(126)

(No. 1692.)

"PLASSEY."

The Merchant Shipping Acts, 1854 to 1876.

In the matter of the formal Investigation held at the Sessions House, Westminster, on the 21st, 22nd, and 23rd of February 1883, before H. C. ROTHERY, Esquire, Wreck Commissioner, assisted by Captain RONALDSON, Rear-Admiral PICKARD, and Captain DAVIES, as Assessors, into the circumstances attending the stranding of the sailing ship "PLASSEY," near Sandgate, on the 29th of January 1883, and the subsequent loss of the said vessel and two lives on the 2nd of February 1883.

Report of Court.

The Court, having carefully inquired into the circumstances of the above-mentioned shipping casualty, finds, for the reasons annexed, that the stranding of the said ship was due to the negligent navigation thereof by John Kelly, the master, in having, soon after passing Dungeness Point, altered the course to N.E. by N., and kept her along the coast in 6 fathoms water without having his anchors ready to let go, although he must have known that she would not pay off readily, and that, being on the port tack, there was great risk, if she did not wear, that she would go ashore. The Court is further of opinion that every effort was made to ensure the safety of the vessel after the stranding, and that no one is to blame for the loss of life which occurred.

For the wrongful acts and defaults committed by him the Court suspends the certificate of the said John Kelly for three months.

The Court is not asked to make any order as to costs.

Dated this 23rd day of February 1883.

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

We concur in the above report.

(Signed) A. RONALDSON,
BENJN. S. PICKARD,
T. DAVIES,
} Assessors.

Annex to the Report.

This case was heard at the Sessions House, Westminster, on the 21st, 22nd, and 23rd of February 1883, when Mr. McConnell and Mr. Raikes appeared for the Board of Trade, and Mr. Bucknill for the owners, master, and first mate of the "Plassey." Fourteen witnesses having been produced by the Board of Trade and examined, Mr. McConnell handed in a statement of the questions upon which the Board of Trade desired the opinion of the Court. Mr. Bucknill then addressed the Court on behalf of his parties, and Mr. McConnell having been heard in reply, 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 "Plassey," which was a full rigged iron ship, belonging to the Port of London of 1,764 tons gross and 1,682 tons net register, was build at Sunderland in the year 1874, and at the time of her loss was the property of Messrs. Tyser and Company, of No. 3, Crosby Square, in the city of London, Mr. William Haviside Tyser being the managing owner. She seems to have been a very good ship, thoroughly equipped in all respects, and was classed 100 A 1 at Lloyd's, and prior to her leaving for Calcutta on her last voyage had been put into dry dock and overhauled. At Calcutta she took in above 600 coolie emigrants for conveyance to Demerara, and was, we are told, inspected before leaving by the emigration officer, to see that she was in proper order. On her arrival at Demerara she shipped some 1,200 or 1,300 tons of sugar and rum, with which she left for London on the 25th of December last, having on board 6 passengers, and a crew of 50 hands all told, of whom 7 were Europeans, namely, the captain, two mates, two apprentices, a carpenter, and an engineer, the remaining 43 being Lascars. Nothing particular occurred on the voyage; and at about 3 p.m. on the 27th of January following they were off the Lizard, passed the Isle of Wight at midday of the 28th, and between 5 and 6 p.m. the same day sighted Beachy Head. At this time the vessel was under fore and main lower topsails and fore topmast staysail, and was making some 8 to 9 knots an hour, the wind blowing a gale from about S.W., varying during the squalls to west. Between 7 and 8 p.m. she was outside the Royal Sovereign Lightship, and as the night was dark and the weather thick and hazy, the captain hove to on the starboard tack, with her head about S.S.E. She lay to until about midnight, when, the moon shining out, he determined to run for Dungeness Roads to obtain a pilot, and she was thereupon wore round and laid on a N.E. by E. course, the wind having at that time got round more to the westward. At about 1.30 a.m. Dungeness Light was sighted, bearing 1 to 2 points on the port bow, and at 2 a.m. they passed it at the distance of about a mile, on which blue lights were burnt for a pilot. When the light bore N.W. the course was altered to N.E. by N., being two points more to the northward, and the main yard having been squared with the main topsail lifting, and the fore yard braced sharp forward, the speed was reduced from 8 or 9 knots, which they had been previously going, to between 3 and 4. From the time of passing Dungeness the lead would seem to have been kept constantly going, but so long as the vessel was making from 8 to 9 knots no soundings could be obtained; but on the speed being reduced to 3 or 4 knots they got soundings at first in 13 or 14 fathoms water, but which gradually decreased to 6 fathoms, and judging from the course which was laid down by the master on the chart, those must have been the soundings from very soon after the alteration of the course to N.E. by N. The same course was continued, and after passing outside a number of vessels, which were at anchor, the master told us that he attempted to wear her to get her head off shore, but a sudden squall from the westward at this time threw her head up into the wind, and prevented her paying off. After this she was kept on the same course, heading about N.E. by N., until the leadsman suddenly reported 4½ fathoms, upon which the captain at once ordered the yards to be backed, and on the vessel getting stern way she came off in a S. to S.S.E. direction, and as soon as she was again in 6 fathoms water the yards were squared and the reefed main staysail and upper fore topsail were set, to get her round. After, however, paying off about 2 points the vessel hung at N.E. by N., and that course was continued until land was observed by the man on the look-out ahead, and on his reporting it to the chief officer the latter ran aft and informed the master, who, on coming forward and seeing it, at once ordered the staysails to be hauled down, the upper fore topsail to be lowered, and the yards to be backed, to stop her way. When this had been done orders were given to drop the starboard anchor, and when about 80 or 90 fathoms of chain had been paid out the chain parted. According to the captain land was at that time visible all round them; to use his own words, they seemed to have got into a bight; upon which he ordered them to make the fore topsails snug, which took from a quarter of an hour to 20 minutes to do, during all which time the vessel was drifting in a N.E. by N. direction; and when this had been done orders were given to drop the port anchor, and when 80 or 90 fathoms had been paid out the ship was brought up. It was now about 4 o'clock, and she lay there for about an hour to an hour and a half, when, the gale having in the meantime increased, we are told that she began to drag towards the shore, and between 5 and 6 o'clock she struck aft, at first gently, but as the tide fell more heavily.

