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Justices of the Peace  
acting in and for the  
County of Devon.

PERSON,  
NINGHAME, } Assessors.

Board of Trade on the 26th  
1899.)

(No. S. 160.)

## "RUBY" (S.S.).

The Merchant Shipping Act, 1894.

In the matter of a formal investigation held at the Town Hall, Hull, on the 30th and 31st days of May, and 1st day of June, 1899, before E. C. Twiss, Esq., assisted by Capt. CASTLE, Capt. HUGHES, and Mr. JOHN REED, into the circumstances attending the stranding of the British steamship "RUBY," of Hull, about two miles W. of Blaavand Point, Jutland, Denmark, on the 7th of April last.

### 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 stranding of the said vessel was brought about by her having been kept too long on a course heading towards the land in very thick weather. The Court finds the boatswain, John Davey, in default, and suspends his certificate of competency as skipper, number 3,360, for four calendar months from the date hereof, and declines to accede to his request to recommend that a certificate as second hand be granted to him during such suspension.

Dated this First day of June, 1899.

E. C. Twiss, Judge.

We concur in the above Report,

JOHN S. CASTLE,  
E. M. HUGHES, } Assessors.  
JOHN REED,

### Annex to the Report.

This Inquiry was held at the Town Hall, Hull, on the above-mentioned days, when Mr. Saxelbye represented the Board of Trade, Mr. E. A. Laverack appeared for the master and third hand, and Dr. T. C. Jackson for the Humber Steam Trawlers Mutual Insurance and Protecting Company, Limited, who asked to be made a party to the Inquiry. The second hand, Albert Edward Frost, and the boatswain, John Davey, were also parties to the Inquiry, and appeared in person, but were not professionally represented.

The "Ruby," official number 98,742, is a schooner-rigged British steam screw vessel, built of iron, at Govan, Glasgow, by Messrs. Mackie and Thomson, in 1891, her respective dimensions being as follows:—Length, 100.5 feet, breadth, 20.5 feet, and depth of hold, 10.75 feet, her tonnage being 56.57 tons nett register. She is owned by the Kingston Steam Trawling Company, Limited, Hull, and is managed by Mr. Lawrence Spring, of the same port, he having been appointed manager on the 10th of June, 1891. She is fitted with one compound direct acting inverted engine of forty-five nominal horse power, and is registered at the port of Hull.

The "Ruby" left the Saint Andrew's Dock, Hull, at about 11 a.m. on the 3rd of April last, bound for a "single-boating" fishing trip, off Horn Reef, North Sea, under the command of Mr. Walter Harrison, who holds a certificate of competency as skipper, number 3,882, and bearing date January 29th, 1896, with a crew of nine hands all told, her draught of water being twelve feet aft and seven feet forward. On leaving port she was well found and equipped in every respect for the service in which she was engaged. There were three compasses on board, namely, one in the roof of the wheelhouse, by which the vessel was navigated and the courses steered, the second immediately before the wheel which, we were told, was never used, and the third, a spare one below. They were adjusted on the morning of the 3rd of April last, by Mr. W. T. Parrott, compass maker and adjuster, Hull, and a deviation card of the upper compass was supplied to the vessel.

