

(No. 2679.)

“HABA.”

The Merchant Shipping Acts, 1854 to 1876.

In the matter of a formal Investigation held at the Town Hall, Belfast, on the 22nd, 23rd, and 24th days of September 1885, before FELIX JOSEPH MACCARTHY, Esquire, Stipendiary Magistrate, assisted by Captains R. WILSON and GEORGE HYDE, into the circumstances attending the abandonment of the British sailing ship “HABA,” of Belfast, near Bardsey Island, Irish Sea, on or about the 22nd day of August 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 ship “Haba” was lost from her having sprung a leak in the Bristol Channel when on a voyage from Cardiff to Belfast, and as there were not any means of effectually stopping it she filled with water and foundered on the Sound of Bardsey, on the 22nd day of August 1885. The Court does not attach any blame to either the master or mate. The Court makes no order as to costs, but, having regard to the fact that the mate, Daniel McCallum, was made a party to the cause, and that there was not any evidence offered which in any way inculpated him, the Court recommends the Board of Trade to pay him the sum of three pounds three shillings towards the expenses to which he has been put in obtaining professional assistance.

Dated this twenty-fifth day of September 1885.

(Signed) FELIX JOH. MACCARTHY, R.M.,  
Judge.

We concur in the above report.

(Signed) R. WILSON,  
GEORGE HYDE, } Assessors.

Annex to the Report.

The “Haba,” No. 34,256, was a brigantine belonging to Belfast, built of wood in Prince Edward’s Island in the year 1848. Her dimensions were—length, 77.1 feet; breadth, 20.6 feet; depth, 11.6 feet; registered tonnage, 93.17 tons; and her gross and under-deck tonnage, 102.53 tons. She was owned by Mr. Edward McSherry, who was master and managed her, he having come into sole possession in 1879. She was then docked in Belfast and went under a thorough repair, having been re-bolted to above the bilges with a size larger iron bolts and re-trennelled, and some heavy new timber streakes were also added. She was caulked all over, and put in a thorough and efficient repair by the firm of Messrs. John Cochrane and Company of Belfast at a cost of about 70l. Since then she was docked in Troon, and underwent sundry repairs in 1882, 1884, and 1885, and she was also surveyed by the Board of Trade surveyor, who said he examined her thoroughly, and found her a sound and wholesome ship in hull and equipments. The vessel on her previous voyage delivered a cargo of coal at New Ross of 165 tons from Troon, from whence she came to Cardiff in ballast and loaded the present cargo, which is the subject of investigation. The vessel appears not to have been classed for some length of time, having run off the books. Being in Cardiff the “Haba” took in a cargo of coal, said to be, as per bill of lading, 165 tons, but the master thought there was a little more, and stated that she had 3 feet of a side, not being down to the Plimsol mark. After being so loaded she was towed out of dock on the 14th of August last, and anchored on what is called the Mud Anchorage, where small vessels generally anchor, taking the mud at low water. She lay there until the next

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day, Saturday the 15th, when she got under weigh at from 9 to 10 a.m. Before leaving, and while in dock, the pumps were tried in the usual manner night and morning, with a spell of from three to five minutes; no doubt of her stability was thought of at this time. The “Haba” left Cardiff Roads under the command of Mr. Edward McSherry, with a crew of four hands all told, the ship drawing 12 feet 4 inches aft and 11 feet 4 inches forward, with the wind a nice breeze from the eastward, all sail set. All went well for a few hours. When off the Nash the breeze fell light, with a heavy westerly swell, and the ship then began to labour and strain, and started a leak, which became serious. The pumps were at once attended to and the ship proceeded, the ebb being with them. A course was set W. by N., but steering more by the land. Both pumps were kept going with an occasional spell. On Sunday morning they were abreast of the Scarweather Lightship, the wind being northerly with thick and hazy weather, and heavy aground swell. On the same night they passed the Helwick Lightship with a light westerly wind, and the ship continuing to make water they ran for Tenby, inside Caldy Island. Before making it they hailed a smack and asked her to stand by them, which she did until they reached Caldy. About 8 p.m. on Sunday they anchored, and having found the place of the greater leak, they cut up manilla, coir, and oakum, and put it down the side for some time, when the leak was stopped considerably. The master then saw that he could have a rest at the pumps, and all hands considered they ought to try and get home. The winds again becoming easterly they got under way at 3 to 4 p.m. of Monday the 17th, and continued. The master, if the leak increased, intended to go into Milford, but the state of the leak remaining the same, passed on the voyage with fair weather, mostly from the eastward. On Tuesday, at 5 or 6 p.m., the master intended to go into St. Tudwell Roads, but the wind laid him off, and he continued with the intention of getting into Aberdarron. Several attempts were made to get into either of the last mentioned places, but the light baffling winds from the eastward and calms balked him in doing so until 8 p.m. on Friday, when they anchored in Aberdarron Bay. They then tried to stop the leak again, but could not succeed. At 9 a.m. of the 22nd they got under way again, the wind being from the N.W., intending to try and get to St. Tudwell Roads, but the winds changing to the eastward they could not fetch the port, and consequently they came back to Aberdarron, but could not get into the creek. The winds becoming light and ship unmanageable, she was driven through the Sound of Bardsey, having at the same time from 5 to 6 feet of water in the hold. She drifted back again, and had the appearance of striking on the Pen-y-Kill Head and outlying rock. The crew got into the boat and remained, but she passing the Head without striking they went on board again; and finding the ship unmanageable, with 7 to 8 feet of water in her, they determined to abandon her in order to save their lives. A shower with light fog setting in she was not seen again. The crew then pulled for the shore, and landed at Aberdarron about 8 o’clock on the morning of the 23rd of August, and on the following day proceeded to Liverpool. No lives were lost.