In the meantime the perilous position of the vessel had been observed from the shore, and at about 8 a.m. the coastguard at Sandgate station arrived with the rocket apparatus, for which they had had to send to Folkestone; and a communication having been effected with the vessel, they began to land the people, the passengers being the first to land, and then those who were not able to swim. At about 5 minutes before 10, and whilst they were thus engaged in landing the people from the vessel, a steam tug called the "Lady Vita," belonging to the Dover Harbour Commissioners, arrived on the spot, and having backed down to the vessel, succeeded, after two ineffectual attempts, in throwing a line on board, which was caught by one of the officers of the ship, but by the captain's orders it

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was let go again, the master being of opinion that the steam tug was not sufficiently powerful to tow the vessel off. They then continued sending the people ashore by the rocket apparatus, the vessel all this time riding to her port anchor, head to sea, but aground aft, until between 11 and 12 o'clock, when the chain suddenly parted, and she fell broadside to the sea with her head to the eastward, and drove right up on the beach, breaking of course the communication with the shore. On this, however, being re-established, the rest of the people were landed, the captain being the last to leave the vessel. As the tide fell the water left her standing high and dry on the beach, quite upright, and with her broadside to the sea. The place where she came ashore was, we were told by the chief officer of the coastguard at Sandgate, one mile to the westward of that station, and two miles to the eastward of Hythe station, and therefore about 11 miles in a direct line from Dungeness.