After leaving the Humber the vessel proceeded on her

passage, and the fishing grounds were reached at about 6 p.m. the following evening. The fishing gear was at once shot, and the "Ruby" proceeded and continued to fish in the vicinity of the Vyl light-vessel until the morning of the 7th of April, when at about 7.45 a.m. Blaavand Point Lighthouse was sighted, bearing about N.E., and distant, according to the estimate of the master, some five or six miles. At this time the vessel was "towing" with her gear down on an E.S.E. course, the engines being at half-speed, making a rate of from one and a half to two knots per hour. At about 8.30 a.m. her head was altered to S., Blaavand Lighthouse being then right astern, and at 9.15 a.m. it bore about N.E., distant, as the master stated, from six to seven miles, and this was the last seen of the point that morning. The vessel was kept towing at the same speed on the same course until 11.30 a.m., when she was stopped and the gear hauled in. This having been done, the gear was again shot, the engines put half-speed, and at about 12.30 noon a course set S. by W. This course was kept until 4.30 p.m., when the master estimated his position at about fifteen to sixteen miles from Blaavand Point, and the Court is disposed to think he was fairly correct in this view, no land, light-vessel or buoys then being in sight. At the time mentioned the weather was very clear, and the sea calm, with light airs. The vessel was then put on a N. course, and so kept until 5.30 p.m., when she was stopped for the purpose of hauling in the gear, it being the practice, as we were informed, to haul in the gear every six hours. After hauling, the gear was again shot on the port side as before, and at 6 p.m. or thereabouts the "Ruby" proceeded again on a N. course, the engines as before being at half-speed, the lead being resorted to about every twenty or thirty minutes, as it had been in the course of the day. It was now the boatswain's and third hand's watch until twelve midnight, and at about 7 p.m., the weather being fine and clear, with light airs from the S.E., the master went below, but before doing so instructed the boatswain, who was in charge and at the wheel, and who held a certificate of competency as skipper, "to keep a good look-out for Blaavand Light, and in the event of his seeing it to go towards it, but not into shoaler water than seven fathoms; if he got less water, to put the vessel about W.S.W. and call him at once, but if it should come on thick or hazy, so that Blaavand Light could not be seen, to call him; and also to keep the lead going." At 8 p.m. the master returned to the bridge and inquired what water they had, and was informed by the boatswain that a sounding had just been taken in nine fathoms. The weather was the same, according to the master, as it had been at 7 p.m., and he again went below and turned in. The same course was continued, and at about 9 p.m. the boatswain went below, and in reply to the master, told him that the weather was about the same as before, and that they were in eight fathoms, whereupon the master told him to keep a good look-out and not to go too far. The boatswain then returned to the bridge, and the weather gradually came thick with rain, and at 10 p.m. it was so thick—according to his evidence—with rain and fog, that he could not see further than two or three vessels' lengths ahead. He still, however, continued on the same course, heading towards the land, and failed to call the master. At or about 10.15 p.m. he said he himself took a sounding in ten fathoms, but inasmuch as the vessel must at that time have been in a little over two fathoms, having regard to the soundings shown on the Admiralty chart, it is quite impossible to believe that the sounding named was correctly taken. The third hand also informed us that in the course of the watch he was taking soundings from time to time at intervals of from twenty to thirty minutes, and that he never got less than nine fathoms, and further, he said, that at 10.50 p.m. he obtained a cast in nine fathoms. The same remark as above will be applicable to this statement. At about 11 p.m. the master, who was asleep in his berth, was awoken by the vessel taking the ground. He at once got up and hurried on deck, and found that the vessel was stranded, the engines having been already stopped by the chief engineer. He seized the lead-line and put the lead over the vessel's side and found only nine feet. He described the weather as being so thick that a vessel's light could not have been seen more than three lengths off. It was nearly high water at the time, and the master then gave orders

for the gear to be hove in. He informed the Court that it was impossible to reverse his engines until that operation had been carried out, as the gear would, in all probability, have fouled the propeller. It took some considerable time to heave in the gear—apparently about an hour—seeing that the trawl had been carried ahead of the vessel. So soon as the gear was in, the engines were reversed full speed, and continued so until 4 a.m. on the 8th, but without avail, as the vessel would not move. About this time the boat was put out and soundings were taken around the vessel, when the deepest water was found to be nine feet, and that about 100 feet away on the starboard quarter. The anchor was then carried out with thirty fathoms of wire hawser, and hove on by the steam winch, but without effect. In the early morning Blaavand Light was first seen, bearing—according to the master's statement—about N.E.  $\frac{1}{2}$  E. At 7 a.m. a flag was hoisted for assistance, but no assistance came. They still continued to heave on to the anchor until 12 noon, but without any result, and the wind having increased to a smart breeze from the N.E. the master consulted with his crew, when there was a unanimous opinion that it would not be safe to remain on board, and after having removed the wire hawser forward, they all left in their boat, and subsequently landed at a little village near Blaavand Point. The "Ruby" was making no water when they left her, but bumping heavily, and according to the position marked on the chart by the master in Court, it would appear that she had stranded a little over two miles W. from Blaavand Point, which shows that she must have been in shallow water for at least an hour before taking the ground.

On reaching the shore the master telephoned to the British Consul at Varde, but could not make himself understood, whereupon he telephoned to the British Consul at Esbjerg, who instructed him to remain where he was until he heard further from him. The following morning, the 9th of April, the master, mate, and third hand went off in their boat, and got on board a survey boat which was already in the vicinity of the "Ruby," but being unable to approach her they returned to Esbjerg. The next day, the 10th, they boarded their vessel, and attempts were made by a gunboat and a tug to get her off, but without success. A few days later, however, a Danish salvage boat towed her off and took her into Esbjerg where she was temporarily repaired, and on the 24th of April was brought back by the master to Hull, under her own steam, arriving there on the 26th, having leaked considerably on the passage.

