

(No. 4252.)

"MILO" (S.S.)

The Merchant Shipping Acts, 1854 to 1887.

In the matter of a formal Investigation held at the Moot Hall, Newcastle-on-Tyne, on the 10th and 11th days of March 1891, before JOHN HALL and THOMAS BELL, Esquires, two of Her Majesty's Justices of the Peace acting in and for the City and County of Newcastle-on-Tyne, assisted by Captains PARISH and CASTLE, into the circumstances attending the loss of the British s.s. "MILO," on or near Serroux Rocks, S.E. of Ushant, France, on or about the 12th February 1891.

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 vessel occurred through her stranding on the Serroux Rocks, S.E. of Ushant, the casualty being caused by the improper navigation of the master, Eden James Minter. The Court finds the master alone in default, and suspends his certificate, No. 018,381, for the period of six months from the date hereof.

Dated this 11th day of March 1891.

(Signed) JOHN HALL, } Judges.
THOS. BELL, }

We concur in the above report.

(Signed) ALFRED PARISH, } Assessors.
JOHN S. CASTLE, }

Annex to the Report.

This investigation into the circumstances attending the loss of the s.s. "Milo" was held at the Moot Hall, Newcastle-upon-Tyne, on the 10th and 11th days of March 1891, before John Hall and Thomas Bell, Esquires, assisted by Captains Parish and Castle, nautical assessors. Mr. F. W. Dendy represented the Board of Trade, and Mr. Temperley appeared for the owners and master.

The "Milo," of West Hartlepool, official number 86,381, was an iron screw steamship, built at West Hartlepool, County of Durham, in 1882, of the following dimensions:—Length, 238.1 ft.; breadth, 32.1 ft.; and depth of hold 17 ft. She was brigantine rigged, and fitted with two compound surface-condensing direct-acting engines of 110 horse power combined, her gross tonnage being 1,245.15, and net registered tonnage 795.32. She was owned by Mr. James Leask and others, whose names appear on the transcript of register, Mr. Leask being the managing owner. She appears to have been in good order and condition, having passed her No. 2 survey for Lloyd's at West Hartlepool in September last, at which time the vessel was swung for compass errors. There were three compasses on board, namely—the pole compass, a steering compass on the upper bridge, and one aft by the wheel. The bridge compass the master stated was not to be relied on. She had on board Imray's charts and sailing directions, which were supplied by the master. She had four boats, namely—two lifeboats and two jolly-boats, which were stowed keel down on chocks, with tackles attached to the davits and ready for lowering. She left Huelva on the 8th of February last with a cargo of 1,492 tons of copper ore, bound to Rouen, with a crew of 19 all told, and under the command of Mr. Eden James Minter, who holds a certificate of competency as master, No. 018,381. Her draft on leaving Huelva was 17 ft. 4 in. aft, and 17 ft. 2 in. forward. All courses were set and also steered by the pole compass, which was 8 ft. above the upper bridge, and about 8 ft.

forward of the helmsman. At 0.20 a.m. of the 11th February, Villano Light bore S.E. magnetic, at an estimated distance of 8 miles. No measures were taken to verify the distance by two bearings of the light. The patent log was set at zero and put over.

The course was then set N.E. $\frac{1}{2}$ N. by the pole compass, on which course the master ascertained by an amplitude of the sun on the evening of the 11th February that there was a deviation of 7° easterly, making the course then steered N.E. $\frac{1}{2}$ E. magnetic. No opportunity occurred either on the 11th or on the 12th February for ascertaining the vessel's position by observation. The wind was light from eastward with fine weather and smooth sea.

At noon on the 12th February the patent log showed 310 miles from off Villano, and at 0.45 p.m. of that day the course was altered to N.E. by pole compass—N.E. $\frac{1}{4}$ E. magnetic. At 6.15 the weather became misty with fine rain, the engines were eased to "dead slow," and course altered to N. $\frac{1}{4}$ E. magnetic, the log having showed at 5 p.m. 352 miles from Villano. At 7 p.m. the weather cleared overhead—the stars and moon becoming visible—and the engines were put on "full speed ahead," and course set N.E. $\frac{1}{4}$ E. magnetic. At 7.15 p.m. the log showed 369 miles. At this time the master thought he would be able to see a light 10 or 12 miles off, and not seeing Ushant Light, he concluded that he was more than 10 miles off, and put the vessel on the Channel course, E. by N. magnetic. He then went into the chart-room to examine the chart, leaving the first mate in charge on the bridge.

Immediately after, the weather being very hazy, but clear above, a red revolving light was sighted by the look-out man forward on the starboard beam about 3 or 4 miles off, and reported by him to the first mate on the bridge. On looking for the light again, however, he could not see it for fog, but, then saw two rocks one point on the starboard bow, and sang out to put the helm "hard a-starboard," which was done. Rocks were then seen on the port side, and the captain (having come on the bridge when he heard the helm being put hard over) stopped the engines and reversed "full speed," but before the ship's way was off she struck on the rocks, which were found afterwards to be Les Serroux, and rebounded, settling fast by the head. The boats were at once got out, all the crew got into them, five being in the jolly-boat and fourteen in the lifeboat, including the master.

