(No. 3749.)

"SOUTH AUSTRALIAN."

The Merchant Shipping Acts, 1854 to 1876.

In the matter of a formal Investigation held at the Municipal Buildings, Belfast, on the 5th, 6th, 7th, 8th, 9th, 11th, 12th, and 13th days of March 1889, before Hon. W. Forbes, Stipendiary Magistrate, assisted by Admiral Moresby and Captains Ward and Harland, into the circumstances attending the abandonment of the British sailing ship "South Australian," of Belfast, official No. 60,837, off Lundy Island, British Channel, on or about the 14th day of February 1889.

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 vessel was abandoned in a sinking condition, caused by the shifting of the cargo, by which the starboard cargo port was knocked out, through which the sea rushed into the vessel. The vessel was not prematurely abandoned. Neither the master nor officers are in default. The Court makes no order as to costs.

Dated this 14th day of March 1889.

(Signed) W. Forbes, Judge.

We concur in the above report.

(Signed) C. Y. Ward, Robert Harland, J. Moresby, } Assessors.

Annex to the Report.

The "South Australian," of Belfast, official number 60,837, was a two-decked composite full-rigged sailing ship, built at Sunderland, county of Durham, in 1868, of 1039·91 tons register, and owned by the Ship South Australian Company, Limited (a single Ship Company), Messrs. Woodside and Company, of Belfast, being the managers. The vessel was purchased in May or June 1887, from Messrs. Devitt and Moore, of London, by Mr. W. J. Woodside, for 1,500*l.*, when she was placed in dry dock and sundry repairs were effected at a cost of 682*l.* 5*s.* 2*d.* A limited company was then formed and the vessel was handed over to it. Mr. W. J. Woodside retaining a $\frac{4}{16}$ths share, and the master, Mr. James Arthurs, became a shareholder to the extent of $\frac{5}{16}$ths. A voyage to India and back to London was then made, and a second voyage, London to a port in New Brunswick and back to Belfast was made, at which latter port she arrived in November last. In December last, her original class A 1 at Lloyd's having expired, she was placed in dry dock at Belfast for the purpose of being examined and re-classed or continued. The usual examination according to Lloyd's Rules was made, the necessary repairs were effected by Messrs. Workman and Clarke, shipbuilders, at a cost of 2,589*l.* 15*s.* 9*d.*, and a certificate of continuation was granted by Lloyd's, A 1 for 13 years from December 1889. While under repair for continuation, two loading port-holes, one on each side abreast the main hatchway were cut, 36 inches long by 19½ inches wide, one frame being cut through, the lower sills were 9 inches above the level of the lower deck waterways, strong ports made of 5¾ inch elm were fitted, and were secured by a bar of green heart, by iron screw bolts in the usual way. The vessel had four boats, two being life-boats which were stowed on chocks on the deck-house forward, and two smaller ones which were stowed on skids aft. All the boats were equipped with oars and rudder ready for use, but no sails, and with the exception of one of the smaller ones, were in good sound condition. She had two double-action fly-wheel pumps, which were in good working condition. Having taken in 352 tons of iron ore as ballast, the vessel left Belfast on the 16th of January last, in tow of a steam tug for Cardiff, to load. She was under the command of Mr. James Arthurs, who holds a certificate of competency, as master, and her crew consisted of 20 hands all told. There was also one passenger, the captain's wife, on board. The vessel arrived off Cardiff on the 20th January, and was berthed in the East Bute Dock on the 21st, when the ballast was discharged. On the 25th she commenced to load a cargo of steel rails and fish-plates, under the superintendance of the stevedore of the Dowlais Iron Company, who were the shippers of the cargo, a man of very great experience, having been employed in stowing iron cargoes for 45 years. The cargo was stowed by a stevedore employed by the ship, a man of 24 years' experience. The wharfinger of the Dowlais Iron Company, with 20 years' experience of iron cargoes, also overlooked the stowage. The mate of the vessel, who has had much experience in the stowage of iron cargoes, assisted the stevedores. The cargo consisted of 5,380 steel rails, weighing about 1,330 tons, and 1,067 bundles of fish-plates, weighing about 75 tons. The rails had been immersed in oil, and were covered with sand, and when stowed in contact, adhered to each other with great tenacity. It was distributed and stowed as follows:—In the lower hold 1-inch planking was laid on the ceiling from the keelson to the turn of the bilge, upon which was placed one tier of rails fore and aft, and close together, extending from about 6 feet abaft the foremast to about 4 feet before the mizen mast, 3-inch planks, about 8 feet apart, were placed vertically at the ship's sides, against which were laid rails fore and aft, forming a lining. Above the lower tier the rails were stowed, diamond and chequered fashion, the ends of the rails butting on the rail lining at the ship's sides to within 3 to 4 feet of the lower deck beams, then a locked or flanged tier of rails was tied on top of all. Under every other beam 3-inch planks were placed on the locked tier and shores, some of spruce and some of pine, 3 inches in thickness, and 9 to 11 inches in width, were driven between the beam and plank, being notched to take the beams and cleated on the planks. Ties of 1-inch plank were nailed to the shores about a foot below the beams, right across the vessel, and secured to the battens at the sides. The cargo inclined a little back, forward, and aft, from the bottom to the top tier. The fish-plates were stowed at the bottom of the hold, before and abaft the rails The total weight in the lower hold was about 900 tons. The loading port on the port side through which the lower hold portion of the cargo had been taken on board was now screwed in and caulked, the port on the starboard side had been secured by the shipwrights at Belfast, and the remainder of the cargo was taken in through the main hatchway, being stowed in the between decks as follows:—The deck, which was permanently laid, having a great round up, a level bed was made on it with dunnage planks, 3-inch planks were placed vertically at the ship's sides, and a lining of rails laid fore and aft against them, as in the lower hold. The loading ports were protected by two thicknesses of 3-inch extra planking placed across them. On the dunnage a close tier of rails was laid fore and aft, being flanged halfway from the sides towards the hatchways, the vacant spaces amidships being filled with planking nailed to the deck. This tier of rails extended from 4 feet abaft the foremast to 4 feet before the mizen. Then lashing rails were laid, two and two on every beam, and across the main hatchway. Then a fore and aft flanged tier, upon which were placed at intervals 1-inch planks. Then a flanged tier fore and aft, upon which were laid 2-inch planks, three to every length of rail. Then a flanged tier of rails fore and aft, and another fore and aft tier from fore part of main hatchway. Upon the top were laid six lashing bars. Three-inch planks were laid under every other beam on which the cargo was shored to the beams, the shores being tied and cleated as in the lower hold. Chain lashings were passed round the lashing bars and wedged tight, and wedges were driven throughout the cargo at every point where they could be introduced. With this cargo on board the draught of water was 19 ft. 6 in. forward and 19 ft. 9½ in. aft in Cardiff Dock; the load-line, which was 3 ft. 9 in. from the upper deck was level with the water. The side loading ports were quite immersed. The "South Australian" left Cardiff bound for Rosario, in tow of a steam tug at 4 p.m. on the 12th of February,

