

(No. 4618.)

"THISTLE" (S.S.) and a Schooner.

The Merchant Shipping Acts, 1854 to 1887.

In the matter of a formal Investigation held at St. George's Hall, Liverpool, on the 21st, 22nd, and 23rd days of November 1892, before W. J. STEWART, Esq., assisted by Captain DYER, R.N., Captain BAIN, and Captain RICHARDSON, into the circumstances attending the casualty which happened to or on board the British steamship "THISTLE," of Dublin, through collision with an unknown schooner, off the Skerries, Anglesey, on or about the 25th day of September 1892, 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 sinking of the said schooner, and the consequent loss of life were occasioned by the damage which the schooner received from the collision with the steamship "Thistle."

Dated this 23rd day of November 1892.

(Signed) W. J. STEWART, Judge.

We concur in the above report.

(Signed) RICHD. C. DYER, JOHN BAIN, GEO. RICHARDSON, } Assessors.

Annex to the Report.

The "Thistle," official number, 52,604 was a screw steamer of the port of Dublin. She was built of iron at Glasgow in the year 1865. Her length was 198.5 ft., her breadth 35.2 ft., and her depth 13.1 ft. She was fitted with two inverted compound engines of 105 horse-power combined. Her gross tonnage was 495.65 tons, and her registered tonnage was 160.08 tons. Her owner and registered manager was Mr. Robert Tedcastle, of Dublin.

The "Thistle" left Dublin at 9.25 p.m. on September 24th, bound for Liverpool. She had a general cargo and some sheep on board, and carried 12 passengers. She was commanded by Mr. William Beggs, who held a certificate of competency as master in the home trade, and had a crew of 18 hands all told. The "Thistle" proceeded on her voyage till about 3.5 a.m. on September 25th, when she was abreast of the Skerries. At that time the weather was clear but very dark and the clouds low; a strong breeze was blowing from the west, and there was a good bit of a swell on the sea, the tide being about two hours ebb. The "Thistle" was going at full speed, and making 9 1/2 knots an hour. A man named Peter Byrne was stationed on the look-out. This man, who called himself an able seaman, admitted that he had only been at sea eight months. He also stated that he did not remain on the fore-castle head, but walked backwards and forwards between the fore-rigging and the bridge. The master and second officer were on the bridge also, on the look-out, but on passing the Skerries the second officer was sent aft to ascertain from the patent log the distance run, and on his returning with the information, the master ordered the course to be altered to E. by S. 1/2 S. The second officer looked down into the wheel-house to see that the order was executed, and the master almost immediately went into the chart-room. He had hardly entered the room when the look-out man reported a sail on the starboard bow, and the second officer saw it at the same time, apparently not more than half the steamer's length off. The second officer at once ordered the helm a-starboard and hard-a-starboard, and telegraphed to the engine-room "Full speed astern." These orders were promptly obeyed, and the look-out man was called to the wheel to assist in putting

it over. The master at once returned to the bridge, and saw the sails of a small schooner right ahead of the "Thistle," heading apparently to the northward and westward, close hauled on the port tack. The schooner was then close under the steamer's bow, and as she passed across a globe light was exhibited on board of her. The steamer touched the schooner somewhere abaft the main-rigging, but the blow was not felt on board of the steamer, though it had the effect of bringing the schooner's head to the westward, and the master of the "Thistle" apprehended no serious results. He was hailed from the schooner and asked where he was bound for, and answered "Liverpool." The schooner passed out of sight, but the globe light remained visible for three minutes, when it suddenly disappeared, and almost immediately afterwards the cries of a man in the water were heard in the direction in which the schooner had gone. A life-buoy was at once thrown overboard from the steamer, and her boat was lowered and proceeded in the direction of the cries, but they were not heard again, and after rowing about for half an hour, during which no person or any signs of wreckage were seen, those in charge of the boat returned to the steamer, which proceeded on her way at 4.35 a.m. All the witnesses from the "Thistle" swore that the schooner exhibited no side lights, and that the globe light was not exhibited until the schooner was right under the bows of the steamer. Nothing has since been heard of the schooner, and it may therefore be presumed that she sank with all hands. It was, however, proved in evidence that a schooner named the "Rachael Anne," bound from Fowey to Runcorn, would, in the ordinary course of navigation, have been about the locality of the collision at the time when it took place, and as she never arrived at Runcorn, and nothing has since been heard of her, it was suggested with great probability that she was the schooner which collided with the "Thistle." The Court is strongly of opinion that this was the case.

