(No. 909.)

Barque "SEVERN" and "MAYUMBA." (S.S.)

The Merchant Shipping Acts, 1854 to 1876.

In the matter of a formal Investigation held at St. George's Hall, Liverpool, on the 18th, 19th, and 21st days of February, 1881, before Thomas Stamford Raffles, Esquire, Stipendiary Magistrate, assisted by Captains White, R.N., Wilson, and French, Nautical Assessors, into the circumstances attending the loss of the British sailing ship "Severn," of Sunderland, through collision with the British steamship "Mayumba," of London, whereby loss of life ensued, in about latitude 33.47 N., and longitude 15.27 W., on 30th January 1881.

Report of Court.

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 said ship was owing to collision with the said steamer, and that a good look-out was not kept on board the said steamer, and that her engines were not stopped and reversed as should have been done, and that the 2nd officer, Mr. Charles P. Clarke, the officer of the watch, was in default, and the Court suspended his certificate for 6 months.

Dated this 21st day of February 1881.

(Signed) T. S. Raffles, Judge.

We concur in the above report.

(Signed) E. A. White, R.N., H. Wilson, A. P. French, } Assessors.

Annex to the Report.

The "Severn" was a barque, built of wood, in 1867, at Southwick, County of Durham, and registered at Sunderland, of 398·24 tons. She was owned by Mr. Robert H. Gaynor, of that place, who was managing owner, and another, and she was commanded by Mr. Isaac H. Rutherford, who holds a certificate of competency, No. 6,745, dated August 1852 (lost in the ship). She sailed from Sunderland on the 11th of January last, with a crew of 12 hands all told, and a cargo of 603 tons of coals, drawing 15 feet 10 inches aft, and 15 feet 6 inches forward. All went well up to the 30th of the same month. At 11.50 p.m. on the 29th the master turned in, leaving the first mate in charge of the deck. At that time there was a strong wind from W., and a very heavy cross sea, and she was under fore and main lower topsails, square foresail, mizen staysail, and fore topmast staysail, heading S. and by W., close hauled on the starboard tack, making about 2½ knots an hour. The ship's side lights had been put out at 6 p.m., but they were taken in about 9 p.m., on account of the sea breaking over her bows; and it was elicited in evidence that on three occasions the lights had been removed during the last week of the voyage from a similar cause. The lights were said, by the witnesses from the "Severn," to be good lights. The first mate stated that the weather, moderating during his watch, which was from midnight to 4 a.m., he put them out again at 12.30 a.m. on the 30th. Other witnesses made it later, and one witness said that they were removed more than once during that night and the following morning to be retrimmed, having been extinguished by the action of the sea. All the witnesses from the ship agreed, however, that at 4 a.m. on the 30th, both the side lights were in their proper places, well forward, about three feet above the rail, and burning well. At 3.40 a.m. the chief officer, Mr. Bowman, saw a bright light about two to three points on the starboard bow, and about the same time the look-out reported it. The chief officer said he took it to be about five to six miles off, and knew it to be a steamer's light, and he said he once saw her red light through a glass, but not very distinctly, just before he left the deck at 4.5 a.m.; but the bright light continued in sight from the time it was first seen. At 4.5 a.m. the second mate relieved him, and he pointed out the light to him, which at that time he considered to be from 2½ to 3 miles off; the night being very clear, the first mate went below, not apprehending any danger, and concluding that the steamer would see the ship's lights in time to pass clear of her, but telling the second mate to keep his eye on the light. He did so, and found that she was gradually nearing the ship; and taking the glass up, he made out the hull of a steamer, but never saw any other light than the mast-head light. She came sufficiently near very shortly to alarm the second mate, and he told the man at the wheel to keep her up, which gave her half a point more westerly. When the steamer approached within about a ship's length he called the first mate, who came on deck immediately, and ordered the helm down, but the steamer struck the ship about the fore part of the fore rigging, on the starboard side, and cut right into her, to within a few feet of the foremast. The collision took place about 100 miles N. by E. of Madeira.

