

(No. 2212.)

“STATE OF FLORIDA” (S.S.)

AND

“PONEMA.”

The Merchant Shipping Acts, 1854 to 1876.

IN the matter of the formal Investigation held at Glasgow on the 24th and 25th days of June 1884, before H. C. ROTHERY, Esquire, Wreck Commissioner, assisted by Captain KNOX, R.N., Captain BEASLEY, and Captain MURDOCH, as Assessors, into the circumstances attending the collision between the steamship “STATE OF FLORIDA” and the sailing ship “PONEMA,” on the 18th of April 1884, whereby both the said ships and 130 lives were lost.

Report of Court.

The Court, having carefully inquired into the circumstances of the above-mentioned shipping casualty, finds, for the reasons annexed, that the said collision was due to the wrongful act and default of James Thomson, the chief officer of the “State of Florida,” who was at the time in charge of that vessel, in having neglected to keep a proper look out. The Court accordingly suspends his master’s certificate for six months, but recommends that during the period of such suspension he be allowed in lieu thereof a first mate’s certificate.

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

Dated this 25th day of June 1884.

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

We concur in the above report.

(Signed) HENRY KNOX,  
Captain R.N., } Assessors.  
THOS. BEASLEY,  
ALEX. MURDOCH, }

Annex to the Report.

This case was heard at Glasgow on the 24th and 25th days of June 1884, when Mr. Douglas and Mr. Threshie appeared for the Board of Trade, Mr. Trayner and Mr. Salvesan for the owners of the “Ponema,” Mr. Spens for the owners, and Mr. Fyfe for the chief officer of the “State of Florida,” and Mr. Gray Hill for some of the underwriters of that vessel. Thirteen witnesses having been produced by the Board of Trade and examined, Mr. Douglas handed in a statement of the questions upon which the Board of Trade desired the opinion of the Court. Mr. Trayner, Mr. Gray Hill, Mr. Spens, and Mr. Fyfe then addressed the Court on behalf of their respective parties, and Mr. Douglas having been heard in reply, the Court proceeded to give judgment on the questions on which its opinion had been asked.

The story told by the “Ponema” is as follows:—The “Ponema,” which was a wooden barque, belonging to the port of Chatham, in New Brunswick, of 749 tons gross and register, was built at Richibucto, New Brunswick, in the year 1875, and at the time of her loss was the property of Messrs. Jardine, of Richibucto, Mr. John Jardine being the managing owner. She left Liverpool on the 10th April last in ballast, with a crew of 15 hands all told, bound to Miramichi; and at about 11 p.m. of the 18th was in latitude 49° north, and longitude 36° 30’ west, and was under all sail except studding sails, making about 5 to 6 knots an hour, and heading about W.N.W. magnetic, the weather at the time being fine but dark, the sea smooth, and the wind moderate from about N.N.E. The watch at the time consisted of the second mate, 4 A.B.’s, and one ordinary seaman named

Nicholson; but as Nicholson is the only one of the watch who was saved, our knowledge of what was done on board the “Ponema” is necessarily very imperfect. According to this man, the second mate was on the poop aft, and an A.B. named Davidson was forward on the look out, when the latter reported a bright light, which afterwards proved to be the mast-head light of the steamship “State of Florida,” on the port bow. In about a quarter of an hour afterwards Nicholson looked ahead, and then saw the green and masthead lights of the steamer about a point and a half on the port bow. At that time he said he felt no anxiety, as he thought she would pass clear of them, but presently looking ahead again he observed that she was coming down upon them, and was crossing their hawse; and very shortly afterwards the two vessels came into collision, the “Ponema” striking the “State of Florida” on the starboard side, a little abaft the engine room space. He told us that he heard no orders given on board the “Ponema” to alter the helm, and that, so far as he knows, it was not altered at all before the collision. The two vessels immediately separated, and the crew of the “Ponema,” finding that their vessel was sinking, ran aft to get the boats out, and whilst so engaged the vessel went down head foremost, leaving them struggling in the water. The master and three of the hands succeeded in getting hold of the lifeboat, and having righted her they got into her, but as they had only one oar they could do nothing but allow her to drift before the wind and sea. On the following day (the 19th) one of the hands died from exhaustion, but at about 8 a.m. of the 20th they fell in with, and were taken on board, a Norwegian barque called the “Theresa,” and were subsequently landed at Quebec.