At the conclusion of the evidence, Mr. J. S. McTear for the Board of Trade submitted the following questions, and asked for the opinion of the Court thereon.

1. Whether when the vessel left Cardiff she was in a good and seaworthy condition?
2. Whether her pumps were sufficient, and in good order?
3. Whether the vessel was sufficiently manned?
4. What was the weight of the cargo, and whether having regard to the age of the vessel she was of sufficient strength to carry a cargo of that dead weight?
5. Whether the master, after leaving Cardiff, was justified in putting his vessel upon the Mud Banks, and whether his so doing had any effect upon the leakage of the vessel?
6. What was the cause of the vessel making so much water at or before 4 o’clock p.m. of the 15th August?
7. Was every possible effort then made to ascertain the whereabouts of and to stop the leak?

8. Was the master then justified in proceeding on his voyage?

9. Whether, when coming to anchor off Tenby, and the leak was partially stopped, the master was justified in continuing his voyage?

10. Whether the master in the state of his vessel was justified in quitting the Bristol Channel and proceeding to sea?

11. Whether after leaving Tenby up to the time of the abandonment of the vessel, were there any available and sufficient attempts made to beach the vessel?

12. Whether the pumps were used with sufficient frequency, and whether every possible effort was made to save the vessel?

13. Whether she was prematurely abandoned?

14. Whether the master or mate are, or either of them is, in default?

15. What was the cost of the vessel to her owner?

16. What was her value at the time she last left Cardiff?

17. What were the insurances, and how were they effected?

Mr. James McLean, junior, who appeared for the master, addressed the Court at considerable length, and produced witnesses on behalf of his client. Mr. McTear having been heard on behalf of the Board of Trade, the Court replied to the questions as follows:—

1. When the vessel left Cardiff she appears to have been in a good and seaworthy condition.

2. The pumps were sufficient and in good order.

3. The ship was manned in the way that vessels of her class usually are on such voyages, but the Court thinks it would have been desirable to have had another seaman on board.

4. The bill of lading weight according to the evidence was 165 tons. The Court considers this was a large cargo for a vessel of her age and build, although the master stated in his evidence that on previous occasions he had discharged from 175 to 180 and 181 tons.

5. It is the custom to let small vessels take the mud at low water at Cardiff, and it does not appear from the evidence that the doing so in this case had any effect on the leakage of the vessel.

6. The cause of the leak at 4 p.m. on the 15th of August is unaccountable. The reason given by the master was a heavy swell and the ship labouring.

7. Efforts appear to have been made to ascertain the whereabouts of and to stop the leak.

8. The master was justified in proceeding on his voyage, having partially succeeded in stopping the leak?

9. Answered in No. 8.

10. Having partially stopped the leak, and the wind being easterly, the Court thinks the master was justified in quitting the Bristol Channel and proceeding on his voyage.

11. After leaving Tenby several attempts were made to gain a port where the vessel could be beached in safety, but owing to the baffling north-easterly winds the master could not succeed in doing so.

12. The pumps were attended to at every opportunity when the crew were not employed in trimming sails, and every possible effort was made to save the vessel.

13. She was not prematurely abandoned.

14. Neither the master nor mate is in default.

15. The cost of the vessel in 1879, when Mr. Edward McSherry became sole owner, was 365*l.*, which included her extensive repairs in dock.

16. The master, who is also owner, in his evidence stated that when the vessel last left Cardiff she was value to him for 400*l.*

17. The vessel was insured for 200*l.* with the Belfast Mutual Shipping Company.

(Signed) FELIX JOH. MACCARTHY, R.M.,  
Judge.

We concur.

(Signed) R. WILSON, } Assessors.  
GEORGE HYDE, }

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