

(No. 2856.)

“ MERSEY ”

AND

“ LANDANA.” (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 19th, 20th and 22nd days of March 1886, before THOS. STAMFORD RAFFLES, Esquire, Stipendiary Magistrate, assisted by Captains WARD and FRENCH, and Rear-Admiral MORESBY, Nautical Assessors, into the circumstances attending the loss of the British sailing ship “MERSEY,” of Liverpool, through collision with the steamship “LANDANA,” of London, off the Bar Lightship, Liverpool Bay, on the 2nd December 1885, whereby loss of life ensued.;

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 collision was caused by the officer in charge of the “Landana” not discerning the pilot boat's lights in time to avoid it, and the Court suspended the certificate of the chief officer, Mr. Leslie Dale, for three calendar months.

Dated this 22nd day of March 1886.

(Signed) T. S. RAFFLES, Judge.

We concur in the above report.

(Signed) C. Y. WARD, } Assessors.
A. P. FRENCH, }
J. MORESBY, }

Annex to the Report.

This was an inquiry into the loss of the British sailing ship “Mersey,” of Liverpool, through collision with the steamship “Landana,” of London, off the Bar Lightship, Liverpool Bay, on the 2nd December 1885. Mr. Paxton, solicitor, appeared for the Board of Trade, Mr. Squarey was counsel for the pilot boat, Mr. Dickinson, solicitor, for the owners of the “Landana,” and Mr. Pickford was counsel for the master and officers of the “Landana.” The “Mersey” was a schooner, built of wood at Amlwch, Anglesey, in 1875, and registered at Liverpool of 78·96 tons, the property of the Mersey Docks and Harbour Board, Mr. R. P. J. Simpson being manager, and the vessel being known as No. 3 Pilot Boat. The “Landana” is an iron screw steamship, built at Belfast in 1859, and registered in London of 1568·02 tons gross, and 984·67 tons registered. She is the property of the African Steamship Company (Limited), Mr. Charles Dore, of Great St. Helen's, City of London, being manager. The “Mersey” left Liverpool early on the morning of November 30th, under the command of Mr. Thomas Lewis, who has for 25 years been a first class Liverpool pilot, and who also holds a certificate of competency as master of a home trade passenger ship, No. 102,446. There were 8 hands all told, and also 8 pilots on board, when she left Liverpool. They proceeded first to the 2nd Hoylake station in order to take pilots off from outward bound vessels, and at 11.30 a.m. on the 2nd December went to the 1st Hoylake station to look out for inward bound ships. They carried, as usual when on duty, a masthead light, which was hoisted between 4 and 4.30 p.m., and they also, according to the pilot boat's witnesses, shewed a flare-up light astern every 15 minutes, or more frequently. The master went below to tea at 6 p.m., returning on deck again at 6.40 p.m. At that time the Bar Lightship was distant from about 2½ to 3 miles bearing about E. by N. The weather was

clear, but a moderate gale was blowing from S.W. by W. The vessel was under treble-reefed mainsail, double-reefed foresail, reefed staysail and fourth jib, and on the port tack, heading about W. by N. ½ N., going 3½ to 4 knots. The master said that at this time two steamers outward bound passed them shewing red and masthead lights. He also saw, about 1½ miles to the eastward, the green and masthead lights of a steamer, which proved to be the “Landana.” In about five minutes, more or less, the red light shewed, and the green light disappeared, the vessel being then about one mile off. The master then ordered the torch light to be shewn astern, which was done by an apprentice named Williams, who was called as a witness, but the steamer came on till she was about a cable's length off, when they shouted, “Steamer ahoy, port your helm,” but she made no change in her course, and came right into the pilot boat, striking her about the starboard main rigging, the steamer's bowsprit going right through the boom foresail and smashing both their boats. The pilot boat had kept her course, and only put the helm down when the master saw that the collision was inevitable. The vessel filled fast, and the steamer sent her boat, and in three trips took off those on board the pilot boat, all of whom were saved, except one unfortunate man named Thomas Lewis, who in some way fell into the water, and was heard to call out, but the night being very dark they could not find him, and the unfortunate man was drowned. The pilot boat sank in little more than an hour, and her masthead light was burning to the last. No. 7 pilot boat came up at this time, and cruised about for a considerable time, but nothing more was seen or heard of him. At the time of the collision there were 22 people on board the “Mersey.” Such was the narrative of this collision as given by the master and other witnesses from the pilot boat.