The story told by the “State of Florida” is as follows:—She was an iron screw steamship, belonging to the port of Glasgow, of 3,154 tons gross, and 2,034 tons net register, and was fitted with engines of 500 horse power. She was built at Glasgow in the year 1875, and at first sailed under the name of the “Queen Margaret;” but having in 1880 been bought by the State Steamship Company (Limited), to whom she belonged at the time of her loss, her name was changed to the “State of Florida,” Mr. John Bruce Murray, of No. 65, Great Clyde Street, Glasgow, being the managing owner. She left New York on the 12th of April last for Glasgow, with a crew of 77 hands all told, 2,269 tons of general merchandize, and 85 passengers, and at 11 p.m. of the 18th had arrived in about latitude 49° north and longitude 36° 30’ west. We are told that at this time the vessel was proceeding at full speed, making eleven and a half knots, and heading about E. ½ S. magnetic, the weather being fine, but dark, with a slight haze on the water, and the wind moderate from about E.N.E. It was the chief mate’s watch, which consisted of himself, the boatswain, two quarter-masters, and seven A.B.’s; the mate was on the upper bridge; there was a man named Fyfe forward on the top-gallant fore-castle looking out, and one of the quarter-masters was in the wheel house, which was on the promenade deck immediately under the upper bridge. Fyfe, the look-out man, was unfortunately drowned, but Mr. Thomson, the chief officer, who was one of the few saved, told us that shortly before the collision he had gone to the port side of the bridge, taking a look at the compass on his way to see that the vessel was on her proper course; and after standing there for some little time he turned to go towards the starboard side, when he saw the top-gallant and royal sails of a sailing vessel, which afterwards proved to be those of the “Ponema,” shewing, from where he stood, over the starboard bow, and distant, as he thinks, about 300 yards. He immediately ran towards the centre of the ship, and as he did so he observed the vessel’s green light, and on getting to the centre of the vessel he called to the man at the wheel through a small hatchway in the top of the wheel house to port the helm; and at the same moment it is said the look-out man reported the vessel ahead repeating the report three times and in a very excited and alarmed way. Hardly, however, had the order to port been given, and before the man had had time to get the wheel more than about 15° to port, the vessel being steered by steam, when the chief officer countermanded the order, and directed it to be put hard-a-starboard.

He then jumped down on to the promenade deck to signal to the engine room to stop the engines, the telegraph being, not on the upper bridge, but on the promenade deck; but it was too late to prevent the collision, and the vessels came together in the way already described, the "Ponema" striking the "State of Florida" on the starboard side a little abaft the engine room space. The shock of the collision at once brought the captain on deck, and seeing the extent of damage he immediately gave the chief officer orders to get the boats swung out, and the four life-boats Nos. 1, 2, 3 and 4, as well as No. 6 boat, were accordingly swung out. In the mean time it was found that the water was gaining in the engine room, and accordingly the chief engineer directed the bilge injection to be turned on; but before setting the engines to work it he went on deck to ask the master if he should do so. What passed between the master and chief engineer we do not know, both of them having been drowned, but on the latter shortly afterwards returning to the engine room he ordered the engines to be set going for the purpose of keeping the water under. Unfortunately, however, this had the effect of driving the vessel ahead at great speed through the water, and when they proceeded to lower the boats the vessel was going ahead at the rate of some 7 or 8 knots, making it extremely difficult to lower the boats. Three of the life-boats, Nos. 1, 3 and 4, were however safely lowered into the water and got clear, but No. 2 life-boat was capsized, one of the falls having become jammed, and all the hands who were in her, some 30 in number, were thrown into the water; and in about a quarter of an hour or 20 minutes after the collision the vessel foundered. The three boats succeeded in keeping together, and were picked up about 10 a.m. of the 20th by the "Theresa," the same vessel which had already picked up the "Ponema's" boat, and they were all subsequently landed at Quebec. The number of persons saved from the "State of Florida" was only 44, namely, 34 of the crew and 10 passengers. So that there were lost in consequence of the collision, in addition to the 12 hands from the "Ponema," 43 of the crew and 75 passengers from the "State of Florida," making a total of 130 lives.