To turn now to the narrative of the steamer. The "Mayumba," formerly called the "Sicilian," is an iron screw steamer of 1,569·31 gross, and 991·46 registered tonnage, owned by the "African Steamship Company," of London, and was registered there in November 1880, when her name was changed. She was under the command of Mr. David A. Crook, who holds a certificate of competency, No. 6,740, and had a crew of 42 hands all told, and carried seven passengers and a general cargo. She left Isle de Los on the 19th of January last, the master at the time being laid up with fever, and he was in fact unable to take command of the vessel up to the time of of the casualty, beyond giving an occasional verbal order when consulted by his officers in the cabin. She touched at Madeira to coal and land passengers, and left that place for Liverpool on the 29th, about 2.30 p.m. She had two lifeboats, two surf boats and a gig, all said to be in good condition. On the 30th, Mr. C. P. Clarke the second officer took charge of the deck about five minutes after 4 a.m., relieving the chief officer. The witnesses from the steamer described the weather as clear, but cloudy on the horizon, but for the most part they said a ship's might be seen for a couple of miles; the wind was W. to W.S.W., and they had a heavy cross sea; the fore and aft sails were set, and the ship was going about 7½ knots, heading N.E. magnetic. When the second officer, who holds a master's certificate of competency, No. 81,976, dated August 1875, took charge, he looked to the ship's lights, and they were all three said by him to be burning well. He said that he also hailed the look-out man to be sure that he was at his post, but not getting an answer which he could understand, he sent quarter-master King forward to report who was there, and he returned to say that Mackintosh, A.B., was on the look out. His attention appeared also to have been called to the binnacle light, which he ordered to be re-trimmed. The evidence of the witnesses on board the steamer as to the time when the second mate was making inquiry about the look-out man did not quite agree, but it would seem to have been within from 10 to 15 minutes from the time of his taking charge of the deck. The second officer said that there was nothing to impede his view from the bridge, which he continued to pace from fore to aft—a distance of about 20 feet. In about from 5 to 10 minutes after taking charge he saw a faint light about a point on the port bow, and at the same instant the loom of a vessel, and a "light on the port bow" was almost simultaneously reported by the look-out man. The second officer took up his glasses to look at it, and he came to the conclusion that she was a vessel proceeding in the same way as the steamer, and that the light he saw was a binnacle light; and he stated that he came to this conclusion from not seeing any side lights. He at once ordered the helm hard-a-port, and helped the man at the wheel to heave it over, and then ran to the telegraph and ordered the engines to "stop," but almost immediately the steamer ran into the ship, as already described. The chief officer came on deck at once, and the master also rushed up. The first officer was said to have shouted down into the engine-room an

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order to reverse full speed, but the second engineer, who was on duty, not getting the order in the regular way by telegraph, seemed to have hesitated fully to obey it, and only reversed slowly. Ropes were at once thrown over from the steamer, and seven persons from the ship, including the master and first and second mates, managed to clamber on board the steamer. Cries were heard in the water, and they proceeded immediately to get out a boat. They first attempted to lower one of the lifeboats, but they thought the gig might be more quickly got out, and this was in the water in from 5 to 7 minutes with an officer and some men, but she was carried by the sea against the side of the steamer and stove in, so as to render her useless, and they had to go back to the ship, the boat being cut adrift. They then got out the port-quarter boat which proceeded in search of the missing men from the ship, but after cruising about for two hours till after daylight they returned to the steamer, not having found anyone. Five men, therefore, were drowned. The "Mayumba" brought the seven men rescued from the "Severn" to Liverpool, where they arrived on the 6th of February.

