

(No. 2714.)

“SOFALA.”

The Merchant Shipping Acts, 1854 to 1876.

IN the matter of the formal Investigation held at the Sessions House, Westminster, on the 2nd of November 1885, before H. C. ROTHERY, Esquire, Wreck Commissioner, assisted by Captains METHVEN and PATTISON, as Assessors, into the circumstances attending the abandonment and loss of the sailing ship “SOFALA.”

Report of Court.

The Court having carefully inquired into the circumstances of the above-mentioned shipping casualty, finds, for the reasons annexed, that the loss of the said ship was due to her having suddenly sprung a leak, but that there is nothing to shew how it was caused; and that no blame attaches to the master, the officers, or the crew, who did all in their power to save her, and were fully justified in abandoning her as and when they did.

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

Dated this 2nd day of November 1885.

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

We concur in the above report.

(Signed) R. METHVEN,
JOHN L. PATTISON, } Assessors.

Annex to the Report.

This case was heard at Westminster on the 2nd of November 1885, when Mr. Kenelm Digby appeared for the Board of Trade, the owner and the master of the “Sofala” were present, but were not represented by either counsel or solicitor. Eight witnesses having been produced by the Board of Trade and examined, Mr. Kenelm Digby handed in a statement of the questions upon which the Board of Trade desired the opinion of the Court. The master was then heard on his own behalf, and Mr. Kenelm Digby having replied for the Board of Trade, 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 “Sofala,” which was a wooden barque belonging to the Port of London, of 820 tons gross, and 795 tons net register, was built at Varese in Italy in the year 1867, and at the time of her loss was the property of Messrs. Stewart Brothers, of London, Mr. William Forbes Redmond, of Newry, in Ireland, being the registered and managing owner. She left Sharpness, in the Severn, on Saturday the 26th of September last with a crew of 14 hands all told, in ballast, bound to Miramichi for timber. The weather was at first fine, but on Wednesday the 30th it was blowing a gale from the N.W., and the vessel was kept during that day and the following night under two lower topsails, close hauled to the wind on the starboard tack. The next morning at about 8.30 a.m. the captain came on deck, and observing that she had a list to port he ordered one of the main hatches to be taken off, when the water was found to be washing about amongst the ballast. All hands were at once called up and set to work at the pumps, and the vessel was put before the wind to prevent the water washing about amongst the ballast. The pumps continued to work well until about 10 a.m., when it became necessary to clear them very frequently, owing to the mud and dirt from the ballast getting into them. Finding that the water was gaining upon them, the master then ordered the boats to be got ready, in case it should become necessary to abandon her. The gig or jolly boat was first got out, and having been lowered as near as possible to the water, the falls were cut, and she was dropped astern and made fast. They then proceeded to get the lifeboat ready, the

pumps all the time being kept going; but at a little before mid-day a sail was observed about six or eight miles off on the port bow, and on being signalled to she bore down towards them, when she proved to be the “Lantana,” and on being asked to do so, the master consented to remain by them. They thereupon left the pumps, and having got the lifeboat ready they clewed up the lower fore topsail, and let her come to under her lower main topsail, and the lifeboat having then been put into the water, the whole of the crew with the exception of the master and three of the hands got into her and pulled to the “Lantana,” which they reached in safety. As soon as it was seen that they reached the “Lantana,” the master got into the small boat with one of the hands, but the other two men could not be induced to get into it, and they pulled for the “Lantana,” which they also reached in safety. The lifeboat then returned to the “Sofala,” and took off the remaining two hands. The captain also himself went to the “Sofala” with the view of saving some of his effects, but the vessel was then so deep in the water that it was found impossible to do so, and he was obliged to return to the “Lantana.” Between 4 and 5 p.m. it was observed that the vessel was on fire, and shortly afterwards the main and mizen masts went overboard, upon which, seeing that there was no possible chance of saving her, the “Lantana” stood away for the Irish Coast intending to land them at Kinsale; but not finding a pilot boat there, she proceeded to Queens-town, where the crew of the “Sofala” were landed.