We must now proceed to see what steps were taken to save the property. It seems that Mr. Grant, of the firm of Messrs. Hammond and Company, Lloyd's agents at Dover, having heard that there was a wreck on shore at Sandgate, proceeded at once to the spot, arriving there at about 9.30 a.m., whilst they were landing the people by the rocket apparatus; and understanding from the master that the Lascars were quite useless, he made the necessary arrangements to send them up at once by train to London, and they left the same day. In the meantime a telegram had been sent to the owners to inform them that the ship was ashore, and on their communicating with Lloyd's Salvage Association, who represented the underwriters on the cargo, the latter despatched a Captain Edwards to the spot to look after their interests. Captain Edwards left by the 4.40 p.m. train, arriving at Sandgate at about 7 p.m., and he and Mr. Grant and the captain then consulted together as to what had best be done. On the following day, the 30th, not much was done, as they had to make arrangements for getting hands to assist in taking out the cargo, but the necessary tackle was rigged to get out the cargo, and on the 31st some 80 men were employed to take out the bags of sugar, land them, and put them into the railway trucks, whilst about 50 or 60 coastguardsmen were employed to take down the top hamper. During the 31st they succeeded in landing 530 bags of sugar, equal to about 60 tons, and in getting down some of the spars and yards from aloft. On the 1st February the operations were resumed, and during that day 1,130 bags were taken out, equal to about 140 tons, and a further portion of the spars were lowered. I should state that care was taken to remove the bags of sugar from the starboard side, as it was found that the vessel was each day listing a little more and more to that side. It seems that they were not able to work on board during the night, and accordingly on the evening of the 1st all left and went ashore, except Mr. Baker, the custom house officer, and three of the Lascars, who had been recalled from London, namely, the steward, the engineer's mate, and the serang, who, not anticipating any danger, determined to remain on board the vessel during the night. At this time the weather was fine, the sea smooth, and the vessel was nearly upright, having however a slight list to seaward. At about 11 o'clock, it being then about low water, two men came from the shore bringing with them some pumping apparatus for the vessel, and were allowed to go on board, and they remained there rigging up the tackle to set it going at the next tide, the vessel having by that time begun to make water. In the meantime the wind had begun to rise, and as the tide flowed the sea broke over the vessel, causing her to bump and sway about a good deal, and between 2 and 3 o'clock in the morning of the 2nd the main topmast came down on deck. This was followed by the masts, which fell one after the other, going over to starboard, and the vessel then broke into three pieces; and at length, at about 4 o'clock, according to the witness Brockman, one of the men who had gone on board with the pumping apparatus, but according to the chief officer of coastguard not until about 5.30, the vessel fell over to seaward, the sea making a clean breach over her. In the meantime the six men who were on board had taken refuge in the cabin, and when the vessel fell over the three Lascars succeeded in getting out through a port hole on the starboard side, whilst Brockman and his mate got out through a square window in the front part of the poop. What became of Mr. Baker, the custom house officer, we do not know; for some reason or other he did not follow the others, and was unfortunately drowned. After a time the three Lascars and the two Europeans got down the front of the poop, and attempted to reach the shore by clambering over the wreckage which lay inside the ship; in doing so, however, one of the Lascars was drowned, but the other four reached the land in safety aided by the coastguard men on shore. The property, we are told, was worth about 60,000*l.*, the ship being valued at 30,000*l.*, and the cargo at about the same amount, and of this about 6,000*l.* worth of cargo and wreckage together was saved.

These being the facts of the case, the first question upon which our opinion has been asked is, "What was "the cause of the stranding of the vessel?" The answer to this question will be contained in the answers which will have to be given to the questions which follow.

The second question which we are asked is, "Whether "safe and proper courses were set and steered after "passing the 'Royal Sovereign' Lightship, and "whether due and proper allowance was made for "tides, currents, and leeway?" We were told by the master that after the vessel had been hove to off the "Royal Sovereign" Lightship on the starboard tack, with her head to the S.S.E., she kept forging ahead at the rate of between 2 and 3 knots an hour, at the same time drifting with the flood tide to the eastward. At midnight the moon came out, and he then put her upon a N.E. by E. course, and at about 1.30 a.m. Dungeness Light was observed bearing from one to two points on the port bow, and the same course being continued took him within about a mile of the Point. The course, therefore, which was set and steered from the "Royal "Sovereign" Lightship appears to have been a very safe and proper course, due and proper allowance having been made for the tide.

