

(No. 2502.)

“NEOPHYTE.”

The Merchant Shipping Acts, 1854 to 1876.

IN the matter of a formal Investigation held at St. George's Hall, Liverpool, on the 26th and 27th days of March 1885, before THOS. STAMFORD RAFFLES, Esquire, Stipendiary Magistrate, assisted by Captains PARISH and MURDOCH, Nautical Assessors, into the circumstances attending the stranding of the British sailing ship “NEOPHYTE,” of Yarmouth, N.S., on the Bahama Bank, off the Isle of Man, on the 3rd of March 1885.

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 stranded owing to careless navigation on the part of the master, Mr. Moses Leander Porter, and they suspended his certificate for three calendar months.

Dated this 27th day of March 1885.

(Signed) T. S. RAFFLES, Judge.

We concur in the above report.

(Signed) ALFRED PARISH, } Assessors.
ALEX. MURDOCH, }

Annex to the Report.

The “Neophyte” is a barque built of wood in Nova Scotia in 1882, and registered at Yarmouth, N.S., of 1056·34 tons, and owned by Messrs. John and James J. Lovitt, of that place. She was commanded by Mr. Moses Leander Porter, who holds a Canadian certificate of competency as master, dated 19th December 1881, No. 1682, who was appointed in April 1883. She left Mobile—having there loaded a cargo of 3,532 bales of cotton—for Liverpool, on the 30th January last, drawing 15 feet 10 inches aft, and 15 feet 6 inches forward. She had a crew of 15 hands all told. On and after the 15th of February she encountered rough weather on the voyage, but made Roche's Point on the 1st of March, about 5 a.m. The Tuskar Rock was abeam at 4 p.m. on the 2nd, bearing about S., distant about one mile, as they ran close in for the purpose of signalling. They passed Tuskar under full sail, and the master, according to his statement, steered thence N.E. by E. $\frac{1}{2}$ E. up to 10 p.m., the wind being S.W., a moderate breeze, and the weather being clear. The first light they made was Cardigan Bay Lightvessel, which the master had not expected to make—about 9.30 p.m. He was below at the time, but the second mate, who was on watch, reported it to him. This light was abeam at 10.30 p.m., bearing S.E. by E. The master came up at 10 p.m., and at 11 p.m., or, according to the second mate, 11.15 p.m., Bardsey Light bore S.E. by E., distant about 17 miles. The wind had hauled round to S. about 10 p.m., and the master hauled his ship up to E.N.E., going 7 knots. At 11 p.m. they had made 49 miles from Tuskar, and the master kept the ship off N.E. by E. He said that about 1 a.m. on the 3rd, while on that course, they made the South Stack Light, right ahead, and it was abeam at 4 a.m., distant about 3 miles. After 1 a.m. they steered N.E., and made the Skerries Light about 5.30 a.m., a little past the beam, distant about 5 miles. The master then hauled the ship up on the wind from E.N.E. to E., and took in the light sails and top gallant sails, there being then a strong breeze, and the weather having thickened as they passed Holyhead. The master intended to get a pilot off Point Lynas. At 7.30 a.m. he tacked ship and headed S.S.W., making Point Lynas at 8 a.m., bearing about S.S.W., distant 4 to 5 miles. At 8.30 a.m. he wore ship again, and stood E.N.E., seeing the land plainly, but they lost it in about three quarters of an hour going 7 knots. They stood on that tack till