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the weather was fine with a moderate breeze from the northward, and smooth sea. At 2.20 a.m. on the 13th the tug cast off, Lundy Island Light bearing south, at an estimated distance of 7 miles. The wind at this time was moderate from W.S.W., sea being smooth and sky overcast. Plain sail was made to topsails on the starboard tack, vessel heading south. At 3.30 a.m. the vessel was wore round to the port tack, heading N.N.W., wind being west and freshening. At 6 o'clock it was blowing hard, and the upper topsails and trysail were taken in. At 8 a.m., St. Gowen's Head bearing E. by N. ½ N., about 9 miles distance, the vessel was wore round to the starboard tack, and sail was further reduced to lower topsails and fore topmast staysail. She was kept on the starboard tack, heading S.S.W., making about 2½ knots an hour, until 8 p.m. The wind had moderated about noon, when the foresail, main topmast staysail, jib, and trysail were set. At 4 p.m. Lundy Island was bearing E.S.E., about 10 miles distant. At 8 p.m. the the vessel was wore round to the port tack until 1 a.m. on the 14th, heading N.N.W. At 11.30 p.m. on the 13th, the wind having increased to a gale, with a heavy sea, and the vessel labouring heavily, the foresail, main topmast staysail and jib were taken in, leaving the vessel under the lower fore and main topsails and fore topmast staysail. Shortly after a heavy sea broke over the bow, carrying away the rail on port side and breaking the door of the deck-house. At 1 a.m. the master decided on bearing up for Penarth Roads, and the vessel was put before the wind. The second mate went aloft to look for Lundy Light, where he remained for about 20 minutes without seeing anything. The pumps were tried and the vessel was found not to be making any water. About this time a rumbling noise was heard below as if the cargo was moving about, and on the return of the second mate from aloft, the master directed him to go down to the lower deck aft to see if anything was wrong. The second mate went below, accompanied by one of the seamen, and having a light. He returned in about 15 to 20 minutes and reported to the master that the cargo at the after end was all secure, but that he could see sparks about the main hatch, caused as he supposed by the iron rails which he heard knocking about striking against each other; he also heard water rushing about. The master then directed him to go down forward and see as to the state of the cargo there, which he did, accompanied by the same seaman, the carpenter following him after a few minutes. They found the cargo there was moving in a body as the ship rolled; that some of the iron deck stanchions were broken and most of the wooden toms had fallen. The carpenter went over the cargo as far as the main hatch, where he found that the cargo there was altogether adrift, and the rails flying about; the iron deck stanchions were broken, and the pump casing was damaged. He could not see the cargo ports, but heard water rushing in, as he thought, through the port on the starboard side. He called to the second mate that the cargo port was knocked out. The second mate found on looking into the fore hold that there was, as he thought, 7 to 8 feet of water in the vessel. They then went on deck, having been below about 20 minutes, and the second mate called to the crew, who were on the deck forward, to cut away the boats, as the ship was sinking. He then reported to the master, who was on the poop, that the cargo in the 'tween decks was adrift about the main hatchway, and that the carpenter had told him that the starboard cargo port was knocked out, that water was roaring into the ship, and that the ship was sinking. He also told the master that there was 7 to 8 feet of water in the hold. The master then ordered the vessel to be brought to the wind on the starboard tack, with a view of raising the port above the water. He and the mate then looked over the side, and observed that the fore end of the cargo port was away from the side to the extent of six inches, the after end remaining fast. The carpenter and one of the seamen also stated they saw the port in that condition. The master stated that he attempted to place a single bed blanket over the port to prevent the water getting into the vessel, in which, as might have been expected, he failed. He then gave orders to launch the port life-boat, which, however, the crew had been doing in the meantime on their own account. Before launching the boat the oars, eight in number, and the mast were removed to lighten her, and when she was in the water, six or eight oars and a spare spar were put into her, and she was made fast to the ship by the painter. and the mate called to the master to jump into the boat, or he would be left behind. The master then got into the boat, the painter was cut, and the boat drifted astern. This was at about 3 a.m., and the vessel was estimated to be W.N.W. from Lundy Island, distant 10 miles. The ship was plunging and rolling heavily in a heavy cross sea, and the Court was told, was believed to be sinking fast. In fending the boat off all the oars, with one exception, were broken. As the boat drifted astern, two men were observed on the poop. The men in the boat called to them to jump into her, she being within a few feet of the vessel. One of them, William Heddles, jumped into the sea, and was picked up, the other, James Timbrell, the cook, a coloured man, belonging to Jamaica, refused to jump, although he was told to use one of the life-buoys, which were on the poop. It was stated that Timbrell assisted at the launching of the boat, and that he could have got into her with the other men. No attempt was made by the master, before jumping into the boat, to ascertain if all the crew had left the ship; but as the crew threatened to cut the painter, leaving him on board, the Court thinks no blame attaches. The men were evidently panic-stricken, and each thought only of his own safety. The boat drifted away from the ship, and was put before the wind. After a few minutes, variously estimated at 10 to 15, we are told all that could be seen of the "South Australian" was her top-gallant and royal yards, and there can be no doubt that she eventually sank. The boat was kept before the wind to the eastward, as well as could be managed, in its crippled condition, with only one sound oar and a broken one; a little water was shipped, which required almost constant baling. At about 10 a.m. the wind became light at N.W., the bottom boards were taken up and used as paddles, the boat being steered towards the land. Between noon and 1 p.m. the crew were taken on board the schooner "Spray," of Wexford, and at 2.30 p.m., when off the Helwick Light-vessel, they were transferred to the steam trawler "Flying Scotchman," and were landed at Swansea at 4 p.m. The master and crew took all their effects.