The third question upon which our opinion has been asked is, "Whether when the vessel arrived off Dunge- "ness Light proper steps were taken to ascertain the "distance from the land; and whether a safe and "proper alteration was made in the course; and "whether the master was justified in taking the vessel "in under the land for the purpose of obtaining a "pilot?" It does not appear that the master took any steps when passing Dungeness Light to ascertain with certainty his distance from it; he guessed the distance to be about a mile, and there is no reason to suppose that that may not have been a fairly correct estimate; but he took no four point bearings, nor endeavoured in any other way to determine his distance accurately. When, however, we are asked whether the alteration which was made in the course when Dungeness Light bore N.W. from N.E. by E. to N.E. by N. was safe and proper, we are bound to say that it was not. The master, by direction of the Court, laid down on the chart his course from off Dungeness, and it shewed that that course would take him in under the land, close to the Swallow Bank, and that if continued it would land him on the beach. The master stated that he went there to get a pilot, but there was no necessity for him to go in there for a pilot. The pilots, I am told, lie close to the Point, and if there had been any there at the time they would have seen the blue lights which the vessel burnt without its being necessary for her to go in under the land. It would have been different if he had intended to anchor, but he told us that he had no intention of doing so; and when he found that no pilot came out to him his proper course would have been to steer for the South Foreland. He had an admirable point of departure from Dungeness, a perfectly clear course, and one of the finest lights on the coast before him, and what he should have done was to have kept her before the wind under easy canvas, and in all probability before he reached the South Foreland the daylight would have broken; instead of which he chose to take her in under the land amongst these dangerous shoals, although he knew at the time that the vessel had a difficulty in answering her helm. In our opinion the alteration of the vessel's course after passing the Ness, which was the immediate cause of the casualty, was utterly unjustifiable.

The fourth question which we are asked is, "Whether "the lead was used with sufficient and proper care and "frequency, and whether when the soundings de- "creased prompt and proper measures were taken to "keep the vessel off the shore?" There seems to be no doubt that from the time of passing the Ness the lead was kept constantly going, and although, whilst she was making from 8 to 9 knots no soundings were obtained, as soon as the course was altered to N.E. by N., and the vessel's speed reduced to 3 or 4, they at once got soundings, at first in from 13 to 14 fathoms, but which rapidly decreased to 6 fathoms. Now we were referred by Mr. Bucknill to a passage in the Channel Pilot, where it is said that the best berth for anchoring in Dungeness Roads is in about 6 fathoms;

and he therefore contended that there would be no harm in the master keeping in 6 fathoms water. No doubt, if it had been the master's intention to anchor, that would have been so; but he told us distinctly that he did not intend to anchor, and he had therefore no right to get into 6 fathoms water, and continued her in these soundings for a distance of about 8 miles; he should have kept her in 12 fathoms, that being, according to the Channel Pilot, "a safe depth to stand into between "Dungeness and the South Foreland." When, too, the master found that the vessel would not wear, he should at once have ordered the foresail to be set, so as to make her pay off, instead of allowing her to continue heading for the shore.

The fifth question which we are asked is, "Whether "the master was justified in running in so close to the "shore with his anchors not ready to let go?" Knowing that the course on which he was would take him near to the shore, that she would not readily answer her helm, and that, if she refused to pay off when he wanted to wear her, she must being on the port tack go ashore, it was his duty to have had both his anchors over the side ready to let go at a moment's notice; instead of which it would seem that from a quarter of an hour to 20 minutes was needed after the order was given before they were ready to let go.

The sixth question is "What was the cause of the "starboard cable parting?" There is nothing to show that it was due to any defect in the cable; it was probably due to the great strain which was brought to bear thereon, when they attempted to stop it, owing to the way which the vessel still had on her; for although the speed would seem to have been reduced before the anchor was let go, it is clear from the way in which the chain went out that she had still a good deal of way on her.