These being the facts of the case, the Board of Trade have put a number of questions to us, the first of which is in these words; "Whether, when the 'State of Florida' left New York, she had a sufficient complement of officers and deck hands, and engineers and their crew?" It seems that, when the vessel left this country, she had one master, three mates, a surgeon, a purser, a carpenter, a boatswain, a boatswain's mate, 4 quarter-masters, a lamp trimmer, 20 A.B.'s, 4 engineers, 13 firemen, 6 trimmers, and 21 cooks and stewards, making a total of 78 hands altogether; and we were told by Mr. Murray, the manager, that she had one short of this number on leaving New York. There were, however, on this voyage 5 more able seamen than she had at that time last year, the reason being that the Board of Trade required them to carry hands in proportion to the number of boats, and not to the vessel's tonnage. With such a crew the assessors are of opinion that she was sufficiently officered and manned.

The second question which we are asked is, "Whether the arrangements and regulations for lowering and manning the boats in case of necessity were proper and sufficient?" It seems to have been the practice on board this vessel on the commencement of every voyage to detail to every boat an officer and a certain number of the crew, and a list of the officers and men so assigned was placed in each officer's cabin, and in other places about the vessel, so that all on board might know the boats to which they were respectively assigned in case of emergency. The arrangement appears to have been a very proper one, and we can hardly have a better proof of its sufficiency and efficiency, than the fact spoken to by Mr. Allan, the third officer, that in his boat he had no less than seven out of the ten men who were assigned to her, one of the remaining three having been left at New York, whilst the other two were drowned.

I will leave question No. 3 for the present, and will proceed to No. 4 question, which is in these words; "What was the cause of the 'State of Florida' foundering so quickly after the collision, especially having regard to the fact that she was built with five watertight compartments." We are told that the hole which was made in the vessel's side was from 8 to 10 feet wide, and extended below the water line, but how far below, it was not possible to say, which made it quite impossible to do anything to stop the leak. And as the after hold was 110 feet long, it is obvious that, if

this hold got filled with water, as it soon would be with such a hole in the side, the vessel, laden as she was, must inevitably founder. This is quite sufficient to account for her going down so quickly.

I will take the three next questions together; they are:—

"5. Whether the boats were promptly and properly manned and lowered?"  
 "6. Whether proper discipline was maintained, and the passengers told off to the different boats, and, if not, who is responsible?" and  
 "7. Whether all necessary means were used by the officers and men on board of the 'State of Florida' to save the lives of the passengers; and what was the cause of the loss of so many lives?" It is no doubt very greatly to be regretted that the engines were set on again, after they had been once stopped, as it rendered it much more difficult to get the boats into the water, and it is to this no doubt that the great loss of life which occurred is due. The fact however that they succeeded, although the vessel was going through the water at the rate of from 7 to 8 knots, in safely lowering three of the life-boats, sufficiently shows that the boats were promptly manned and lowered, and that the lowering tackle was of the best possible description. No doubt there was some confusion on board, but not more so than might be expected under the circumstances. The captain when last seen was amongst the passengers trying to tranquillize them. The chief officer, Mr. Thomson, was employed on the duty assigned to him, namely, seeing that the boats were being swung out, and only left the vessel just as she was going down by jumping into one of the boats as it was pushing off. And Mr. Allan the third officer was employed in getting his own boat clear, and left her only just in time. We are not surprised that so few of the passengers were saved, for they would naturally hesitate to get into the boats, whilst the vessel was going at the rate of some 7 or 8 knots through the water; but we have no reason to think that everything was not done that it was possible to do to save the lives of the passengers and crew.

I will now go to the 10th question, which is as follows:—"What was the cost of the State of Florida to her owners?" We were told that the "State of Florida," when she was built in the year 1875, cost 72,000*l.*, but in 1880 she was purchased by the State Steamship Company for the sum of 46,000*l.* Before they bought her, she had been running to India and China, but as they wanted her for the North Atlantic trade, they had her specially fitted for the purpose, and just before she left this country on her last voyage, she got a thorough overhaul, the centre of the vessel was covered in, and she had a new crank shaft and new steel blades put to the propeller. The total cost of the additions to the vessel was nearly 14,000*l.*, besides a sum of 1,600*l.* for new crank shaft and steel blades for propeller. The cost, therefore, to her owners has been above 60,000*l.*

The eleventh question which we are asked is, "What in the opinion of the Court was the value of the said vessel at the time of the casualty?" It is always difficult to put a value on a vessel without seeing her; but judging from her character, the sum which they gave for her, and the amounts since expended upon her, and remembering that at the time of the casualty she was engaged in a regular trade, carrying passengers and cargo between this country and the United States, which would render her more valuable to her owners, the assessors are of opinion that at the time of her loss she would be worth certainly not less than 50,000*l.* They think that in giving 46,000*l.* for her, the owners got a good bargain.