At the conclusion of the evidence, Mr. J. S. M'Tear, who appeared for the Board of Trade, submitted the following questions for the opinion of the Court:—

1. When were the cargo ports made in the vessel, what were their positions and sizes, and how were they constructed and intended to be secured, and was the plan efficient and the work properly carried out?
2. By whom was the starboard port secured before the vessel left on her voyage from Cardiff, and was it efficiently done?
3. In what manner was the cargo stowed, and was it properly done?
4. How was the cargo secured? Was it thoroughly done, and by whom and with whom did the responsibility rest as to the securing of the cargo from shifting?
5. Was anything stowed in the upper hold, besides the iron, that in any manner could have affected or damaged in a rough sea the security of the cargo?
6. Was the weight of the cargo properly distributed so as to make the vessel as easy as possible in a seaway, and was she in all respects in a good and seaworthy condition when leaving Cardiff?
7. Whether, when the vessel left Cardiff the master and officers, or either of them, took proper measures to ascertain that the fittings of the cargo ports had not been damaged during the loading of the cargo, and that they were properly and efficiently secured?
8. What was the cause of the vessel labouring and shifting her cargo on the morning of the 14th February?
9. Whether the starboard port broke adrift, and, if so, how and what was the cause of it, and whether every possible effort was made to secure it and save the vessel?
10. Whether, before leaving the vessel, the master took proper measures to ascertain that there was a sufficient number of oars in the boat, and that it was otherwise properly equipped, and that his crew had left the ship?
11. Was proper discipline maintained?
12. What was the cause of the loss of life?
13. Whether the vessel was navigated with proper and seamanlike care?
14. Whether she was prematurely abandoned?
15. Was the vessel insured?
16. Whether the master and officers are, or either of them is, in default?