The seventh question which we are now asked is, "Whether proper measures were then taken to get the "vessel off the shore?" According to the master, on the starboard chain parting, he sent the hands to clew up and make snug the lower fore-topsail, which took about a quarter of an hour or 20 minutes to do, during all which time the vessel was drifting in a N.E. by N. direction towards the shore; and then, and then only, did he order the port anchor to be let go. The master said that he did not like to give the order to let go the anchor before he had clewed up the fore-topsail lest it should part, as the starboard chain had done, but in the opinion of the assessors that is not a sufficient or satisfactory answer.

The eighth question which we are asked is, "Whether under the circumstances of the time of "year and nature of the voyage, the ship was properly "and sufficiently manned, her crew consisting entirely "of East Indians, with the exception of the officers "and the petty officers?" I have stated that the crew consisted of 50 hands, of whom seven only were Europeans, the remaining 43 being Lascars. The Europeans comprised the master, two mates, two apprentices, the carpenter, and the engineer. The master, of course, held a master's certificate, but the mates had only second mate's certificates, and one of the apprentices, who was acting as third mate, had of course no certificate. Now we have had before us the acting chief mate and the apprentice who was acting as third mate, but neither their appearance nor the manner in which they gave their evidence were calculated to inspire us with any great confidence, either in their experience or in their ability to take charge of this vessel; and yet, if anything had happened to the master, this young man, the chief mate, would have had to navigate this valuable ship, worth with her cargo some 60,000*l.*, to this country. We are told that when the vessel left this country she had another officer on board who had acted as chief mate until the vessel's arrival at Demerara, where the captain was obliged to put him into prison and to leave him there. What was this man's qualifications and what certificate he held we do not know; but if the master was justified in putting him into prison at Demerara, he was hardly a person to whom such a ship could with propriety have been entrusted. Be this, however, as it may, it appears to us that, as regards her officers, the vessel cannot be said to have been very efficiently provided. As regards the rest of the crew, 43 in number, which consisted wholly of Lascars, we have the best evidence of their utter inefficiency in the fact that the master sent them away to London immediately they were landed, although he knew at the time that hands would be urgently needed to assist in saving all that was possible from the wreck; and he told us that he did so because he found that they were utterly useless. Mr. Bucknill stated that the vessel had been allowed by the emigration officer to leave Calcutta with above 600 emigrants on board, with this same crew of Lascars, and that he thought the Court would be slow to blame the owners for having had on board a crew which had been passed by the emigration officer. But it must be remembered that a voyage from Calcutta to Demerara is a very different thing from a voyage from Demerara to London in midwinter. The captain knew, when he left Demerara on the 25th of December, that he would in all probability arrive in this country towards the end of January or the beginning of February, when stormy weather accompanied with frost and snow might reasonably be expected, and when Lascars, who might be very good seamen in a warm climate, would be utterly useless. And so it proved when the need arose for their services, and they were accordingly at once sent away by the master to London. Whether or not it contributed in any way to the casualty, the vessel was in our opinion both insufficiently and inefficiently officered and manned, at all events for the voyage from Demerara to London, at that season of the year.

The ninth question which we are asked is, "Whether "the vessel was navigated with proper and seamanlike "care?" It is needless to say that in our opinion she was not. The master had no right whatever to take the vessel, as he did, inside the Ness, and to keep her running along the coast in 6 fathoms water for about 8 miles, as he seems to have done, before he attempted to bring up. Knowing, too, that she would not answer her helm readily, and that if when he wished to wear her she refused to pay off, she must, being on the port tack, necessarily go ashore or drop her anchors, he ought, if he chose to keep so near to the shore, to have had both his anchors ready to let go at a moment's notice. He ought too, when he found she would not wear, to have set the foresail, which would have assisted to cant her head off the shore; and as soon as the starboard chain parted he should at once have taken measures to bring her up with her port anchor, instead of running on for another quarter of an hour or twenty minutes in a N.E. by N. direction. In our opinion the vessel was not navigated with proper and seamanlike care and skill.