The "Rachael Anne" was a schooner of the port of Fowey, her registered number being 5,395. She was built at Fowey in 1841. Her length was 59.5 ft., her breadth 19 ft., and her depth 9.3 ft. Her registered tonnage was 64.53 tons. She was owned by Mr. James Rableu and the representatives of Mr. William Rundle, who had died some years ago, but whose name still appeared on the register as that of her managing owner. Mr. James Rableu had been her master for some years, and practically managed the vessel. She left Fowey on September 20th bound for Runcorn, under the command of Mr. Rableu, having also on board a Mr. Tancock as mate. There is no evidence of there having been any other hand on board, and from the testimony of some persons who were acquainted with her, it is extremely probable that she left Fowey with only the two above-named persons on board. On September 24th at 3.30 p.m. she was spoken off Bardsey Island by the master of the "Katie Cluett," which had left Fowey on September 22nd, also bound for Runcorn. She was then steering N.E., and making about 4 to 5 miles an hour. She was asked if she had put in anywhere, and her mate answered that she had not. Her master came upon deck on hearing the hail, and he and the mate were the only persons seen on board of her. The "Katie Cluett" which was making 6 to 7 knots an hour passed ahead of her and lost sight of her about 2 hours later, at which time she would be between 30 and 40 miles from the Skerries. Between 7.30 and 8 o'clock the same evening she was again hailed by the master of the "Harvest Queen," which was also bound from Fowey to Runcorn. At that time the crew of the "Harvest Queen" were putting their own lights out, when the master observed that the "Rachael Anne" had her port light up. The "Rachael Anne" remained in sight till about 10 p.m., and when last seen both her side lights were visible, and she was from 6 to 7 miles to the southward and westward of the South Stack, and about 2 miles astern of the "Harvest Queen." This as far as is known was the last time she was seen. Both the "Katie Cluett" and the "Harvest Queen" proceeded safely on their voyage to Runcorn, and in the opinion of their masters there was nothing in the weather to have prevented the "Rachael Anne" from reaching the Mersey in safety. If the "Rachael Anne" was the schooner which collided with the "Thistle" it is difficult to understand why she should have been sailing close-hauled on the port tack and heading to the

N. and W. at the time of the collision, as the witnesses from the "Thistle" asserted. Had she proceeded as the "Katie Cluett" and "Harvest Queen" did, she would have been running with the wind slightly on her port quarter, and would have been proceeding in the same direction as the "Thistle," which would thus have been overtaking her. In this case, her side lights would not have been visible to those on board the "Thistle," but as a vessel being overtaken, she ought to have exhibited a bright light astern. This however, if the evidence of the "Thistle" is to be believed, she did not do, as the globe light was only exhibited just at the moment of the collision, and in the absence of other evidence, the Court could not presume that the witnesses from the "Thistle" were stating what they did not believe to be true. But it was evident to the Court, both from the statements of the crew of the "Thistle" and from the diagrams drawn by the master and second officer illustrating the positions of the two vessels, both when the schooner was first seen and at the moment of collision, that the schooner was sighted a scarcely appreciable time before the collision. Whether this was due to the fact that the schooner exhibited no lights whatever, or to a deficient look-out on the part of the "Thistle," it is impossible to decide. Under these circumstances the Court had no satisfactory grounds for attributing the collision to any definite act of omission or commission on the part of the master or second officer of the "Thistle," though it is of opinion that the look-out man was not sufficiently experienced for such duties, and that it was imprudent to permit him to walk backwards and forwards as he stated that he did. The Court is also of opinion for the reasons given below that the "Rachel Anne," if she had only two hands, was insufficiently manned.

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 "Thistle" on the morning of the 25th September last?
2. Was the sailing vessel seen about 3.15 a.m. sailing without the lights required by the Regulations for Preventing Collisions at Sea?
3. When she was seen were prompt and proper measures taken by the second officer of the steamer to keep out of her way and to comply with Articles 17 and 18 of the said Regulations?
4. What was the cause of the casualty, and was every possible effort made to save life?
5. Were the master and second officer or either of them in default?
6. Was the sailing vessel with which the "Thistle" came into collision the "Rachel Anne"?
7. If so, was that vessel properly and sufficiently manned, especially having regard to the fact that she did not put into any harbour or roadstead at night?

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

Mr. Dickinson having addressed the Court on behalf of the owners of the "Rachel Anne," and Mr. Walter Bateson on behalf of the owners and officers of the "Thistle," the Court gave judgment as above, and returned the following answers to the questions of the Board of Trade:—

1. Having regard to the fact that the man stationed on the look-out forward had only been at sea eight months, and admitted that he walked backwards and forwards between the bridge and fore-rigging, the Court is of opinion that he was not an efficient look-out, and did not keep a proper look-out. The master and second officer were both on the bridge keeping a look-out, but during the few minutes preceding the collision their attention was more particularly given to the alteration of the course of the vessel, and the duty of keeping a look-out during this period was practically left to the look-out man only. The master had left the bridge just before the schooner was observed, and only returned on hearing the telegraph ring.

2. The only evidence before the Court as to whether the sailing-vessel was carrying her regulation lights was that of the witnesses from the "Thistle," and they all swore that she was not. If the sailing-vessel was the "Rachel Ann," there was evidence to show that at 10 p.m. the same night she was carrying her side-lights, and having regard to the fact that the place where the collision occurred was in the track of vessels to and from the Mersey, the Court felt there was some ground for supposing her lights would be burning at the time of the collision.

3. The schooner was not sighted by those on board the "Thistle" until a collision was all but inevitable, and the Court is unable to say whether any other manœuvres would have prevented the collision. The measures which were taken were taken promptly.

4. The loss of the schooner was the result of her collision with the "Thistle." Every effort was made to save life.

5. Having only the evidence of those on board of the "Thistle" before it, the Court is unable to say that either the master or the second mate was in default.

6. From the evidence before it, the Court is strongly of opinion that the vessel with which the "Thistle" came into collision was the "Rachel Anne."

7. Having regard to the voyage which the "Rachel Anne" was making at the time—a voyage which exposed her to all the sea traffic around the Land's End, St. George's Channel, and the approaches to Liverpool—the Court is of opinion that she was not sufficiently manned.

(Signed) W. J. STEWART, Judge.

We concur in this report.

(Signed) RICHD. C. DYER,  
JOHN BAIN,  
GEO. RICHARDSON, } Assessors.

Liverpool, 23rd November 1892.