11.30 a.m., having run by patent log 23½ miles from 8.30 a.m. At 11.30 a.m. the master wore ship and stood S.S.W., under reefed topsails and whole courses, spanker, main trysail, fore topmast, staysail, and jib, which course was continued till the ship struck. At 2 p.m. they took in foresail, spanker, and jib, having before shortening sail used the lead, getting no bottom, but the master said the ship had too much headway on, and after shortening sail he cast the lead again and got 15 fathoms, sand. After this he sounded every 20 to 30 minutes, the water increasing to 20 fathoms, and about 5.30 p.m., on sounding for the last time before the vessel struck, they got 21 fathoms. There was no land then visible, but the master said he supposed he was heading in between Ormeshead and Point Lynas. About 6 p.m. the master said he felt the vessel strike, at first lightly and then heavily just abaft the main rigging, and he then noticed broken water on the port bow about half a cable off. In less than half an hour after striking they saw a light bearing about W.N.W. about abeam, which subsequently proved, much to the master's astonishment, to be the point of Ayr Light at the north end of the Isle of Man. On sounding the pumps in about half an hour after striking 5 feet of water were found in the vessel. The master unsuccessfully tried to get the vessel off by backing the yards, but she swung about a point and then hung fast. In about three quarters of an hour there were 7 feet of water in the ship, and they cleared away two boats and left her about 8 p.m., and landed at Port Cranstall, near the point of Ayr. The vessel came ashore during the night near to where they landed very badly hogged, but her spars were all standing. The cargo was afterwards saved and the vessel eventually got off and brought to Liverpool, and is going into graving dock for repairs. Such was the extraordinary story of the stranding of this vessel as narrated by the master, and it was corroborated by the 1st officer, whose evidence was almost unintelligible, and by the second officer also. Three members of the crew were called, two A.B.'s and the cook and steward, and two of these men said that the lighthouse, which turned out to be the point of Ayr lighthouse, was in sight more or less, according as the weather was thick or clear, during all the day on which they stranded from an early hour of the morning. But after hearing all the evidence, the only fact which seemed to be beyond dispute was that the vessel had stranded on the Bahama Bank off the north end of the Isle of Man, while the master believed his ship to be off Point Lynas, and he said he could only account for it by the action of the spring tides.

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

1. Did the master make every reasonable effort to get a pilot?
2. Did he set and steer proper courses after 7.30 a.m. on the 3rd, and make sufficient allowance for tides, currents, and leeway?
3. Was the lead used with sufficient care and frequency?
4. Was a good and proper look-out kept?
5. What was the cause of the stranding?
6. After the vessel struck did the master make every reasonable effort to save the vessel?
7. Was he justified in abandoning the vessel?
8. Was the master and mate or either of them in default in regard to any of the above matters?

And he stated that in the opinion of the Board of Trade the master's and mate's certificates should be dealt with. Mr. Fletcher, the learned advocate for the master, then addressed the Court, and Mr. Paxton replied.

The Court gave judgment as follows:—

1. According to the master's evidence he stood in towards the land, which he supposed to be Point Lynas, for the purpose of getting a pilot. No pilot-vessel being in sight no signal was made.
2. Had the vessel been where the master supposed, the courses set and steered after 7.30 a.m. on the 3rd March would have been proper ones, with sufficient allowance for tides, currents, and leeway.
3. The lead was hove with sufficient frequency, but no care seemed to have been taken to apply the requisite corrections for tide and range, without which the soundings in those waters are only misleading.

4. A good and proper look-out was kept.

5. The stranding was caused by the master having failed to give due consideration to the set of the strong spring tides to the northward after passing the Tuskar, accelerated also by wind and sea, and in not having noted with sufficient care the character of the several lights sighted in the Irish Channel, which were evidently mistaken throughout. The Court, after very close examination of the chart, and the character of the lights spoken to by the master and officers, were satisfied that the lights which the master concluded to be Cardigan Bay lightvessel and Bardsey could not have been those lights; but in the opinion of the Court, those lights were the South Stack and Skerries, and the lights supposed by the master to have been the South Stack and Skerries were the Chicken Light and the red and white lights off Peel. The Court were also satisfied that the land which they stood in for at 8 a.m. was the North Point of the Isle of Man, and that the lighthouse which the master took to be Point Lynas was the Point of Ayr lighthouse. This seemed to be made clear by what subsequently happened. The vessel from 8.30 a.m. stood to the E.N.E. till 11.30 a.m., and then wore to S.S.W., and on that course was pulled up by the Bahama Bank off the north end of the Isle of Man. It must be also remarked that, according to the evidence of Weinberg, A.B., he reported a light on the lee bow about 5.30 p.m., which must undoubtedly have been the Point

of Ayr light, and had its distinctive character been noticed, the master must have known that it was not Point Lynas Light, and that he was altogether mistaken as to his position.

6. Every reasonable effort was made to save the vessel after she struck.

7. Under the circumstances the Court were not inclined to hold the abandonment unjustifiable.

8. The Court felt compelled to find the master in default for the loss of this vessel. It was true he used his lead from time to time, which is in his favour, but how he could have so utterly failed to make good his course up the channel had he sufficiently noticed the numerous and well-known lights which are there to guide him, the Court could not comprehend. Taking all the circumstances into consideration the Court contented themselves with suspending his certificate for three calendar months only. The mate obeyed orders and was not in default.

(Signed) T. S. RAFFLES, Judge.

We concur in this report.

(Signed) ALFRED PARISH, } Assessors.
ALEX. MURDOCH, }

Liverpool, 27th March 1885.

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