Shortly after the crew had got into the boats, the "Milo" was seen to founder in about ten minutes after she struck. About midnight, the weather cleared, and various lights were seen round about, Ushant Lights amongst them. The crew of the jolly-boat landed at Ushant, and those in the lifeboat at Le Croquet on the following morning, no lives being lost. Soon after striking, the red revolving light was again seen nearly abeam. This was clearly the light on the Pierres Noires; and, as that should be visible 12 miles, and the vessel must have been only 3 or 4 miles from it for a considerable time before striking, the weather must have been far thicker low down than the master and others described it to be.

In setting the course from the assumed position off Villano, and in making the alterations in the courses afterwards, had the master worked out the course and distance to 10 miles west of Ushant, which was the distance he told the Court he intended to pass from that island, or had he laid the courses correctly down on his chart, he must have seen that his courses would take him inside Ushant, and close to the rocks on which the vessel stranded.

The master stated that on Imray's chart of Western Europe, dated 1884, by which he was navigating, the courses he set would have taken him the desired distance off Ushant. A similar chart of Imray's, but dated 1890, was produced in court, and was found to agree with the Admiralty charts and the Admiralty Book of Lights. The Court have but little doubt that it was so with Imray's chart which the master had, the actual fact being that the master laid the courses down incorrectly.

He acknowledged that he never consulted his Sailing Directions, and totally ignored the absolute necessity of making use of the lead in approaching Ushant in thick weather, and of not coming under 70 fathoms. Had he taken a cast of the lead while going "dead slow"

between 6.15 and 7 p.m. of the 12th February it would have shown him that the vessel was in a dangerous position.

According to the patent log the vessel should have been within the range of Ushant Lights by 6 p.m., and those lights not being sighted, and the weather thick, common prudence should have led him to stop and take soundings.

At the conclusion of the evidence the following questions were submitted on behalf of the Board of Trade, Mr. Temperley addressed the Court for his client, and Mr. Dendy replied:—

1. What number of compasses had the vessel on board, where were they placed, and were they in good order and sufficient for the safe navigation of the ship?
2. When and by whom were they made, and when and by whom were they last adjusted?
3. Did the master ascertain the deviation of his compasses by observation from time to time, were the errors of the compasses correctly ascertained, and the proper correction to the courses applied?
4. Whether proper measures were taken to ascertain and verify the position of the vessel at or about 0.20 a.m. of the 11th February last, and from time to time thereafter?
5. Whether a safe and proper course was set at 0.20 a.m. of the 11th February, and thereafter steered, and whether due and proper allowance was made for tide and currents?
6. Whether safe and proper alterations were made in the course at or about 0.45 p.m. of the 12th February, and from time to time thereafter?
7. Whether, having regard to the hazy state of the weather, the vessel was navigated at too great a rate of speed?
8. Whether the total neglect of the lead was justifiable?
9. Whether a good and proper look-out was kept?
10. What was the cause of the casualty?
11. Whether the vessel was navigated with proper and seamanlike care?
12. Whether the master and officers are, or either of them is, in default?

In the opinion of the Board of Trade, the certificate of Eden James Winter, the master, should be dealt with.

To which the Court replied as follows:—

1. There were three compasses on board, namely, a pole compass, 8 ft. above the upper bridge and about 8 ft. before the wheel, by which the courses were set and steered; one on the upper bridge, which the master stated was unreliable and useless; and a binnacle compass aft. The pole compass and that aft were in good order, and sufficient for the safe navigation of the ship.
2. There was no evidence to shew where they were made. The pole compass and the compass aft were made by M^cInnes, of Glasgow, and the bridge compass

by Berry, of West Hartlepool, by whom, on 12th September 1890, at West Hartlepool, the ship was swung and the errors ascertained, but no readjustment was made.

3. The deviation of the compasses was ascertained by observation from time to time, the last occasion being at sunset on the 11th February. The errors of the compasses were correctly ascertained, and the proper corrections to the courses applied.

4. The only measures taken to verify the position of the vessel at 0.20 a.m. of the 6th February was by a single bearing of Villano Light, the distance being estimated by the eye only. No subsequent measures were taken to ascertain and verify the position of the vessel.

5. The course set at 0.20 a.m. of the 11th February and thereafter steered was not safe and proper, and no allowance was made for tide and currents.

6. Safe and proper alterations were not made in the course at or about 0.45 p.m. of the 12th February, and from time to time thereafter.

7. The vessel was not navigated with too great a rate of speed.

8. The total neglect of the lead was most unjustifiable.

9. A safe and proper look-out appears to have been kept.

10. The casualty was caused by the ship being kept in courses which took her inside Ushant, and by the non-use of the lead when the weather had become thick, and the distance according to the patent log fully run, the lights in Ushant not being seen.

11. The vessel was not navigated with proper and seamanlike care.

12. The Court finds the master alone in default, and hereby suspends his certificate for the period of 6 months.

The courses set and steered by the pole compass were in this instance made good, but the Court disapproves of the practice of the helmsman steering by a pole compass placed 8 feet from him, and several feet above the level of his eye.

The Court also wishes to point out, as it did on a former occasion, the desirability of masters being supplied with the Admiralty charts and sailing directions, which are compiled upon the best authority, and corrected up to date.

The Court desires to give the master credit for the promptitude with which he lowered the boats and got the crew into them, but regrets that, under all the circumstances of the case, having regard to his negligent conduct in the navigation of the ship, it had no option but to suspend his certificate for 6 months; at the same time, on the application of his solicitor, recommending that he should be granted a mate's certificate in the meantime.

(Signed) JOHN HALL, } Justices.
THOS. BELL, }

We concur.

(Signed) ALFRED PARISH, } Assessors.
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