

(No. 6130.)

"ANUBIS" (S.S.).

The Merchant Shipping Act, 1894.

In the matter of a formal investigation held at the Magistrates' Room, Liverpool, on the 28th and 29th days of December, 1900, before W. J. STEWART, Esq., assisted by Captain PARFITT and Captain WOOD, into the circumstances attending the stranding and total loss of the British steamship "ANUBIS," near Cape Toriñana, North-West Coast of Spain.

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 and loss of the said vessel were caused by her having been set in towards the shore by a heavy north-west swell, and by the master altering the course to cross the Bay of Biscay before the vessel was clear of the Spanish land and without first ascertaining by means of a cast of the lead that his vessel was in a safe position off the shore.

Dated this 29th day of December, 1900.

W. J. STEWART, Judge.

We concur in the above Report.

WM. PARFITT, } Assessors.
A. WOOD, }

Annex to the Report.

This inquiry was held in the Magistrates' Room, Dale Street, Liverpool, on the 28th and 29th days of December, 1900, when Mr. J. Paxton, solicitor, appeared for the Board of Trade; Mr. Alexander Miller, solicitor, for the master; and Mr. J. C. Bromfield for the owners of the vessel. The chief and second officers appeared in person, but were not represented.

The "Anubis," official number 97,597, was a British screw steamer, built of steel at Whiteinch, Glasgow, in the year 1889, by Messrs. Aitken and Mansell, and was registered in Liverpool. She was owned by the Moss Steamship Company, Limited, Mr. George Harding, of 31, James Street, Liverpool, being designated in the transcript of register as the person to whom the management of the vessel was intrusted.

The "Anubis" was propelled by one triple-expansion, direct acting, vertical inverted engine of 290 nominal horse power, and was rigged as a schooner, with two masts. She was of the following dimensions: Length, 319.5 ft.; breadth, 39 ft.; and depth of hold from tonnage-deck to ceiling at midships, 20 ft. Her gross registered tonnage was 2,406.03 tons, of which 882.97 tons was deducted for propelling power and crew space, the net registered tonnage thus being 1,523.06 tons. She was constructed with transverse and double bottom, and had five bulkheads.

On the voyage in question there were four compasses in position on deck: a Sir William Thomson's compass on the bridge, by which the ship was navigated and the courses steered; a pole compass, also on the bridge; a spirit compass in the wheel-house on the lower bridge; and another compass aft, on the poop. There was no definite evidence before the Court as to when and by whom the compasses were last adjusted, but the deviations of the compasses were obtained by observation from time to time, a record of which was kept in a deviation book, and the Court is satisfied that the deviation of the compasses was thus correctly found, and that the compasses were in an efficient condition.

The vessel was supplied with Sir William Thomson's patent sounding apparatus and a patent log.

The "Anubis" left Alexandria on the 2nd November, 1900, bound for Liverpool, with 2,500 tons of cargo,

consisting principally of cotton, under command of Mr. Robert S. Orrell, who holds a master's certificate numbered 019,569.

The crew consisted of 40 hands all told, and there were also on board three passengers.

