. with $\frac{1}{2}$ a point for leeway; wind was S.S.W. to S.E. No current was noticed, and at 6 the course was changed to E.N.E., and the ship kept on this to 12 at midnight, and at no other time apparently in this watch the lead was hove and more than forty fathoms found. In the next watch the lead was not hove at all; the course was, according to the defendant's protest, and the man at the wheel, S.E. by S., and the vessel struck at 1.30 a.m. on the 6th at a point 7 miles west of the Scaw, and about 24 miles west by $\frac{1}{2}$ N. of her position by reckoning; in other words, she must have made $2\frac{1}{2}$ miles an hour less westerly way than her log indicated. There was considerable fog, and her proper course would have taken her seven miles outside the Scaw light vessel, so that she could not have seen the light. Not being able to see the light at the time that he had run the proper distance to do so, and not having got soundings at 40 fathoms, the ship should have been hauled off shore under easy canvass, as there was plenty of room towards the coast and Norway, and but a short time until daylight, and the ship's position could have been checked by the lead or the high land on the Norway Coast seen by daylight. There does not appear to have been a defective look-out, and the courses steered were proper ones. The ship was run aground by the strong current running in the opposite direction to the master's calculations, which were based upon his chart (Emery's, of 1880). The current set on this occasion in an opposite direction, which appears by the evidence only to have been the case twice in the month in which the wreck occurred. The Court finds that the defendant was guilty of negligence in not taking the precautions mentioned above, and considers that he should be reprimanded for not taking them.

With regard to the defendant's exertions for getting the vessel off the ground, he did everything that could possibly be done with the brig's own equipment. The Court will not express an opinion as to whether the defendant should have accepted the offer of Captain Gottlieb to take his vessel off for 200*l.*, as it is not clear whether she would have been worth that amount when in safety; and if the vessel had sunk in deep water, the loss on the cargo would have been even more certain.

The Court therefore returns the defendant, Captain Kell, his certificate, and directs him to be reprimanded.

The Court in passing judgment, feels itself bound to record the opinion of the nautical members that a whistling or automatic buoy moored 8 miles N.W. of the Scaw would be of inestimable value to vessels shaping a course into the Cattegat.

(Signed) J. HARRIS, Her Majesty's Consul,
President of Court.
H. D. M^cARTHUR,
Master ship "Milton."
D. R. SHAW,
Master barque "Arethusa."