

(No. 1188.)

“BEND OR.”

The Merchant Shipping Acts, 1854 to 1876.

In the matter of a formal Investigation held at St. George's Hall, Liverpool, on the 16th and 17th days of December 1881, before THOS. STAMFORD RAFFLES, Esq., Stipendiary Magistrate, assisted by Captains HIGHT and CLARKE, Nautical Assessors, into the circumstances attending the abandonment of the British sailing ship “BEND OR,” of London, in about latitude 49.30 N. and longitude 37 W., on the 23rd October 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 said vessel was abandoned owing to injuries sustained by her from stress of weather, and the master and crew were justified in leaving her.

Dated this 17th day of December 1881.

(Signed) T. S. RAFFLES, Judge.

We concur in the above report.

(Signed) EDWARD HIGHT, } Assessors.  
R. F. CLARKE, }

*Annex to Report.*

The “Bend Or” was a barquentine, built at Appledore, County of Devon, in 1880, registered in London of 215.92 tons, and owned there by Mr. William Thorburn and two other gentlemen, Mr. Thorburn being managing owner. She was commanded by Mr. Samuel Gorley, who holds a master's certificate of competency, No. 010,941 renewed, originally granted 29th August 1879; and she had a crew of 8 hands all told. In September last she was laden in the Bramley-Moore Dock, Liverpool, with a cargo of 327 tons 10 cwt. of coals, by Mr. Patrick Halpin, stevedore, according to the instructions of the master, who told him to trim the cargo nearly level, but to keep her by the stern. The coals were tipped into the three hatches of the vessel from the wagons, and then levelled to a distance of about 3 feet forward, and under the main and after hatches to a distance of about 2 feet from the deck, the open space being only partially filled up by warps, casks of beef, and other things. No shifting boards were used. On the 29th September she sailed from Liverpool for St. John's, Newfoundland, the vessel being in good order and condition and provided with two boats and two pumps. She had, according to the evidence of the master and all the witnesses but one, two ventilators, one let into the after hatch and about 4 feet above the deck, with a cowl-head, and another in the fore part of the fore scuttle, being a square place cut out in the fore bulkhead. One witness, Ridley, A.B., alone stated that there were four small ventilators on each side of the ship. The builders and owners, on being communicated with by telegraph, said that there never were any side ventilators. On leaving, the “Bend Or” drew 12 ft. 6 in. aft, and 11 ft. 4 in. forward, which the master said was her usual and proper trim. The weather was fine during the earlier part of the voyage, and the wind moderate; but on the 9th October the weather changed, and it blew a gale of wind from S.W., changing on the 10th to N.W. From the 9th to the 18th it blew very hard, and they lay to more or less during those days chiefly on the starboard tack, but up to the 18th there was no shifting of cargo, and the vessel made no water to speak of. On the 18th at 5 a.m. they hove to on the starboard tack under close reefed mainsail; and about 10 a.m. they shipped a very heavy sea which carried away the weather bulwarks and long boat, and the body of the sea going into the mainsail

threw the vessel over on her beam ends, and the water came in through the hatches; the sea at the same time splitting the mainsail, and the mizen and main staysail at the same time being carried away. The cowl ventilator also was unshipped and lost overboard, but the hole thereby made was at once secured with tarpaulin, and canvas was put in the mizen rigging to help to keep her head to sea. The master cut away the fore topmast backstay and rigging to allow the fore topmast to go over, which it did about 7 p.m. on the same day, carrying with it the fore mast-head and main topmast, when she righted somewhat; but her bulwarks were still under water. All hands were put to the only pump they could use, and continually kept at it, but the water kept coming in. The other boat was smashed during the night. On the 19th the master sent the mate and four of the crew below to try to trim the coals, which they found had gone bodily over to leeward, but though they worked throughout the day and part of the following night, they could do nothing effectual, as so fast as they threw the coals over to the weather side they rolled back again to leeward. The water in the bilge and on deck also tended to keep the vessel down. The hatches had been previously battened down, but as the sea tore the tarpaulins they had to be repaired as required. About noon on the 20th the barque “Lowood,” of St. John's, N.B., came in sight, and they made signals of distress; and the barque rounded to and sent a boat to them with five hands, but unfortunately the boat capsized, the sea being very rough, within about 100 yards of the “Bend Or,” and the brave fellows who were risking their lives to save the crew of the disabled vessel were themselves drowned, though lines and ladders were thrown from the “Bend Or” to the men, three of whom were seen on the bottom of the boat, in the hope that they might reach them. The “Lowood” stayed by them till the 23rd, though she drifted out of sight occasionally in the interval. About 1 p.m. on that day, in about latitude 49.30 N., and longitude 37 W., they were taken off by the boat of the “Lowood” in two trips, saving nothing from the wreck. When last seen, about 5 p.m., she was fast settling down. On board the “Lowood” they were kindly treated and taken to New York, whither she was bound, arriving there on the 17th November.

On the close of the evidence, Mr. Paston, for the Board of Trade, asked the following questions:—

- 1stly. Whether the vessel's pumps were sufficient and in good order?
- 2ndly. Whether the cargo was properly trimmed and stowed, and especially whether it was properly secured against shifting?
- 3rdly. Whether the ventilators were so fitted and arranged as to prevent their becoming a source of danger in the event of the vessel having a quantity of water on deck?
- 4thly. Whether when she left Liverpool she was in a good and seaworthy condition?
- 5thly. What was the cause of the vessel going over to port on the 18th October, and whether every possible effort was made to righten her?
- 6thly. What was the cause of so much water finding its way below after the vessel went over, and were proper measures taken to prevent leakage and to clear the water out of the vessel?
- 7thly. Whether the vessel was navigated with proper and seamanlike care?
- 8thly. Whether she was prematurely abandoned?

The Court answered the questions as follows:—

1. The pumps were sufficient and in good order.
2. The cargo appeared to have been stowed and trimmed according to the master's instructions with a view to trimming the ship by the stern; but not taking a full cargo he might, and the Court thought he should, have taken steps to avoid leaving a large vacant space over the cargo, which he might have done by baulking the hold forward, the effect of which would have been to raise the coals close up to the deck and have prevented them shifting.
3. The ventilators appeared to have been properly fitted.
4. When the “Bend Or” left Liverpool she was certainly in a good and seaworthy condition.

5. The heavy sea which struck the vessel on the 18th October during the exceptionally bad weather which then prevailed was the cause of the vessel going over to port. The master seemed to have made all possible effort to get the ship upright.

6. It was difficult to account for so large a body of water getting into the ship on the evidence before the Court. Some of the witnesses suggested that the ship had strained considerably; but she was a new ship of the highest class, which, in the opinion of the Court, made that conclusion very doubtful. They rather inclined to

the belief that something must have started when the heavy sea struck her.

7. The vessel appeared to have been navigated with proper and seamanlike care.

8. She was certainly not prematurely abandoned.

(Signed) T. S. RAFFLES, Judge.

We concur in this report.

(Signed) EDWARD HIGHT, } Assessors.  
R. F. CLARKE, }