The 12th question which we are asked is, "What was the amount of insurance effected upon the said vessel, and how was it apportioned?" We are told that at the time of her loss there was an insurance of 45,000*l.* upon the hull and machinery, in addition to 3,000*l.* to cover premia and disbursements, and 2,100*l.* on the homeward freight.

I will now proceed to deal with question No. 3, which is in these words, "Whether both vessels complied with the Regulations for Preventing Collisions at Sea?" The Articles of the Regulations which apply to the present case are the 17th, the 18th, and the 22nd. The 17th Article is in these terms: "If two ships, one of which is a sailing ship, and the other a steamship, are proceeding in such directions as to involve risk of collision, the steamship shall keep out of the way of the sailing ship." And the 18th and 22nd are in these words, "Every steamship, when approaching another ship, so as to involve risk of collision, shall

"slacken her speed," "Where b" and, "Where b" "keep out of the" "The 'State of Florida'" the "Ponema." "State of Florida" "Ponema" to k "We will first" "Ponema." T "not her lights u" that she did not" the lights, the" when the two v" is based upon a" made by the ma" and Mr. Allan," of Florida," th" second mate of" suggested that" to the lights. T" that he ever m" the only surviv" the best of his k" was not forward" therefore pure" see by any evid" one of the surv" he had put the" 8 o'clock, whil" and indeed only" them burning." of the collision" the "State of" Thomson, the c" red and green" Mr. Bennett, a" red light. I th" that the "Por" previous to the

But then dic" was her duty t" have that the" Mr. Thomson, t" who said that" the centre of" "Ponema's" s" two vessels wer" light; but that" appeared, show" and thrown he" is the only wit" saw the green" Bennett, the p" unfortunately," that we do no" also, the only" speak to the p" helm was not" see whether it" may have been" the green light" courses, on w" another, it is r" could have be" "Ponema" w" the wind, by t" to do so, and t" E.  $\frac{1}{2}$  S. magn" respective cou" "Ponema" w" sequence maki" Florida" was" further to the" approached th" an angle of 1 p" section of the" out which no c" Florida" wou" "Ponema," w" towards the" possibility co" been seen fro" we are to su" course runnin" bring her gre" heading at lea" although why" impossible to" Thomson has" he saw the "P" bility, I may a

"slacken her speed, or stop and reverse, if necessary;" and, "Where by the above rules one of two ships is to keep out of the way, the other shall keep her course." The "State of Florida," then, being a steamship, and the "Ponema," a sailing vessel, it was the duty of the "State of Florida" to keep out of the way, and of the "Ponema" to keep her course.

We will first proceed to deal with the case of the "Ponema." The charges against her are that she had not her lights up when she was first seen, and secondly that she did not keep her course. And first, as regards the lights, the charge that she had not her lights up when the two vessels first came in sight of one another, is based upon a statement which is said to have been made by the master of the "Ponema" to Mr. Thomson and Mr. Allan, the first and third officers of the "State of Florida," that just shortly before the collision the second mate of the "Ponema" was forward; and it is suggested that he may have gone there to do something to the lights. The master of the "Ponema" has denied that he ever made any such statement, and Nicholson, the only survivor of the watch on deck, told us that to the best of his belief the second mate of the "Ponema" was not forward at any time during the watch. It is therefore pure conjecture, unsupported so far as we can see by any evidence. On the other hand, Angelo Rosa, one of the survivors from the "Ponema," told us that he had put the lights in their screens a little before 8 o'clock, whilst Nicholson said that during the watch, and indeed only a short time before the collision he saw them burning. That they were burning too at the time of the collision is not disputed, for the witnesses from the "State of Florida" say that they saw them, Mr. Thomson, the chief officer, saying that he saw both the red and green lights, whilst Barr, the boatswain, and Mr. Bennett, a passenger, said that they saw only the red light. I think therefore that there can be no doubt that the "Ponema" had her lights burning at and previous to the collision.