These being the facts of the case, the first question upon which our opinion has been asked is, “Whether, when the vessel left Sharpness, she was in all respects in good and seaworthy condition?” It seems that the Messrs. Stewart purchased her in the year 1879, and that since then they have spent considerable sums of money upon her. When they bought her she was classed A 1 for seven years from December 1877 in London Lloyds; and a sum of 898l. having been spent upon her in January 1882, she was, after having been surveyed by Lloyds, continued in her class. In December, 1884, her time expired, and she fell out of Lloyds books; and after an expenditure upon her of 733l. she was classed in the books of the New York Record A 1½ for five years from that time, and that class she retained up to the time when she was lost. The master and mate have told us that she was, when she left Sharpness, in perfectly good and seaworthy condition, so far as they were aware; and there is nothing, except the circumstances connected with her loss, to shew that she was not so.

The second question which we are asked is, “Whether the ballast taken on board was proper ballast; and whether it was properly trimmed and secured?” The ballast which she had on board consisted of about 100 tons of permanent stone ballast, and above it there was laid about 250 tons of red marl, which the captain had taken in at Sharpness. It seems to have been secured by shifting boards, running down the centre and secured to the stanchions, and to have been properly trimmed, sloping down fore and aft. Marl, however, is not the best kind of ballast for a leaky vessel, for it has a tendency, when water gets to it, to turn into mud and to get into the pump boxes and choke the pumps. It would be good enough for a dry ship if laid, as it was in this case, upon stone ballast; but in an old wooden ship, which is always likely to make water, it was hardly a proper kind of ballast.

The third question which we are asked is, “Whether the pumps were sufficient and in good order?” The vessel, it seems, had a windmill pump and two main pumps, and we are told that they worked admirably, until they became choked at about 10 a.m. by the mud from the ballast.

The fourth question which we are asked is, “What was the cause of the vessel making so much water about 8 a.m. on the morning of the 1st October?” The master and mate have told us that they are quite unable to say how the vessel came to make so much water, but that in all probability it was due to the starting of a butt or a plank. The mate stated that he was in the hold at 4.30 p.m. the preceding day, and that the skin of the ship was then perfectly dry, so much so that it was not necessary to put the pumps on. The only conclusion, therefore, to which we can come is, that a

sudden leak must have shewn itself, not a very uncommon circumstance, I am told by the assessors, in an old wooden ship like this was.

The fifth question which we are asked is, "Whether every possible effort was made to save the vessel?" In our opinion, everything was done which it was possible for the master and crew to do to save the vessel.

The sixth question which we are asked is, "Whether she was prematurely abandoned?" It could hardly be said that she was prematurely abandoned, seeing that, after the leak was discovered, the water gained so rapidly that when they left her the lee rail was under water and the pumps choked, so that, even if she had not taken fire, she would most certainly have gone down in a short time.

The seventh question which we are asked is, "What was the cause of the fire which subsequently broke out on board?" The captain and the mate have both stated that they are quite unable to account for the fire. We are told that the weather being cold, they had put up a stove in the cabin, and that the rolling of the vessel might have sent it adrift, and thus set the cabin on fire; but that is pure conjecture, and there is no evidence whatever on the subject.

The eighth question which we are asked is, "Whether the master and officers are or either of them is in default?" In our opinion no blame attaches either to the master, or to the officers, or to any person on board, who all did their duty in the trying circumstances in which they were placed.

The ninth question which we are asked is, "What was the cost of the vessel to her owners?" Mr. Stewart has told us that, when they bought her in March 1879, they gave 2,500*l.* for her.

The tenth question which we are asked is, "What was her value when she last left the United Kingdom?" Mr. Stewart has stated that in his opinion she could not have been worth less than 2,000*l.* And seeing that she was built of Italian oak, and was above 800 tons gross, we have no doubt, although she was 18 years old, that she would be well worth that sum.

The eleventh question which we are asked is, "What were the insurances effected, and how were they apportioned?" Mr. Stewart told us that she was insured for 600*l.* in the Dartmouth Mutual Marine Association, and for 3,000 dollars, or 600*l.* more, in some office in New York, making a total of 1,200*l.* Both these policies were on the hull, and there was no other insurance, either on hull, advances, freight, or outfit. The master, however, stated that his effects, which he valued at 200*l.*, were insured for 150*l.*

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

We concur.

(Signed) R. METHVEN,
JOHN L. PATTISON, } Assessors.

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