The tenth question which we are asked is, "Whether "the master did refuse, and, if so, was he justified in "refusing the assistance of the tug after the vessel was "ashore?" It is admitted that the master refused the assistance of the tug "Lady Vita," and according to his own account he did so because he thought it would not be of any use, the tug, in his opinion, not being sufficiently powerful; and it is right to state that he is supported in that opinion by some of the witnesses, and amongst others by the chief officer of the Sandgate Coastguard Station. On the other hand, the captain of the tug, who must have known the power of his own vessel best, had no doubt whatever that he should have been able to tow her off, when he first got to her, had they passed a hawser to him; and it is incredible that he should have backed down to her, at the risk of getting ashore and being wrecked, unless he had thought that he could get her off. It must be remembered, too, that the vessel was at this time riding to her anchor with her head out to sea, and with only her heel touching the ground; and under these circumstances the assessors think that it was the master's duty to have passed a hawser to the tug; for, even if the tug had not been able to tow her off on that tide, she might have held her to her anchor, and, as the tides were making, it is not at all improbable that she would have come off next high-water. In our opinion the master was not justified in refusing, as he did, the tug's assistance; he ought to have availed himself of every means that offered to save this valuable ship and cargo.

The eleventh question which we are asked is, "Whe-"ther, when the passengers and crew had been landed, "proper measures were taken for the safety of the "vessel and her cargo?" And with this I will take question thirteen, which is, "What was the cause of "the vessel going over on her beam ends?" In our opinion, Mr. Grant and Captain Edwards took all proper measures for the safety of the vessel and her cargo. Having been obliged to send away the Lascar crew, as being utterly useless, they engaged some eighty men to land the sugar; and we are told that this is as large a number of men as could well have been employed, 20 being in the hold taking out the bags of sugar, 20 on deck landing them, and the remainder carrying the bags to the railway trucks. In addition to which there were from 50 to 60 coastguardsmen engaged taking down the top hamper and lowering the topgallant masts and yards. It was, however, suggested by the

learned counsel for the Board of Trade, either that the vessel might have been shored up, or that chains or cables might have been carried from her to the shore so as to prevent her falling over to seaward, and thus have kept her upright, or even given her a list to port, so that if she did go over she would fall shorewards. It seems, however, that whenever a vessel is laid on this shingly beach, as this vessel was, with her broadside to the sea, the sea, more especially in stormy weather, washes away the shingle from the seaward side and heaps it up on the land side, thus forming a large trench or grave into which the vessel ultimately falls over. Captain Edwards and Mr. Grant, both of whom have had great experience on this coast, told us that they had at different times attended several cases of vessels which were beached as this vessel was, and that in every instance the vessel had ultimately fallen over to seaward. Once the trench formed on the sea side, no power whatever could prevent her going over. And that, in our opinion, was the cause of the vessel going over; the gale, which set in on the night between the 1st and 2nd of February, washed away the shingle on the outside of the vessel, at the same time heaping it up on the inside, and the vessel then fell over. In our opinion, all proper and necessary measures were taken for the safety of the vessel and her cargo, with the result that property to the value of about 6,000*l.* was saved.

The twelfth question which we are asked is, "Whether, "having regard to the position of the vessel, blame "attached to any and what person for allowing "Mr. Baker and five other persons to remain on board "the vessel on the night of the 1st and the morning of "the 2nd of February?" It seems that Mr. Baker was pressed more than once that night to go on shore, but he evidently thought that there was no danger, and accordingly remained on board. And no doubt the Lascars, seeing Mr. Baker remain, thought also that there could be no danger. The other two men who brought the pumping apparatus on board might easily have gone ashore after the gale had commenced, and when the tide was out, had they thought that there was any danger. All seem to have remained voluntarily on board until they were cut off by the rising tide, and no one therefore is to blame for remaining there except the men themselves.

