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(No. 1412.)

"ZIZINE."

The Merchant Shipping Acts, 1854 to 1876.

In the matter of the formal Investigation held at Westminster, on the 10th of July 1882, before H. C. ROTHERY, Esquire, Wreck Commissioner, assisted by Captain RONALDSON and Captain VAUX, as Assessors, into the circumstances attending the foundering of the sailing ship "ZIZINE," of Plymouth, whilst on a voyage from Santander to Newport.

Report of Court.

The Court, having carefully inquired into the circumstances of the above-mentioned shipping casualty, finds, for the reasons annexed, that the said ship, when she left Santander on the 16th of May last, was in a good and seaworthy condition; that she was not overladen, and that her cargo was properly stowed; and that her loss was due to her having suddenly sprung a leak soon after leaving port, but that how it was caused, or in what part of the vessel, there was no evidence to shew.

The Court was not asked to deal with the certificate of the master, or to make any order as to costs.

Dated this 10th day of July 1882.

(Signed) H. C. ROTHERY, Wreck Commissioner.

We concur in the above report.

(Signed) C. VAUX, A. RONALDSON, } Assessors.

Annex to the Report.

This case was heard at Westminster on the 10th of July instant, when Mr. Macdonell appeared for the Board of Trade; Philip Bartlett, the master and managing owner of the vessel "Zizine," being present, but not appearing by either counsel or solicitor. Five witnesses having been produced by the Board of Trade and examined, Mr. Macdonell handed in a statement of the questions upon which the Board of Trade desired the opinion of the Court. The master having then been heard on his own behalf, the Court proceeded to give judgment on the questions on which its opinion had been asked. The circumstances of the case are as follow:—

The "Zizine," which was a wooden barquentine, belonging to the Port of Plymouth, of 181 tons gross and 171 tons net register, was built at Wivenhoe, in Essex, in the year 1861; and at the time of her loss was the property of the Messieurs Bartlett, and others, Mr. Philip Bartlett, junior, of West Love, Cornwall, being the managing owner. She left Santander on the 16th of May last, with a crew of seven hands all told, and a cargo of 285 tons of iron ore, bound to Newport; and the pilot having left her at about 4.30 p.m., she proceeded to the northward under all plain sail, the wind blowing a moderate breeze from the eastward. At 8 p.m. they pumped her out, and at 9 o'clock the captain went below, leaving the deck in charge of the first mate. At 10 she was again pumped out; but shortly before 11, the wind having begun to freshen, the mate took in the top gallant sail and flying jib, and then called the master, who at once ordered the middle staysail to be hauled down, and a reef to be taken in the mizen. The wind and sea increasing all hands were called at about half-past 11 o'clock to shorten sail, and from that time till about 1 o'clock they were engaged taking in sail, until they had got her under double reefed mizen, reefed mainsail, main staysail, and fore topmast staysail. As soon as they had got the sail off her, two hands were sent to the lee pump. Soon afterwards the master, observing that the vessel had a slight list to port, looked into the hold, and finding that there was a large quantity of water in her, he at

once ordered both pumps to be set going, and the boat to be got out. In the meantime the lights of a steamer, which afterwards proved to be the "Marchioness of Londonderry," had been seen, and upon a signal being made to her she bore down towards them. At about 1.30 a.m., finding that the vessel was fast settling down, all hands got into the boat, and pulled for the steamer, but within 10 minutes afterwards, and before they reached the steamer, the "Zizine" went down stern foremost. The crew were thereupon taken on board the "Marchioness of Londonderry," and were soon afterwards landed at Santander, that being the port to which the steamer was bound.

These being the facts of the case, the first question upon which our opinion has been asked is, "Whether when the vessel left Santander she was in good and seaworthy condition?" It seems that the Messrs. Bartlett had bought the vessel about a year ago, and had since employed her in the trade between this country and the Spanish peninsula. Finding in March last that she made a good deal of water, they put her into dry dock at Plymouth, stripped off the copper, and had her thoroughly overhauled and caked from the garboard strake to two seams inside the water ways. The repairs, which we are told cost 129*l.*, were done under the inspection of Mr. Short, the surveyor to American Lloyd's at Plymouth, and on his certificate she obtained an A 1 class of the second degree for 5 years. She came out of dock in April, and then left for Santander with a cargo of 284 tons of pitch on board; but we are told that she made a good deal of water on that voyage, and required to be pumped every two hours for 8 or 10 minutes at each spell. Before she left Santander she seems also to have been making water, requiring to be pumped out night and morning. According to the master it was the last 30 or 40 tons of cargo which seemed to make her leak. On the other hand we were told by Mr. Short, the surveyor, that she was built entirely of English oak, except 3 strakes on the outside below the water mark, which were of English elm, and that she was originally classed A 1 for 13 years. He said that he considered her to be an extremely good vessel and in very good order, and that, although he examined her carefully all over, he could find only one bit of sap at the corner of one of the frames, but that that was of no consequence, and that he considered her capable of carrying any cargo. I should add that Mr. Bartlett told us that they gave 560*l.* for her, and that notwithstanding the money which they had since spent upon her, she was insured for only 400*l.*, the freight, which was nearly 110*l.* being insured for 100*l.* With this evidence before us we can have no reason to say that she was not when she left Santander in good and seaworthy condition.

