

(No. 5119.)

"CAPTAIN M^CCLURE" (S.S.)

The Merchant Shipping Act, 1894.

IN the matter of a formal Investigation held at the Probate Court, Four Courts, Dublin, on the 19th, 20th, 21st, 22nd, 23rd, and 25th days of March 1895, before T. J. WALL, Esquire, Chief Magistrate, assisted by Captain KNOX, R.N., Captain EDWARD BROOKS and Captain SAMUEL BROOKS, into the circumstances attending the casualty which happened on board the S.S. "CAPTAIN M^CCLURE," in St. George's Channel, on or about the 16th day of January 1895, 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 fore trysail boom broke adrift, and, owing to a heavy roll of vessel, swung over the side, and Jeremiah Downey and Timothy Leahy were knocked overboard and drowned.

Dated this 25th day of March 1895.

(Signed) THOMAS J. WALL, Judge.

We concur in the above report.

(Signed) HENRY KNOX, Captain, R.N. } Assessors. EDWARD BROOKS, SAM. BROOKS, }

Annex to the Report.

This was an inquiry into the circumstances attending the loss of two men who fell overboard from the "Captain M^CClure" in the St. George's Channel on the 16th January 1895, and was held at the Probate Court, Four Courts, Dublin, before Thomas J. Wall, Esq., Chief Police Magistrate, assisted by Capts. Knox, R.N., E. Brooks, and S. Brooks, Nautical Assessors.

Mr. Martin appeared for the Board of Trade, and Mr. Bradley for the owners, master, and officers.

The "Captain M^CClure," official number 89,000, is a British screw steamer, built of iron at Port Glasgow in 1885 by Messrs. Murdoch and Murray. She is rigged as a two-masted fore-and-aft schooner, being of 503.45 tons gross, and, after deducting 199.23 tons for propelling power and crew space, has a nett registered tonnage of 304.22 tons. She was fitted with compound inverted direct-acting engines of 90 horse-power nominal combined. Her length is 169 ft. 6 in.; breadth, 23 ft. 6 in.; depth of hold, 14 ft. 2 in.

She carried three boats, two being lifeboats stowed on each side amidships on crutches and chocks and hanging in davits; the third boat was hung in davits aft on the port side.

She is owned by Mr. Michael Murphy, jun., of Dublin, and Mr. David Freeman, the former being her managing owner.

At about 9.30 p.m. of the 15th January the "Captain M^CClure" left Newport, South Wales, for Cork, with a cargo of 304 tons of coal, under the command of Mr. William Brown, who holds a master's certificate of competency No. 24,775, dated September 1874, with a crew of 13 hands all told and six seamen runners as passengers. The weather was fine, with fresh breeze from W. by S.

She was fitted with booms to the fore and main masts for setting the trysails. When in harbour the booms were used as derricks for loading and discharging cargo. As the breaking adrift of the fore trysail boom was the cause of the subsequent damage and loss of life, it will be as well before continuing the narrative of the voyage to give, from the evidence of Patrick Colgan, A.B., a description of the boom and the way he secured it on the evening of leaving Newport. The boom was 25 ft. long, 8 in. in diameter, and secured to the after part of the foremast, 7 ft. above the deck, by a

moveable pivot. It was supported by two topping lifts, one chain, and one rope, which were fastened to eye-bolts about 2 ft. from the outer end. Between the two topping lifts was a shackle, through which the clew earring of the trysail was secured. At the outer end were two single blocks for the boom sheet; the shell of the starboard one was broken.

On the deck were bolts on each side for the purpose of hooking the lower block of the sheet to, and an iron cleat on the side of the main hatch—which extended aft as far as the end of the boom—for belaying the end. The boom had been triced up out of the way of the hatch while getting in coal at Newport, and after lowering it down to within 3 ft. of the top of the hatch, Patrick Colgan informed the Court that he secured it in the following manner:—The standing part of the sheets were spliced into the lower part of the blocks on the boom, the ends were taken down round the belaying cleat at the end of the hatch, up through the sheave in the blocks, down again round the cleat, up over the end of the boom, and the end frapped round all parts; the sheet, he said, was in good condition, and the boom so secure as to be impossible to get adrift.