On the 28th she was put on the patent slip, when it was ascertained that she had received very material damage. The stern frame was broken and rudder frame twisted; ten keel plates had to be taken out and two renewed; propeller shafting was twisted, and she proved to have sustained other serious damage, the cost of the necessary repairs being estimated at over £1,000.

These were the circumstances of the casualty as gathered from the several witnesses, and at the conclusion of their evidence, Mr. Saxelbye submitted the following questions, upon which the Board of Trade desired the opinion of the Court:—

1. What number of compasses had the vessel; were they in good order and sufficient for the safe navigation of the vessel?
2. Were proper measures taken to ascertain the position of the vessel at or about 6 p.m. on the 7th April last; was a safe and proper course then set, and was due and proper allowance made for tide and current?
3. Was the course set at or about 6 p.m. on the 7th April last thereafter steered?
4. Were the skipper and second hand or either of them on deck between 8 p.m. on the 7th April last and the time of the stranding, and if not, should the vessel have been left in charge of the boatswain?
5. Whether before leaving the deck the skipper gave the boatswain proper and sufficient instructions as to the navigation of the vessel, and were those instructions complied with?
6. Whether at and after 10 p.m. the weather was thick, and if so, should the boatswain have called the skipper?

7. If the weather was, not thick, why was Blaavand Point Light not seen before the vessel stranded?

8. Was a good and proper look-out kept?

9. Was the lead used with due care and with sufficient frequency, and were accurate soundings obtained?

10. Was the vessel navigated with proper and seaman-like care?

11. Was every effort made to get the vessel off after the stranding?

12. What was the cause of the stranding of the vessel?

13. Was serious damage to the "Ruby" caused by the wrongful act or default of the skipper and second hand and boatswain and third hand, or of any of them?

Dr. T. C. Jackson and Mr. Laverack having addressed the Court on the part of the parties whom they respectively represented, the Court, in giving judgment, replied to the several questions as below:—

1. There were three compasses on board the vessel, that is to say, one in the roof of the wheel-house, by which the courses were set and steered; the second, a compass before the wheel, and the third, a spare one, below. They were in good order and sufficient for the safe navigation of the vessel.

2. At or about 6 p.m. on the 7th of April last the only measures that could be taken to ascertain the position of the vessel were by the use of the lead, and this was done. A safe and proper course was at that time set. No allowance was made for tide and current.

3. The course set at or about 6 p.m. on the 7th of April last was, according to the evidence, thereafter steered.

4. Neither the master nor the second hand was on deck between 8 p.m. on the 7th of April last and the time of the stranding, but having regard to all the circumstances, the Court is of opinion that the master was justified in leaving the boatswain in charge of the vessel.

5. There has been some conflict of evidence as to what instructions, with regard to the navigation of the vessel, were given to the boatswain by the master before leaving the deck, but the Court is clearly of opinion that proper and sufficient instructions were given by him, and that they were not complied with by the boatswain.

6. The weather was thick at and after 10 p.m., and the boatswain should most certainly have called the master.

7. Blaavand light was not sighted before the vessel stranded in consequence of the thick weather which had set in.

8. According to the statements of the boatswain, who was in charge, and the third hand, a good and proper look-out was kept.

9. The lead was said to have been used about every twenty or thirty minutes, which would be of sufficient frequency, but having regard to the soundings shown on the chart, it cannot, in the opinion of the Court, have been used with due care, nor can the soundings obtained have been accurate.

10. Up to the time of the weather coming in thick, the vessel appears to have been navigated with proper and seamanlike care, but not afterwards.

11. Every available effort seems to have been made to get the vessel off after the stranding.

12. The stranding was brought about by the vessel having been kept on a course heading towards the land in very thick weather.

13. Serious damage to the "Ruby" was caused by the default of the boatswain, and the Court suspends his certificate of competency as skipper for four calendar months.

E. C. Twiss, Judge.

We concur,

JOHN S. CASTLE, }  
E. M. HUGHES, } Assessors.  
JOHN REED, }

(Issued in London by the Board of Trade on the 16th day of June, 1899.)

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