But then did the "Ponema" keep her course as it was her duty to do? Now the only evidence that we have that the "Ponema" altered her course is that of Mr. Thomson, the chief officer of the "State of Florida," who said that as he ran from the port side towards the centre of the bridge, after catching sight of the "Ponema's" sails, he saw her green light, and that the two vessels were then going clear green light to green light; but that, before they came together, her red light appeared, showing that she must have ported her helm, and thrown herself up into the wind. But Mr. Thomson is the only witness from the "State of Florida" who saw the green light, for Barr, the boatswain, and Mr. Bennett, the passenger, saw only the red light, and, unfortunately, Fyfe, the look-out man, was drowned, so that we do not know what light he saw. Nicholson, also, the only witness from the "Ponema" who can speak to the point, says that so far as he knows the helm was not altered before the collision. But let us see whether it is not most probable that the chief officer may have been mistaken when he says that he first saw the green light of the "Ponema," and whether on the courses, on which the vessels were approaching one another, it is not almost impossible that the green light could have been seen by him. We are told that the "Ponema" was steering a W.N.W. course magnetic, the wind, by the admission of both sides, enabling her to do so, and that the "State of Florida" was steering E.  $\frac{1}{2}$  S. magnetic. That these, too, would be their respective courses is most probable, seeing that the "Ponema" was bound for Miramichi, and was in consequence making for Cape Race, whereas the "State of Florida" was coming from New York, which is much further to the south. Their courses, then, when they approached the place of collision would be crossing at an angle of 1 point and a half; and if the point of intersection of these courses was ahead of the vessels (without which no collision would be possible), the "State of Florida" would have her starboard side towards the "Ponema," whilst the "Ponema's" port side would be towards the "State of Florida;" and if so, by no possibility could the "Ponema's" green light have been seen from the "State of Florida," unless, indeed, we are to suppose that the "Ponema" was off her course running away down to the southward, for to bring her green light into view she must have been heading at least W.  $\frac{1}{2}$  N., and not W.N.W. as she says, although why she should have been doing so it is impossible to understand. We do not say that Mr. Thomson has wilfully deposed falsely when he said that he saw the "Ponema's" green light; but the improbability, I may almost say the impossibility, of his being

able to see the green light was so great, that we prefer to think that he is mistaken. I may add that, if once the vessels had been green light to green light, and the helm of the "State of Florida" had then been put hard-a-starboard, it would have been impossible for the "Ponema," even if she had ported her helm and thrown herself up into the wind, to have overtaken the "State of Florida," which was going about twice as fast as she was, apart also from the great improbability that there was that the "Ponema" would port towards a green light on her starboard side. We are, therefore, very clearly of opinion that there is nothing to show that the "Ponema" ever altered her course before the collision.

But then it was said by Mr. Gray Hill that the two vessels had struck at right angles; and assuming the course of the "Ponema" to have been W.N.W., and that of the "State of Florida" to have been E.  $\frac{1}{2}$  S., and that before the collision the latter altered only one point under her starboard helm, how, he says, are we to account for the two vessels striking one another at right angles, unless the "Ponema" had ported her helm. But in the first place we are not satisfied that the "State of Florida" altered only one point under her starboard helm, as deposed to by Mr. Thomson. All that that officer could say, was that whilst he was on the upper bridge, she altered only one point; but before the collision took place, he had jumped down on to the promenade deck to telegraph to the engine room to stop the engines, and during that time she might very well have gone off another point or a point and a half under her starboard helm; he could give us no information on this point, nor indeed could the man at the wheel, for he stated that the steering compass was very sluggish, and did not move readily, even after the vessel had begun to answer her helm. In the next place, we are not at all satisfied that the blow was a right angled blow, on the contrary, it appears to us that it was more of a sliding blow given by the stem and starboard bow of the "Ponema," and leading towards the "State of Florida's" stern; for we are told that the jib-boom of the "Ponema" first caught the top-gallant backstay, that then the bowsprit struck No. 5 boat which was abaft it, and that the "State of Florida's" side was stove in abreast of No. 4 hatchway, and some 6 or 8 feet astern of that boat. It appears to us that this was much more like a blow given at an angle of some 45°, than a blow at right angles; and the assessors think that such a blow would be quite sufficient looking at the relative speed of the two vessels to account for the damage done.