After passing the Nash the wind and sea increased, which caused the vessel to roll and ship water.

The first mate had the watch until 6.30 a.m. of the 16th, when he was relieved by the second mate. At this time a moderate gale was blowing, and there was a heavy sea. The first mate, on being relieved, gave orders for the sails to be set at daylight, which does not appear to have been done, although the chief engineer in his evidence states he requested the second mate to set the fore trysail to steady the vessel, as they could hardly stand in the engine-room.

At 8.30 the second mate went down to breakfast with the master, and before leaving the cabin he told the master that the fore trysail was partially unbent, and that owing to the wind and sea the watch were not sufficient to set it. The master gave him orders to "get some of the runners to help him."

The second mate then went on to the bridge. At this time the Smalls bore N. 1/2 E. distant 8 miles. At 9.10 the second mate went down to the main deck and called three of the runners who were in the galley, and A. Lynch, A.B., to set the fore trysail.

From the evidence of Charles O'Neill, one of the runners, they were all on the top of the main hatch hauling out the clew earrings in the following positions:—O'Neill at the end of the boom, A. Lynch close to the topping lifts, the second mate just inside of him, and the two other runners, Downey and Leahy, about the middle of the boom; when, either from the starboard sheet having unrove, or been let go, the boom, owing to a heavy roll, suddenly swung over to port, carried away the port sheet, and went so far over the rail that Downey and Leahy were unable to keep their hold of the boom and fell clear of the ship into the sea. The speed of the ship at this time was about 9 knots. The other two men and the second mate dropped on to the deck as the boom swung inboard. The master, who was in his cabin, hearing a cry from the deck "A man overboard," immediately came on deck, went on to the bridge, and put the telegraph to "stop" and "full speed astern," and called all hands on deck, giving directions for the small boat to be got ready for lowering. The first and second mates and crew, including the four runners, went aft for this purpose. The master remained on the bridge to manœuvre the vessel, so as to get as near as possible to the two men, Downey and Leahy, who were seen floating astern on the port quarter. Very shortly after Leahy was observed to sink. As soon as the vessel had reached about a ship's length and a half of Downey, two lifebuoys and a heaving line were thrown to him, and at the same time the boat with O'Neill and Price was lowered. Within five minutes they had reached Downey, and passing a rope under his arms made the end fast to a thwart, while Price kept his head and shoulders above the water while O'Neill sculled the boat back to the ship. It was impossible, owing to Downey being a very heavy man, to have got him into the boat. O'Neill stated that he touched Downey's forehead and said to Price, "the heat was in him," his eyes being half open. While returning to the vessel, Price remarked to O'Neill "he is gone." On getting alongside Downey was hauled on board and carried on to the lower bridge deck, but

no means were used to restore animation. The boat was then hoisted up, and the vessel proceeded on her voyage at 10 a.m., arriving in Cork the same evening.

As the "Captain McClure" arrived in Dublin on Friday morning, the 22nd inst., the assessors were able on that day, before the sitting of the Court, to examine the three boats. They were satisfied that the lifeboats could have been easily lowered; but, on the occasion of the casualty, the small boat, under the circumstances, was the proper boat to have been used, as being close to the stern it could have been more easily lowered and got quicker away from the vessel. They also examined the fittings for the fore-boom sheets, and were of opinion that the sheets should be fitted with a second block hooking on the eye-bolt in the deck, and the end belayed to the cleat on the hatch. This would enable the sheet to be more easily worked, and prevent any chafe across the iron coamings of the hatch.