The second question which we are asked is, "Whether she was overladen?" She had, as I have stated, a cargo of 285 tons of iron ore on board, but it would seem not to have been ore of a very heavy deadweight description, having, according to the master, about the specific gravity of coal; and that this was so is proved by the fact that both the main and after hatches were filled up, which could hardly have been the case had the cargo been of a very heavy description. So far, therefore, as the character of the cargo was concerned, it was not unsuitable; and the next question is, whether a cargo of 285 tons was too great a weight for her? It seems that her gross tonnage was 181 tons, so that 285 tons would be not quite 60 per cent. over the tonnage, which, in the opinion of the assessors, does not seem to be excessive. As regards her freeboard, we are told that the load-line was placed two feet below the deck, and that when laden alongside the wharf, which was some 3 or 4 miles up the river, the water was just 2 inches below the centre of the disc, giving her then a freeboard of 2 feet 2. On getting, however, into salt water she would, according to the assessors, rise some two or three inches, so that when she got to sea she would have had a freeboard of 2 feet 4 to 2 feet 4½ inches. Now, according to the rules recently issued by the Board of Trade, we find that a hard wood vessel with an under deck tonnage of 150 tons should have a freeboard of 1.9 inches, and with an under deck tonnage of 200 tons of 2 inches to every foot depth of hold; so that this vessel, with an under deck tonnage of 177 tons, should have had a freeboard of about 1.95 inches to every foot

depth of hold, and seeing that the hold was 12.7 feet deep, she ought therefore to have had a freeboard of 2 feet  $\frac{3}{4}$  inches. Turning next to Lloyd's rules, we find that with a co-efficient of fineness of '60, which is about what this vessel had, and assuming her moulded depth to be about 13 feet 6, she ought by those rules to have had from 2 feet 4 to 2 feet 4 $\frac{1}{2}$  inches, which is exactly what she did have. Whether, then, we take the Board of Trade or Lloyd's rules, it would seem that 2 feet 4 to 2 feet 4 $\frac{1}{2}$  was a sufficient freeboard for her; we cannot say, therefore, that she was overladen.

The third question which we are asked is, "Whether her cargo was shipped and stowed with sufficient care?" It seems that the cargo was shot down into the hold through a shoot which terminated at the edge of the coamings, a truck load of ore being shot down each time. If indeed the ore had been of a very heavy description, this might have been calculated to strain the vessel, but seeing that it had only about the specific gravity of coal, we are not prepared to say that any danger would arise from this mode of shipping it. We are told also that two of the men were always down in the hold trimming it, so that we have no reason to think that it was not shipped and stowed with sufficient care.

The fourth question which we are asked is, "Whether her pumps were sufficient and in good order?" It seems that she had two pumps, which appear to have worked well and to have been in good order until they left the vessel. And although the water from the lee pump was at the last somewhat discoloured, neither of the pumps seems ever to have been choked. In the opinion of the assessors the pumps were of the ordinary description, and quite sufficient for a vessel of her class.

The fifth question which we are asked is, "What was the cause of the vessel making so much water between 10 p.m. on the 16th of May and 1 a.m. on the 17th?" What was the cause of the vessel suddenly making so large a quantity of water it is quite impossible for us to say. It is said that when she was fully laden the main and mizen rigging appeared slack, and although no doubt that might have been caused by the settling down of the vessel from the weight of the cargo in her, it

might equally, we are told, have been caused by the great heat of the weather at the time. She no doubt sprang a leak suddenly, but where it was or how caused, it is not possible for us to say.

The sixth question which we are asked is, "Whether every possible effort was made to ascertain the cause of and to stop the leak?" With the vessel laden as she was it would have been impossible to discover the position of the leak, but the master seems to have done all that it was possible for him to do under the circumstances.

The seventh question which we are asked is, "Whether the pumps were used with sufficient frequency?" There seems to be no reason to think that the pumps were not used with sufficient frequency. She was pumped out at 8 and again at 10 p.m. From 11 p.m. to 1 a.m. the crew were engaged in taking in sail, and having done so they returned to the pumps, but there was then so much water in the vessel that there was no chance of saving her, and there was nothing to be done but to take to the boat.

The eighth question which we are asked is, "Whether the vessel was prematurely abandoned?" Seeing that she went down within 10 minutes after they had left her, it is clear that she was not abandoned prematurely. Had they remained any longer in her they would have stood a good chance of going down with her.

The ninth question which we are asked is, "Whether the master and mate are in default?" Seeing that the vessel was, in our opinion, when she left Santander, in good and seaworthy condition; that she was not overladen; that her cargo was properly stowed; and that every effort was made to keep her afloat, we are of opinion that no blame whatever attaches either to the master or to the mate for the loss of this vessel.

The Court was not asked to deal with the master's certificate, or to make any order as to costs.

(Signed) H. C. ROTHERY,  
Wreck Commissioner.

We concur.

(Signed) C. VAUX, R.N.R., } Assessors.  
A. RONALDSON, }