

(No. 4741.)

"EUGENIE."

REPORT of the proceedings at a Court of Inquiry held on the 10th May 1893, before WILLIAM MARTIN FLEISCHER, Resident Magistrate for the district of East London, under the provisions of the 17th section of Act No. 13 of 1855, into the abandonment of the British barque "EUGENIE," of Port Elizabeth, Colony of Cape of Good Hope, 699 tons register; official number, 83,231; master, Thomas Haley; WILLIAM CLIFFORD, master mariner, as Nautical Assessor.

The master, Thomas Haley, handed in his certificate, No. 2915.

James McDonald, who, having been duly sworn, states: I was chief mate of the barque "Eugenie." We sailed from East London on the 29th April 1893, in ballast. On the 3rd May 1893 we abandoned the "Eugenie." I have heard the master's statement of the facts read. I agree with the facts as he has stated them.

By the Nautical Assessor: I have been at sea about 36 years, and for about 15 years I was master of a ship. The "Eugenie" was staunch and strong when she left the port of East London, and in fit ballast to go to sea. After the ship righted she was making about an inch and a half water in an hour. The gear of the pumps was smashed, and the pumps could not be worked, and we had no means of getting the water out of the ship. We had spare spars on board. We had no blocks or gear to rig the spars, and we could not therefore attempt to make use of the spare spars. We could not rig any masts; we had nothing to rig them with. We did nothing afterwards to save the ship. We could not do anything; we had no pumps and no gear. Had I been in command of the ship I would have done what the captain did. There was nothing else to be done. Our boats were also smashed, and we were taken off in the boats of the barque "Cooleen." The direction of the wind on the 2nd May 1893 was W. to W.S.W. The sea was a high, cross, confused sea. In my opinion the ship was sufficiently and properly manned when she left East London. The captain and crew were sober at the time of the gale. There was no liquor on board to my knowledge.

Francis Haley, sworn, states: I was second mate on board the barque "Eugenie." The captain is my brother. We sailed from East London on the 29th April 1893, in ballast. On the evening of the 1st May 1893 the gale commenced; on the 2nd May 1893 it blew a hurricane, and about 2 p.m. a squall struck the ship and hove her on her beam ends. We subsequently abandoned the ship. We were taken off by the barque "Cooleen." I have heard the master's statement read. The facts as stated by him in regard to this matter are quite correct. In my opinion there was nothing else to be done but to abandon the ship.

By the Nautical Assessor: No effort was made to put the vessel before the wind before the squall struck her. I know of no reason why this was not done. The ship

was lying to all right until the squall struck her. The master was bound to abandon the ship. We had no means to rig jury masts, and the pumps were all smashed and useless. There was a little over three feet of water in the hold when we left the ship, and she was making water. The ship was really abandoned for the safety of our lives. The ship was properly manned.

Samuel Clarethy, sworn, states: I am an American, and was able seaman on the "Eugenie." We sailed from East London on the 29th April 1893, in ballast. All went well till the 1st May 1893, when we got a fall of wind from about W.S.W. The wind increased, and next day it blew a hurricane. It increased during the morning, and at 2 o'clock p.m. a squall struck the ship and hove her on her beam ends. We could not get her before the wind or to right herself. We then were ordered to cut away the foremast, which we did. The weight of the foremast carried away the mainmast, which also carried away all the pump gear. The boats were also smashed. The ship was making water. We were then taken off by a barque. I do not know the name. I saw no chance of taking the ship into any port. We were bound to abandon her to save our lives.

By the Nautical Assessor: The ship was staunch and strong when she left East London. We could not rig jury masts; we had spare spars but no blocks or gear, and no means of doing so.

Judgment.

The "Eugenie" was a barque of 699 tons registered tonnage, official number 83,231, belonging to Port Elizabeth, Cape of Good Hope; Thomas Haley, master. It appears from the evidence given before this Court, that the "Eugenie" sailed from East London on the 29th April 1893, bound for Port Elizabeth in ballast, with a crew of nine hands all told, being staunch, strong, and well found. All went well until about 6 p.m. 1st May 1893, when the wind began to increase from the westward, and continued to increase to hurricane force on the 2nd May 1893, with a high cross sea. At noon that day the gale was at its height, with heavy squalls. About 2 o'clock p.m. a heavy squall and heavy sea struck the ship and hove her on her beam ends, when she became unmanageable. Every effort appears to have been made to righten the ship, but without success. The foremast was then cut away, which carried away the mainmast. The fall of the mainmast carried away the pump gear and smashed the boats, and left the vessel helpless. On the 3rd May 1893, the British barque "Cooleen" hove in sight and took the crew off, and the "Eugenie" was abandoned, the vessel at this time having 3 ft. 6 in. of water in the hold and making 1½ in. per hour.

The Court, having regard to the circumstances above stated, finds as follows: That the master, Thomas Haley, appears to have navigated his ship in a seaman-like manner, and to have taken the proper steps to righten his ship, and that he was justified in abandoning the ship. The Court, therefore, sees no ground for blaming the master, and returns his certificate.

(Signed) W. M. FLEISCHER, R.M.
W. CLIFFORD, Nautical Assessor.