

(No. 4428.)

"CHARLWOOD"

AND

"BOSTON" (S.S.)

The Merchant Shipping Acts, 1854 to 1887.

In the matter of a formal Investigation held at St. George's Hall, Liverpool, on the 11th, 12th, and 14th days of December 1891, before W. J. STEWART, Esquire, assisted by Captain FRENCH, Captain KIDDLE, R.N., and Captain RICHARDSON, into the circumstances attending the loss of the British sailing ship "CHARLWOOD," of Liverpool, through collision with the British steamship "BOSTON," of London, off the Eddystone, on or about the 26th inst., 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 loss of the "Charlwood," and subsequent loss of life, are due to the negligent and improper navigation of the "Boston" on the part of the second officer of that vessel, Charles Henry Gale, whose certificate the Court suspends for six months.

Dated this 14th day of December 1891.

(Signed) W. J. STEWART, Judge.

We concur in the above report.

(Signed) A. P. FRENCH,
JAMES KIDDLE, } Assessors.
GEO. RICHARDSON,

Annex to the Report.

The "Charlwood," official number 76,526, was an iron barque belonging to the Port of Liverpool. She was built by William Doxford & Sons, of Sunderland in 1877. Her length was 197.7 ft., her breadth 32.2 ft., and her depth in hold, 19.6 ft. Her gross tonnage was 866.5 tons, and her registered tonnage was 837.24 tons. She was owned by Mr. Morton Sparke and others, Mr. Thomas Hughes Jackson being her managing owner. She was provided with one life-boat and three other boats, four life-buoys, and about 20 life-belts. The life-belts were, however, stowed below in the lazarette, and the crew do not appear to have been generally aware of their existence or whereabouts.

The "Charlwood" left Antwerp on October 16th 1891, bound for Valparaiso, with a general cargo. She had a crew of 18 hands all told, and was commanded by Mr. Alfred H. Hiscocks, whose wife, two children, and governess were also on board. All went well until the morning of October 26th. At 3.45 a.m. the vessel was hove to off Plymouth for the purpose of putting out the pilot, and that being done, all plain sail was set and she was put upon a course of W. by S. to take her down Channel. The wind was blowing a fresh breeze, about a point on her starboard quarter, and the vessel was making 9 to 10 knots an hour. The night was dark and fine, and fairly clear, and the lights of the "Charlwood" were burning brightly. Shortly after 5 a.m. the look-out reported a light on the starboard bow, which afterwards proved to be the light of the "Boston." He was almost immediately relieved by another hand, who noticed the green and masthead lights of the "Boston," which were then two points on the starboard bow of the "Charlwood," and apparently 1½ miles away. The "Charlwood" kept her course, but in a short time the "Boston" shut in her green light and opened her red light, and approached the "Charlwood" so as to cause danger of collision, and seeing that a collision was inevitable, the master of the "Charlwood" ordered her helm to be starboarded, but

before any effect was produced by this alteration the "Boston" came on and struck the "Charlwood" almost amidships on the starboard side, inflicting serious damage. Those on board the "Charlwood" at once proceeded to get ready and lower the life-boat. The women and children and some of the crew got into it, but the captain ordered the crew to wait until he got a report from the carpenter as to the water in the ship. But before he could get any report the ship went down, the life-boat was capsized, and its occupants thrown into the water, while those who had remained on board the vessel either jumped over her rail or went down with her. In the result, fifteen of those on board of her were drowned, including all her officers, and the captain's wife, one of his children, and the governess. Five were saved by the boat of the "Boston," which was lowered at once and rowed about for nearly two hours, in the hopes of picking up some of the "Charlwood's" crew. The other two were saved by another vessel.

The "Boston," official number 54,652, is a screw steamship, of the Port of London. She was built at Howden in 1866, by Palmer Brothers and Co., of Newcastle. She was built of iron, and was schooner-rigged. Her length was 226 ft., her breadth 28.2 ft., and her depth 17.1 ft. She was fitted with two inverted direct-acting compound surface-condensing engines of 80 horse-power combined. Her gross tonnage was 880.59 tons, her registered tonnage was 547.15 tons. She is owned by the Commercial Steamship Company, Limited, Mr. John Sheriff Hill, of London, being her manager.

The "Boston" left Penarth on October 24th, bound for London, with a cargo of coals. She was commanded by Mr. I. Z. Barber, who held a master's certificate, and had a crew of 17 hands all told. She had two life-boats and a jolly-boat, and carried 7 life-buoys. A life-belt was also served out to each member of her crew. She proceeded on her voyage, and all went well until the morning of the collision. About 20 minutes to 5 on the morning of the 26th, the master came up on deck. At that time there was a strong wind from the E.N.E., with a moderate sea. The weather was rainy at times and dark, but a side light would be visible at the distance of a mile. Owing to the sea washing over the fore-castle, the man on the look-out was stationed on the upper bridge, on which was also the second mate, Mr. Charles Henry Gale, who held a certificate as first mate, numbered 014,238. When the master came on deck he took a bearing of the Eddystone Light, and made it out to be 3 miles to the S.E. The course of the vessel was E.N.E., and she was making about 4 knots an hour. Shortly after taking the bearing, the master heard the look-out man report a light on the starboard bow. The second officer replied, "All right, I see it," and almost immediately ordered the helm to port. The master, who was at that time standing on the port side of the bridge, was unable to see the light reported, owing to the weather cloths on the upper bridge, but made no attempt to look for it. In about half a minute, or a little more, the second officer, who stated that the light he had seen, and which proved to be the light of the "Charlwood," was a red light, after examining it through his glasses, gave the order hard-a-port. The man at the wheel had just been relieved, and his successor at once put the helm hard-a-port, the master assisting him. The master asked the second officer what was the matter, and the latter replied, "All right, we will clear." The master then looked up and saw the green light of the "Charlwood" a point to a point and a half upon his port bow, and distant ½ mile. Seeing that a collision was inevitable, the master hurried on to the upper bridge, and, as he reached it, the second officer rang the telegraph to stop the engines, and the master at once telegraphed the further order to go full speed astern. In two minutes the collision took place, the "Boston" receiving a severe blow on the stem and bow, which caused very serious damage. The vessels at once parted, and the "Charlwood" going up to the wind and the "Boston" drifting to leeward, they were soon nearly a mile apart. One of the "Boston's" boats was at once launched, and proceeded to the assistance of the "Charlwood," with the result already described. The master of the "Boston," having examined the injury to his vessel, found that she was depending entirely for