Mr. Martin, for the Board of Trade, submitted the following questions for the opinion of the Court:—

1. Whether, when the vessel left Newport, she carried the boats and life-saving appliances required by the Statute?
2. Whether they were kept so as to be at all times fit and ready for use?
3. Whether proper measures were taken by the second officer to set sail on the morning of the 16th January?
4. Whether the boom was properly and efficiently secured before the hands were set to work upon it?
5. Was he justified in leaving the bridge?
6. What was the cause of the boom breaking adrift?
7. Whether prompt and proper measures were taken to render assistance to the men in the water?
8. What was the cause of the delay in lowering a boat?
9. Was the master justified in allowing only two men to proceed to sea in said boat when lowered?
10. Was the master justified in not ordering one of the lifeboats to be lowered?
11. What was the cause of the loss of life?
12. Whether, in the opinion of the Court, in all the circumstances, the master and officers were justified in not attempting to restore animation when Downey's body was picked up?
13. Whether the master and officers are, or either of them is, in default?

The Court returned the following answers:—

1. The "Captain McClure," when she left Newport on the 15th January last, carried the boats and life-saving appliances required by the Statute.
2. They were kept so as to be at all times fit and ready for use.
3. Proper measures were taken by the second mate to set sail on the morning of the 16th January.

4. The fore trysail boom was properly and efficiently secured before the hands were sent to bend and set the sail.

5. The Court considers that, under all the circumstances, the second mate was not justified in leaving the bridge to superintend setting the fore trysail.

6. There was no direct evidence what was the cause of the fore trysail boom breaking adrift, but the Court is of opinion that the starboard sheet was let go or it unrove, and when the boom swung over the port sheet ported.

7. The master came on deck two or three minutes after the two men fell overboard from the fore trysail boom, when prompt and proper measures were taken to render them assistance.

8. There was no delay. The small boat was promptly got ready for lowering, but was not launched until the ship had got close to the man who continued to float.

9. The master was justified, under the circumstances, in allowing only two men to proceed in the small boat.

10. The master was justified in not ordering out a lifeboat as the man was floating about $1\frac{1}{2}$ ship's length off, and the small boat could be more quickly lowered.

11. The fore trysail boom broke adrift, and, owing to a heavy roll of vessel, swung over the side, and Jeremiah Downey and Timothy Leahy were knocked overboard.

12. No measures were taken by the master or officers for the restoring of animation to Jeremiah Downey when brought on board. The Court considers that some efforts should have been made although the case seemed to be apparently hopeless.

13. The Court considers the master and officers are, or any of them, not in default.

The first officer, first and second engineers, it acquits of all blame.

The master showed great negligence when J. Downey was brought on board in not using the proper means for the restoration of the apparently drowned. The second mate neglected his duty, as the officer in charge of the deck, in leaving the bridge to assist in setting the fore trysail.

The Court, however, does not consider the negligence of these two officers was of so grave a nature as to justify them in suspending their certificates.

Dated this 26th March 1895.

(Signed) THOMAS J. WALL, Judge.

We concur.

(Signed) HENRY KNOX,
Captain R.N., } Assessors.
EDWARD BROOKS,
SAMUEL BROOKS, }

The M

In the ma
Edinbur
22nd, a
RUTHER
Lothian
Captain
GRAY,
abandon
of Dund
12° W.,

The Court
circumstances
casualty, fir
hereto, that
the insubor
default of th
chief engine
minor degra
Charles Smi
the master
011,083 and
each from th
of the first
months from
conduct of th
engineers, a
deserving of
deal with the

Dated this

(S

We conc

(S

This inqui
on the 20th
judgment be
represented
appeared for
watched the
mate, chief
represented
On openin
handed in c
which the at
be particular
ject to any s
necessary, to
to the Court
The "Loc
ship, built a
Iron Co., of
classed 100A
triple expans
which engine
She was own
ping Compan
manager. H
registered to
at Dundee, h
complete and
insured at t
23,000l., of w
was also a p
and 1,750l. o
her cotton c
40,000l. to 45
together not
as follows, n