On the close of the evidence, Mr. Paxton, Solicitor for the Board of Trade, put the following questions to the Court:—

1. What was the cause of the collision?
2. Did the "Severn" before and at the time of the collision exhibit proper and sufficient side lights in compliance with Articles 3 and 6 of the Regulations for Preventing Collisions at Sea?
3. Was a good and proper look-out kept on board the "Severn?"
4. Was the first mate of the "Severn" justified in leaving the deck shortly after four in charge of the second mate, a steamer's light being then visible?
5. Was the "Severn's" course altered before the collision, and if so, in what direction, and was the collision then inevitable?
6. Did the "Mayumba," before and at the time of the collision, exhibit proper and sufficient lights, in accordance with Article 3 of the above Regulations?
7. Was a good look-out kept on board the "Mayumba"?
8. Was the second mate justified in ordering his helm hard-a-port as soon as he saw the light?
9. If the engines had been put full speed astern when the order to stop them was given, would the collision have been avoided?
10. Were prompt and proper measures taken by the master of the "Mayumba" to save life after the collision occurred, and what was the cause of five of the crew of the "Severn" losing their lives?
11. Was the collision and subsequent total loss of the "Severn," caused by any wrongful act or default on the part of the following persons, or any of them, and particularly,—

As regards the second officer of the "Severn":—

(*a.*) By not seeing that his side lights were burning brightly and properly fixed, in compliance with Articles 3 and 6 of the above Regulations?

(*b.*) By not keeping his course in compliance with Article 22 of the above Regulations?

As regards the second officer of the "Mayumba,"

(*a.*) By not keeping a good look-out?

(*b.*) By not keeping out of the way of the "Severn," when approaching her, so as to involve risk of collision in compliance with Article 17 of the above Regulations?

(*c.*) By not stopping and reversing his engines when approaching the "Severn," so as to involve risk of collision in compliance with Article 18 of the above Regulations?

And stated that the Board of Trade considered th certificates of the second officers of the steame ship should be dealt with. After which, Mr. St counsel for the owners and officers of the "Se and Mr. Dickinson, solicitor for the owners and o of the steamer, addressed the Court, and Mr. P replied.

The Court, in answer to the first question, consi that the collision was caused by the steamer not h made out the ship to be an approaching vessel in to avoid her. The second officer of the "Mayu who was in charge of the deck at the time, was the mistaken impression that the ship was goin same way as the steamer, and ported his helm to her, as he said he thought to do on his port hand the "Severn" being an approaching vessel, he co with her.

In answer to the second and third questions Court were of opinion that proper and sufficien lights were exhibited on board the "Severn," and a good and proper look-out was kept.

In answer to the fourth question, the Court th that the first mate was justified in leaving the shortly after 4 a.m. The second mate was a certifi officer, and the morning was perfectly clear, and h under no apprehension of danger.

In answer to the fifth question, the "Severn's" appeared to have been ported when the vessels we the point of collision, but the ship's head was h altered half a point, and the collision was inevitab

In answer to the sixth question, the Court consi that before, and at the time of the collision, the " umba" exhibited proper and sufficient lights.

In answer to the seventh question, the Court d consider that a good look-out was kept on boar "Mayumba," or, the night being clear, the appro ship would have been sooner made out.

As to the eighth question, the Court were of op that immediately on seeing the light on the "Se the officer in charge of the steamer should have st his engines, and reversed. Unless he was abso certain that the ship was proceeding on the same as the steamer, he should not have ported his helm he should have stopped and reversed until he had tained the truth.

As to the ninth question, the vessels were too n have avoided collision, even if the engines had put full speed astern when the order to "stop" given.

As to the tenth question, the Court could not sa prompt and proper measures were not taken b master of the "Mayumba" in the first instance to life after the collision. Considerable delay was sioned by the first boat put out being rendered us and the putting out of the second boat was retard consequence, but the Court thought it would have better had another boat been lowered, so that two might have been cruising about in search.

In reply to the eleventh and last question, the acquitted the second officer of the "Severn" o default. They found that the ship's lights were pro fixed and burning at the time of collision, and th slight alteration to her head in no way affecte collision, which was then inevitable; but the were compelled to find Mr. Charles P. Clarke, s officer of the "Mayumba" in default for not having a good look-out, and for not stopping and reve his engines when the light on the "Severn" su appeared, and the Court suspended his certificate calendar months.