her safety upon her collision bulkhead, and, in the then condition of wind and sea, was not in a fit state to steam against them, and was consequently unable to get nearer to the scene of the collision. The master, however, kept her engines stopped until 7.45 a.m., when, the boat having returned with five of the survivors of the "Charlwood," and all hope of rescuing any others of the crew having been abandoned, he proceeded slowly to Falmouth. The second officer and the man on the look-out both swore that the light of the "Charlwood" which they first saw was the red light, and that by porting that light was brought on to the port bow of the "Boston." The Court had very grave doubts as to the truth of this allegation, and was disposed to think that it must have been the green light of the "Charlwood" which was first seen, having regard to the respective courses of the two vessels and to their position at the time of the collision. But even accepting the statement of the second officer, the Court was satisfied that the light of the "Charlwood" was not noticed until the vessels were in dangerous proximity, and that, seeing the light so near and almost ahead, the second officer was negligent in not hard-a-porting at once if it was in fact the red light which he saw, and, at all events, in not at once stopping and reversing the engines of the "Boston." The Court consequently attributes the collision to the bad look-out kept on the "Boston," and the negligent navigation of her on the part of the second officer.

At the conclusion of the evidence, Mr. Paxton, for the Board of Trade, submitted the following questions for the opinion of the Court:—

1. Was a good and proper look-out kept on board the steamship "Boston"?
2. Did the second officer of the "Boston" take prompt and proper measures to keep out of the way of the "Charlwood," in compliance with Article 17 of the Regulations for Preventing Collisions at Sea?
3. Was Article 18 of the above regulations complied with by the master or second officer of the "Boston"?
4. Was a good and proper look-out kept on board the "Charlwood"?
5. Was the "Charlwood" kept on her course, in compliance with Article 22 of the above regulations?
6. What was the cause of the collision?
7. Were both vessels fitted with sufficient and proper life-saving appliances, and were they placed in proper positions, in accordance with the regulations made under the Merchant Shipping (Life-Saving Appliances) Act?
8. Were prompt and proper measures taken by the master of the "Boston" to render assistance to the crew and passengers of the "Charlwood"?
9. What was the cause of the great loss of life?
10. Were the master and second officer, or either of them, in default in regard to any of the above matters?

The Board of Trade state that in their opinion the certificates of the master and second officer of the "Boston" should be dealt with.

Dr. Raikes having addressed the Court on behalf of the officers and owners of the "Boston," and Mr. Walton on behalf of the officers and owners of the "Charlwood," the Court gave judgment as above, and returned the following answers to the questions of the Board of Trade:—

1. A good and proper look-out was not kept on board the "Boston."
 2. The second officer of the "Boston" did not take proper measures to keep out of the way of the "Charlwood," in compliance with Article 17.
 3. The second officer of the "Boston" did not stop and reverse in sufficient time, as required by Article 18.
 4. A good look-out was kept on board the "Charlwood."
 5. The "Charlwood" was kept on her course, in compliance with Article 22.
 6. The collision was caused by the improper and negligent navigation of the "Boston."
 7. Both vessels were fitted with sufficient and proper life-saving appliances. On board the "Boston" these appliances were placed in proper positions, but the life-belts on board the "Charlwood" were stowed below in the lazarette, and neither their existence nor position appears to have been generally known to those on board the ship. To that extent the regulations made under the Merchant Shipping (Life-Saving Appliances) Act were not complied with by the "Charlwood," an omission which is much to be regretted, and which probably contributed to the great loss of life.
 8. Prompt and proper measures were taken by the master of the "Boston" to render assistance to the crew and passengers of the "Charlwood."
 9. The cause of the great loss of life was due to the sudden foundering of the "Charlwood," before the boats could be got out or got clear of the ship.
 10. The Court is of opinion that the master of the "Boston" is open to censure, and that, as he was on deck, he ought to have satisfied himself at once as to the position of the light of the "Charlwood" when it was first reported, and is also of opinion that the second officer is seriously in default in regard to the matters mentioned in the answers to the 2nd and 3rd questions.
- The Court suspends the certificate of the second officer for six months.

(Signed) W. J. STEWART, Judge.

We concur in the above report.

(Signed) A. P. FRENCH,
JAMES KIDDLE,
GEO. RICHARDSON, } Assessors.

Liverpool, 15th December 1891.

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