The fourteenth question is, "What was the cause of "the loss of life?" Why Mr. Baker did not follow the two men who got out through the square window in the front of the poop, we do not know; it may be that he was not quite so active as the others; and as regards the Lascar who lost his life in getting to the beach over the wreckage, his death was no doubt due to his having been in too great a hurry to reach the shore, and to his having made the attempt before it was safe to do so.

The fifteenth question is, "Whether every possible "effort was made by those on shore to save life?" In our opinion it was. The vessel did not strike until between 5 and 6 a.m., and by 8 a.m. the chief officer of the coast guard at Sandgate had sent to Folkestone for the rocket apparatus and brought it to the spot, and in a few minutes afterwards he had succeeded in establishing a communication with the ship, and had begun to land the people, which was done without losing a single life, although the service was one of peculiar difficulty. Again, on the morning of the 2nd, when the vessel fell over, there was a coast guard's man on the beach, who seeing that the vessel was labouring heavily, at about 4 a.m. went to the station, which is about a mile off, and told his superior officer what he had seen. On the chief officer arriving on the spot, and seeing the condition of the vessel, and the danger in which the men on board appeared to be, he at once sent back his man to the station to summon all hands with orders to bring with them life lines and buoys; and it appears that they arrived in time to assist the people from the wreck in getting ashore. It was suggested whether the chief officer of the coast guard ought not, when he received the report from his man that the people on board were in danger, to have at once sent off to Folkestone for the rocket apparatus, and no doubt he should have done so; but it may well be doubted whether it would have arrived in time, as it would take two hours to bring it to the spot, and moreover, when the vessel fell over, there would have been nothing to which to attach the rope. Whilst then we think that it would have been as well if the chief officer had sent to Folkestone for the rocket apparatus as soon as he saw the condition of the vessel, we very much doubt whether it would have arrived in time to be of any use. On the whole we think that everything was done by those on shore to save life.

The sixteenth question which we are asked is, "Whether the master and officers of the 'Plassey' are, "or either of them is, in default; and whether blame "attaches to Mr. Grant and the chief officer of the "coastguard, or either of them?" And it is added that "the Board of Trade is of opinion that the certificate "of the master should be dealt with."

As to Mr. Grant no blame can possibly attach to him, as he seems to have done everything in his power to save the property. The chief officer of the coastguard also did good service in rescuing the people from the wreck.

As regards the officers a charge was made by the apprentice, who was acting as third mate, against the first and second officers that they were the worse for liquor on the evening when the vessel went ashore. The second officer was not before us; the first officer however denied the charge, but not so emphatically as one might have expected, seeing the grave character of the charge. He denied also that he had been intoxicated on the night after he had gone ashore, but his counsel with better discretion admitted that he had been, for if he had then sworn falsely he might have been contradicted by other independent witnesses, and in that case his evidence could not have been trusted. The apprentice however was the only witness who spoke to his having been the worse for liquor on the night that the vessel went ashore, stating at the same time that he was nevertheless fit to do his duty, which is to me somewhat incomprehensible. All the other witnesses say that they observed no appearance of intoxication in either of the mates, and we must therefore acquit him of that charge; and there is no other charge against him, the master having had the whole control of the navigation.