It having then in our opinion been very clearly established that no blame attaches to the "Ponema," that she had her lights properly placed and burning, and that there is no reason to think that she altered her course at all previous to the collision, the question which we have now to consider is, why the "State of Florida" did not keep out of her way as it was her duty to do? and the answer to that question is very simple; she did not see the "Ponema" in sufficient time to avoid her. Mr. Thomson, the chief officer, said that the first notice he had of her being near to them was by seeing her top gallant and royal sails over his starboard bow, and that as he ran towards the centre of the ship, he saw, as he says, the green light, and he accounts for his not seeing the light sooner by the fact that, from where he was, when he first saw the sails, namely, from the port side of the bridge, the furled sails or something else impeded his view; but the fact that he could make out the ship's sails on a night, which he describes as being dark and slightly hazy, shows how close they must have been to her before he saw her; and if there had been nothing to impede his view, and he had been keeping a good look-out, it is clear that on such a night he would have seen her light much sooner than he did. Moreover, it was not until after this that the vessel was reported by the look-out man forward, and when at length he did so, according to the chief officer he sang out three times in quick succession; according to Thomas Barr, the boatswain, the man yelled out, and Silverblade, the quartermaster, told us that the report was made in an excited manner, and apparently in very great alarm. All this shows that when they first caught sight of the "Ponema" she was already very close to them, so much so that it was then almost, if not quite impossible, to avoid a collision. That the failure also to see the "Ponema" in time was the cause of the collision, is admitted by Mr. Thomson, who stated that, had she been reported, and had he seen her sooner, he would have been able to go clear of her.

The 8th question which we are asked is, "Whether

"both vessels were navigated with proper and seamanlike care?" From what we have just said, it follows that, in our opinion, the "Ponema" was navigated with proper and seamanlike care, and that the "State of Florida" was not.

The 9th question which we are asked is, "Whether the master of the 'Ponema,' and the chief officer of the 'State of Florida' are, or either of them is, in default?" and it is added that "under the circumstances, the Board of Trade are of opinion that the certificates of the master of the 'Ponema,' and of the chief officer of the 'State of Florida' should be dealt with." As regards the master of the "Ponema" no blame whatever attaches to him, for he was below at the time, and only came up after the collision. But as regards the chief officer of the "State of Florida" we think that he was to blame. It was said by Mr. Fyfe that it is no part of the duty of the officer of the watch to keep a look out, that that is the duty of the man who is stationed on the look out. That is a doctrine which is new, not only to this court, but to the able and experienced assessors, whom I have sitting with me on this occasion. They tell me that they never heard of such a doctrine before, and that in their opinion it is the duty, the bounden duty, of the officer of the watch to keep a good look out, and not to leave it to the look-out man to do so. It may be that in this case the man on the look out was negligent in not reporting the light; but that does not relieve Mr. Thomson of his responsibility. If the sails or anything else impeded the view of an approaching vessel's lights from the port side of the bridge, it was his duty, seeing that the vessel was going at the rate of 11½ knots an hour, either to have stationed himself at some place whence he could have seen ahead, or to have had the sails or other obstruction removed; instead of which he goes over to the port side of the bridge, from which he admits that he cannot get a good view ahead, and remains there for so long a time that the vessel has time to get so near to the "Ponema" without his seeing her that it is almost impossible for him to avoid running her down. We are not disposed to blame him for not having stopped and reversed his

engines, for we are not satisfied that that would have been a proper course, and that starboarding his helm and keeping her going at full speed may not under the circumstances have offered the best chance of escaping her. Moreover, the arrangements on board the vessel for telegraphing to the engine-room were not all that could be desired, the telegraph being not on the upper bridge, where the officer of the watch was stationed, but on the promenade deck, and there seems to have been nobody assigned to stand by to transmit any order to the engine-room. The result, however, has been that by this officer's neglect to keep a good look out, both these vessels and 130 lives have been lost, and the only question which we have now to consider is whether we shall deal with his certificate. We are told that he has been for 10 years in the service of the State Steamship Company, that during all that time he has always conducted himself with great propriety, and that he is at the top of the list of officers for promotion to a master's place should a vacancy occur. The assessors, however, to whom I always leave this question, are so strongly of opinion of the very great importance of a strict and careful look out being kept by the officer of the watch, especially on board vessels which are being navigated at the great speed at which this was, that they think they would not be doing their duty unless they suspended his certificate. We shall therefore suspend his master's certificate for six months, but under the circumstances we shall recommend to the Board of Trade that during the period of its suspension he be allowed a first mate's certificate.

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

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

We concur.

(Signed) HENRY KNOX,  
Captain R.N., } Assessors.  
THS. BEASLEY,  
ALEX. MURDOCH, }

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