Mr. R. E. McLean, solicitor, who appeared for the master, having addressed the Court, and examined two witnesses on his behalf, the Court answered the questions as follows:—

1. The cargo ports were made at Belfast, by Messrs. Workman and Clarke, Shipbuilders, under the supervision of Lloyd's surveyor. They were abreast of the main hatchway on the lower deck, the lower sill being about 9 to 10 inches above the level of the water-ways. They were constructed of 5¾-inch elm, 36 inches in length, and 9½ inches in depth, strengthened by through iron bolts; the sills of the port-holes were of angle iron of the same dimensions as the frames of the vessel, and they were secured by iron hooks, fastened by screw nuts, to a cross-bar of green heart 5½ inches square, in the usual manner. The plan was efficient, and the work properly carried out.

2. The starboard port was secured before leaving Belfast by Messrs. Workman and Clarke, after which it was not disturbed. It was efficiently done.

3. The cargo was properly stowed, the manner in which it was stowed is described in detail in the report.

4. The cargo was secured by chain lashings and tomed down as detailed in the report. It was secured by the carpenter and crew of the vessel, under the direction of the mate, the responsibility resting with the master.

5. There was nothing stowed in the upper hold that would have affected the security of the cargo in rough sea.

6. The cargo was properly distributed, and the vessel was, in all respects, in a good and seaworthy condition when she left Cardiff.

7. It appears that the master and mate examined the ports after the cargo in the lower hold was stowed, and saw them properly secured, and also from time to time, during the loading of the 'tween decks, they examined the fittings of the ports, and stated that they had not been damaged.

8. The cause of the vessel labouring and shifting her cargo is attributable to stress of weather.

9. The evidence tends to shew that the port did break adrift, but the cause of it was not satisfactorily proved to the Court. The Court can only surmise that the chain cargo lashings in the way of the port gave way, in consequence of which the cargo got adrift, and that the ends of the lashing bars struck the port on each roll of the vessel, breaking the fastenings and forcing out the port. No effort appears to have been made to secure it, but it was stated that there was not sufficient time to have taken measures to do so.

10. The master did not take any measures to ascertain that there was a sufficient number of oars in the boat, nor that all his crew had left the ship, but as the men in the boat were about to cut the painter and leave him on board, he had no alternative but to jump into the boat or lose his life, thus having no time to make inquiry. It seems to the Court that the men were panic-stricken, and nothing would have induced them to remain any longer by the vessel on any account.

11. Proper discipline seems to have been maintained until the crew heard that the vessel was sinking, when both officers and crew lost all control, and each and all thought only of their individual safety.

12. The cause of the loss of life was the man named James Timbrell failing to get into the boat when the others did so, and failing to jump into her as she passed the poop where he was standing as the other man who was with him did. It appears that there were life-buoys on the poop which he was told to use, and to jump into the sea so that he might be picked up by the boat, but he refused saying that he could not swim. The boat in her disabled condition for want of oars was unable to return to the vessel to rescue him.

13. The vessel was navigated with proper and seamanlike care.

14. On the evidence adduced, the Court cannot say she was prematurely abandoned.

15. The vessel was insured; 2,300*l.* on the hull, policy value being 4,000*l.*, 1,000*l.* on advances and outfit.

16. The master and officers are not in default.

After a long and exhaustive inquiry the Court can only find as given in the replies to the questions submitted to it, but it considers it unaccountable how, if the cargo was so efficiently stowed and secured as was stated in evidence, and that no gale of an exceptional character was experienced, the cargo got adrift in the manner described, so as to force out the port which was particulary well protected. Thomas Johns, stevedore, who has stowed iron cargoes for a period of 45 years, and who superintended the stowage of the cargo of the "South Australian" stated that he had not in the whole of his experience known one instance of an iron cargo stowed by him in the same manner shifting. This testimony makes the shifting of this cargo, and consequent loss of the vessel, all the more inexplicable.

(Signed) W. Forbes, R.M., Judge.

We concur in this report.

(Signed) C. Y. Ward, Robert Harland, J. Moresby, } Assessors.