To turn now to the narrative as detailed by the witnesses from the steamship “Landana.” She left Liverpool about 3.30 p.m. on the 2nd December, under the command of Mr. David A. Crook, who holds a certificate of competency, No. 6,740, dated in 1861. She had a crew of 35 hands all told, 4 passengers, and a pilot, Mr. Brereton P. Evans, who agreed with the master to pilot the ship to Moelfre Bay, where they proposed to anchor for the night. She was bound for the West Coast of Africa, and had a general cargo of 1,300 tons, and she drew 20 ft. 6 in. aft, and 17 feet forward. The master described the weather as a good strong breeze, the wind being W.S.W. It was fine and clear but dark when they passed the Bar Lightship, and they could see the stern light of a steamship of the National Company which had passed them, and was then two to three miles off. About 6.45 p.m., when about 2 to 2½ miles past the Lightship, the master and pilot went down to dinner, leaving the chief officer, Mr. Dale, in charge, and the third officer was with him at the telegraph. The pilot told the chief officer to keep the ship going about W. The master and pilot had not been below more than from seven to ten minutes when they heard the telegraph go, and also the engine room bell. The master and pilot hurried on deck and saw the pilot boat under their port bow. The master inquired and found that the steamer was going full speed astern, and the wheel was hard-a-port. The steamer was kept going full speed astern till she was clear of the pilot boat, and the engines were then stopped. The master ordered the chief officer to lower the gig down, which was immediately done, and directed him in the first instance to go towards the man in the water, whose cries they heard, but the cries ceasing, and seeing that the pilot boat were burning red and blue lights, and fearing that she was sinking under them, the master directed the chief officer to go straight to the pilot boat and rescue those on board, which they did, bringing them all away safely in three trips. The man in the water was not seen or heard again, and must have been unfortunately drowned. The chief officer who was, as already stated, in charge at the time of the collision, said in his evidence that about four minutes after the master and pilot went to dinner, he saw, before the look-out man reported anything, a bright light, and then, in half a minute, a red light. Upon seeing the red light he ported to avoid the steamer, which passed across their bows. In about two

minutes afterwards, the chief officer said he saw a flare-up light close on their port bow, and not more than two ships' lengths off them, but he said he did not see any masthead light then, but he did a minute later, burning fairly bright. He ordered the helm hard-a-port, and telegraphed to stop and reverse full speed, which was immediately done, but the collision was then inevitable. The chief officer was himself disabled for three weeks; while in the gig saving life his shoulder being bruised by the pilot boat coming down upon him. The third officer, Mr. Gray, corroborated the chief officer's statement as to the steamer's lights, saying he saw both bright and red, that they ported to avoid her, and that she crossed their bows. Downey, A.B., who was on the look-out from 6 p.m., said, on the contrary, that he never saw any red light ahead, but that he saw two bright lights, and he reported "Light ahead." His evidence in Court differed, however, from the statement he had made to the Receiver of Wreck at Holyhead.

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

1. Was the "Mersey," at the time of the collision, engaged on pilotage on her station within the meaning of Article 9 of the Regulations for Preventing Collisions at Sea?

2. If so, did she comply with the regulations of that Article as to lights?

3. Did the "Mersey" keep her course as provided by Article 22 of such Regulations?

4. Were the master and the pilot of the "Landana" justified in leaving the deck in charge of the first officer.

5. Was a good and proper look-out kept on board the "Landana"?

6. Were the lights of the "Mersey" reported to or seen by the chief officer of the "Landana" in time to avoid a collision?

