

(No. 1048.)

“MARGARET” AND “EASTHAM FAIRY” (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 30th day of June and 1st day of July 1881, before THOMAS STAMFORD RAFFLES, Esquire, Stipendiary Magistrate, assisted by Rear-Admiral APLIN and Captain FRENCH, Nautical Assessors, into the circumstances attending the material damage sustained by the British sailing ship “MARGARET,” of Liverpool, through collision with the British steamship “EASTHAM FAIRY,” of Liverpool, and the subsequent stranding of the former vessel in the Mersey on the 9th June last.

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 “Eastham Fairy” was solely to blame for this collision, and they found her master, Mr. John Hayes, in default, but he holds no certificate.

Dated this 1st day of July 1881.

(Signed) T. S. RAFFLES, Judge.

We concur in the above report.

(Signed) ELPHINSTONE APLIN, } Assessors.
A. P. FRENCH, }

Annex to the Report.

The “Eastham Fairy” is a paddle wheel steamer, built at Chester in 1861, and registered at Liverpool, of 115.03 tons gross, and 79.68 tons registered, of 60 horses power combined, and being 125 feet in length. She was owned by Mr. Thomas W. Thompson, of Eastham Ferry, Cheshire, and was engaged in the daily service between that ferry and Liverpool. She was commanded by Mr. John Hayes, who holds no certificate, and had seven hands all told. The “Margaret” is a small schooner of 63.25 tons, built in 1841 at Runcorn, Cheshire, registered at Liverpool, and owned by Mr. Samuel Ravenscroft, of Runcorn, who is managing owner, and two others. She was commanded by Mr. Thomas Foster, who also holds no certificate, and she had a crew of three hands all told. She arrived in the River Mersey, drawing 9 feet aft. and 7 feet forward, on the 3rd June last from Whitehead, near Belfast, with a cargo of limestone for Runcorn, and on the same day anchored off Eastham on the Cheshire side of the river. She remained there until the 9th, when about 2.45 p.m. she weighed anchor intending to proceed to Runcorn. The tide was about the last of the ebb, the wind light from N. by W., and the weather clear. She tacked several times, and had got to the southward of the powder magazines, lying in the channel between the Cheshire shore and Eastham Bank, at that state of the tide uncovered, and was on the starboard tack, heading to the Cheshire side, when they saw the “Eastham Fairy,”

which left Eastham Ferry for Liverpool about 3.45 p.m., drawing 4 ft. 2 in. forward and 4 ft. 5 in. aft, coming down the channel. She was seen from the time of leaving the ferry by the schooner, and the master said to his mate, “There will be a collision unless she alters her course; call out to her.” The mate called out, “What do you intend to do with the steamer,” to which they got no reply. The schooner kept her course, and the steamer came right on and struck her before the rigging on the port side, though the master stopped, and reversed his engines. The schooner was damaged to the amount of about 100l., since paid by the owners of the steamer. From the evidence of those on board the steamer it appeared that only the master just before the collision was in a position to look out, the mate and others being otherwise engaged, the mate and boy being below, and in fact the schooner was not seen until too late to avoid the collision. Fortunately no person on board either vessel was injured. In his statement before the receiver of wreck, the master of the steamer was stated to have said that there were 300 passengers or more on board the steamer, it being holiday time; but from the evidence of the collector at Eastham Ferry, where all the passengers had to pass a turnstile which registered their number, it appeared that there were not more than 50 passengers on board the ferry steamer at the time of collision. The “Margaret” was subsequently beached in the river by the aid of the steamer. On the close of the evidence, Mr. Marsden, counsel for the Board of Trade, asked the following questions:—

- 1. Whether both or either, and which, of the ships neglected to comply with the regulations for preventing collisions in force in the River Mersey?
2. Whether the “Eastham Fairy” complied with articles 17 and 18, and the “Margaret” with article 22, of such regulations?
3. Whether a proper look-out was set and kept on board both ships?
4. Whether the collision was caused by the fault of the masters, mates, and crew of both ships, or by the fault of any, and which of them?

After which Mr. Rogers and Mr. Lightbound addressed the Court for their respective clients.

In answer to the 1st and 2nd questions, the Court were of opinion that the “Eastham Fairy” did not comply with article 17 of the regulations for preventing collisions at sea, by keeping out of the way of the sailing ship, neither did she stop and reverse in sufficient time (art. 18) to avoid collision. The “Margaret” complied with article 22, and kept her course. As to the 3rd question, the Court considered that a proper look-out was kept on board the “Margaret,” but that a proper look-out was not kept on board the “Eastham Fairy.” The man who should have been on the look-out was absent from his post, and no one was put in his place while so absent, as the regulations of the owners of the steamer provided should be done. As to the 4th question, the Court were of opinion, for the reasons above given, that the “Eastham Fairy” was alone to blame for this collision, and they found the master in default, but he holds no certificate or it would have been dealt with. It happened, fortunately, that at the time of day when this collision occurred few persons comparatively were returning to Liverpool. Had this casualty taken place when the steamer was crowded, as these ferry steamers so often are during holiday time, the consequences might have been most disastrous, and the Court trusted that this inquiry would have the beneficial effect of inducing the greatest possible care on the part of those in charge of these vessels.