We now come to the case of the master. It has been seen that he is in our opinion to blame for having taken the vessel in under the Ness when he had no intention of anchoring there, instead of keeping on a straight course for the South Foreland; for having kept the vessel running along the coast in 6 fathoms water for a distance of about 8 miles, when he ought not to have allowed her to get into less than 12 fathoms; for not having had his anchors ready to let go, although he must have known that the vessel would not answer her helm readily, and that if she would not wear, she would be sure, being on a N.E. by N. course, to go ashore if he had not had his anchors ready to let go at once; for not having set his foresail to make her pay off when he found that she would not wear; and for not dropping his port anchor when the starboard chain parted. He is also to blame for not having accepted the services of the steam tug "Lady Vita" when they were offered to him. And the question, therefore, which we have now to consider is, whether his certificate should be dealt with. It was contended by Mr. Bucknill that the master had been guilty of only an error in judgment in going in under the Ness, as he had done, and in continuing his course along the coast in a N.E. by N. direction for a distance of about 8 miles all the time in only 6 fathoms water; but in our opinion this is very much more than a mere error in judgment; it was a very grave default, and has led to the loss of this valuable ship and cargo worth about 60,000*l.*, with imminent risk to the lives of the 56 persons on board, and resulting afterwards in the loss of two lives. If we are to deal with the certificate of a master in any case, we must do so in this case. We have been told that he served for 17 years with one firm, during almost the whole of the time as master, and afterwards for about 17 or 18 months' with another, also as master, and that during all that time he met with no accident. Long service and good previous conduct counts, as it always should do in these cases, and we shall therefore only suspend his certificate for three months. Had it not been for his previous good conduct and long service, and for the fact that he seems to have been badly supported by his officers, which would necessarily throw much more responsibility and labour upon him, and that we are told he had been on deck for 72 hours prior to the casualty, the punishment would have been more severe.

The Court was not asked to make any order as to costs.

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

We concur.

(Signed) A. Ronaldson,
Benjn. S. Pickard,
T. Davies,
} Assessors.

of the water where she anchored a little after high water is quite sufficient to account for her striking the ground when the tide fell, without its being necessary to suppose that she had dragged her anchor. At the same time, had the master been sufficiently alive to the danger of his position, he would no doubt have been on deck to watch her as the tide fell, so as to have been able to take the requisite measures to haul her off into deeper water in the event of its being found that she was shoaling it too much. We think therefore that the master was not on deck when the safety of the vessel did in fact require his personal supervision.

The fifth question which we are asked is, "Whether the vessel was navigated with proper and seamanlike care?" There is nothing to complain of in the conduct of the master in regard to the navigation of the vessel whilst she was under weigh, and we think that, when he found that he could make no way, but was being set to the northward by the tide, he did quite right to come to an anchor. The mistake was in anchoring where he did in too shallow water, and in not making sufficient allowance for the fall of the tide, his impression being no doubt that the tide had begun to fall when it turned to the northward.

The sixth question which we are asked is, "What was the cause of the stranding of the vessel?" The stranding of the vessel was, as I have already stated, owing to her having been anchored shortly after high water at a place where she would almost inevitably ground when the tide had run out.

The seventh question which we are asked is, "Whether the master and mate are, or either of them is, in default?" and it is added that "the Board of Trade are of opinion that their certificates should be dealt with." As regards the mate it does not appear to us that there is anything for which he is to blame, the blame, if any, must rest with the master. It appears from tide tables that, "in the Downs the north-eastern stream begins about 1 hour and 20 minutes before high water at Dover, and continues to run for 5 hours 30 minutes;" and it is no doubt to his ignorance of that fact that he supposed that it was considerably past high water when he came to anchor. He no doubt thought that it was high water when the stream turned, but we see from the tide tables that it is not so, and that the water continues to rise for about 1 hour and 20 minutes afterwards. This is a mistake, which as I understand is very common among seamen. Now, nothing is so important to those navigating the Channel as a thorough knowledge of the tides. Had the master been aware of this, he would have known that he had come to anchor nearly at the top of high water, and that, making allowance for the fall of the tide on that day, there would be every probability of his striking the ground at low water if he anchored in 5 fathoms. He has however received a very good character from the owner, in whose service he has been for some time, and the way in which he gave his evidence was fair and straightforward, admitting that the casualty was entirely due to his having anchored too close in shore, his excuse being that he had no option; although as a matter of fact that was not so, for there was nothing to have prevented him if he had been fully alive to the danger of his position, in carrying out a kedge and hauling the vessel into deeper water, the weather being moderate, and the wind light. On the whole, however, although we think that the master is to blame for this casualty, we shall not under the circumstances deal with his certificate.

The Court was not asked to make any order as to costs.

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

We concur.

(Signed) R. METHVEN,
A. RONALDSON,
} Assessors.