7. If so, did he take proper measures to keep out of the way of the "Mersey," as provided by Article 17 of such Regulations?

8. What was the cause of loss of life, and were proper efforts made by those on board both vessels to save life?

9. What was the cause of the collision?

10. Were the master of the "Mersey" and the chief officer of the "Landana" in default with regard to any of the above matters, and does any blame attach to the master and pilot of the "Landana" in respect of the collision or the subsequent loss of life?

And he stated that the Board of Trade were of opinion that the certificate of the master of the "Mersey" and chief officer of the "Landana" should be dealt with. Mr. Squarey then addressed the Court for the pilot boat's master, and Mr. Pickford followed for the master and officers of the steamer. Mr. Pickford called Piper, a quarter-master from the "Landana," and he spoke to seeing a red light ahead, but he saw no bright light on the starboard bow, only the flash light just before the collision. The pilot boat's company were taken to Holyhead.

The Court answered the questions as follows:—

1, 2, and 3. The "Mersey" at the time of the collision was engaged on pilotage on her station within the meaning of Article 9 of the Regulations for Preventing Collisions at Sea. According to all the evidence from those on board the pilot boat, she complied with the requisitions of that Article as to lights, and she kept her course as provided by Article 22 of such Regulations.

4. Under the circumstances the Court thought that the master and the pilot of the "Landana" were

justified in leaving the deck in charge of the first officer. There did not appear, when they went below, to have been the slightest indication of approaching danger; they left the deck in the charge of an experienced officer with a master's certificate, in whom the master might rightly have had every confidence, and their absence was intended to be for a very limited period.

5, 6, and 7. A good and proper look-out, one William Downey, A.B., was placed on the fore-castle head of the "Landana" at dusk on the evening of the 2nd. If his statement, as given in evidence before the Court, were to be wholly relied upon, he reported the masthead light of the pilot boat in time to avoid a collision. But his evidence before the Court differed from his statement to the Receiver of Wreck at Holyhead the day after the casualty, inasmuch as he said in his evidence in Court that he saw another bright light on the starboard bow. He also told the Court that he never saw any red light ahead previous to the collision. On the other hand, the chief officer of the "Landana," Mr. Gray, the third officer, also an old master, Higgins, a quartermaster, who was at the wheel, and Piper, another quartermaster standing by, all stated that they saw the red light of a steamer first on the starboard bow, and that the chief officer thereupon ordered the helm a little to port. That the helm was ported there was no question, and the pilot boat's witnesses confirmed this. The same four witnesses said that the flare-up light from the pilot boat was not seen till too late to avoid the collision, and that their masthead light was not seen till after the flare-up light, which they attempted to explain by saying that the mast of the pilot boat prevented the steamer seeing it sooner, the steamer and the pilot boat going pretty much the same way. The Court could not accept the explanation, and Mr. Evans, the very experienced pilot on the "Landana," who is the permanent pilot for the Company owning the steamer, expressed his opinion that the light could not have been so obscured. One of the masthead lights was produced in Court, and by its appearance confirmed them in its conclusion that if not seen by the chief officer of the "Landana," that it should have been; and further, from the evidence of the witnesses from the "Mersey," the first flare up was shewn in ample time if observed to have prevented the collision.

8. How the unfortunate man who was drowned got into the water there was no evidence to shew. Every effort seemed to have been made to save him, and no blame attached to anyone.

9. The collision was caused by the officer in charge of the "Landana" not discerning the pilot boat's lights in time to avoid it.

10. The master of the pilot boat was not in default. The Court were compelled to say that Mr. Leslie Dale, the chief officer of the "Landana," only was in default. They have taken into consideration his conduct after the casualty, which was all that could have been desired, and they also bore in mind the serious injury he received while saving life from the pilot boat, and in consequence have dealt leniently with his default. They suspended his certificate for three calendar months.

(Signed) T. S. RAFFLES, Judge.

We concur in this report.

(Signed) C. Y. WARD,
A. P. FRENCH, } Assessors.
J. MORESBY, }

Liverpool, 22nd March 1886.