On the 6th November the vessel called at Malta, leaving that port on the same date. Cape Roca was passed, and was found by a four-point bearing to be distant 5 miles at 6.20 p.m. on the 11th November. A course was then set by compass N. $\frac{1}{4}$ E. (the deviation for this course being nothing), which was continued until 12.15 a.m. on the 12th, when the Burlings were abeam and found by a four-point bearing to be distant 10 miles. The course was then altered to N. by E. $\frac{1}{4}$ E. by compass, which was also the magnetic course. This course was continued until 12.30 p.m. on the 12th. At noon of that day the vessel's position had been found to be latitude $41^{\circ} 8' N.$ and longitude $9^{\circ} 41' W.$ by good observations for latitude and longitude taken at noon and 9 a.m. respectively. The master stated that up to this time all the courses steered had been made good, and that the deviation had been verified that morning by observation. At 12.30 p.m. the course was altered to N.N.E. in order to pass Cape Finisterre at a distance of 11 miles. From this time onwards the wind was light from the westward, the weather dull and rainy, and a heavy swell setting from the north-west. The speed was about 9 knots, and the patent log was running. Owing to the condition of the weather and the heavy N.W. swell, at 8.45 p.m. the master altered the course to N. by E. in order to keep further off the shore; and as the vessel was shipping water over the fore-castle head, the look-out had been removed to the bridge. The course N. by E. was continued till midnight, when the log showed the vessel to have run 108 miles since noon, which placed her a little to the north of Cape Finisterre. The master described the weather as being then fairly clear to the westward, but a little misty to the eastward. The course was now altered to N.N.E., and so kept for 15 minutes. At 12.15 a.m. it was again altered to N.E. by N. $\frac{1}{4}$ N., which the master stated was his course for crossing the Bay of Biscay. The vessel continued on this course till a few minutes to 1 a.m., when the master and chief officer—both of whom were on the bridge—noticed something white on the port bow which the chief officer took for moonlight and the master for breakers. The latter immediately ordered the helm hard-a-port and reversed the engines, but before these measures could take effect the vessel went ashore. In two or three minutes afterwards she drifted broadside on to the rocks, and the holds began to fill. The crew and passengers got on shore by means of the ship's boats and lines from the rocks. No lives were lost. The place where the vessel stranded was about 1 mile S.E. of Toriñana Lighthouse, and from the course by which the vessel had approached she must have passed Finisterre Light within a distance of 4 miles, and within 1 mile of Muniz Rock, but neither Finisterre nor Toriñana Light was seen, although, after the stranding, Cape Villano Light was clearly visible from the cliffs. It has also to be noted that for an hour previous to the stranding the vessel had been in less than 40 fathoms of water. A portion of the cargo was subsequently salvaged, but the vessel became a total loss.

At the conclusion of the evidence, Mr. Paxton, on behalf of the Board of Trade, submitted the following questions for 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, and when and by whom were they last adjusted?

2. Did the master ascertain the deviation of his compasses by observation from time to time, were the errors correctly ascertained and the proper corrections to the courses applied?

3. Were proper measures taken to ascertain and verify the position of the vessel at or about 0.15 a.m. of the 12th November last? Was a safe and proper course then set and thereafter steered, and was due and proper allowance made for tide and currents?

4. Was the position of the vessel correctly ascertained at noon on the 12th November?

5. Were safe and proper alterations made in the course at or about noon of the 12th November and from time to time thereafter, and was due and proper allowance made for tide, currents, and beam wind and sea?

6. Having regard to the state of the weather after midnight of the 12th-13th November, was the vessel navigated at too great a rate of speed?

7. Was the lead used before the stranding, and if not, should it have been used?

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

9. What was the cause of the casualty?

10. Was the vessel navigated with proper and seamanlike care?

11. Was the serious damage to, or loss of, the s.s. "Anubis" caused by the wrongful act or default of the master, chief and second officers, or of any of them?

Mr. Miller having addressed the Court on behalf of the master, the Court returned the following answers to the questions of the Board of Trade:—

1. The vessel had four compasses; they were in good order, and sufficient for the safe navigation of the vessel. It was stated that they had been adjusted four years previously by a former master.

2. The master ascertained the deviation of his compasses from time to time; a record of these deviations was kept in the log and in a deviation book; the errors were correctly ascertained and the proper corrections to the courses applied.

3. Proper measures were taken to ascertain and verify the position of the vessel at or about 12.15 a.m. of the 12th November last. A safe and proper course was then set and thereafter steered, and due and proper allowance was made for tide and current.

4. The position of the vessel appears from the evidence to have been correctly ascertained at noon on the 12th November.

5. Safe and proper alterations were made in the course at or about noon of the 12th November and from time to time thereafter, and due and proper allowance was made for tide, current, and beam wind and sea, up till

12.15 a.m. of the 13th. The alterations made subsequently were not safe and proper, having regard to the state of the weather, the N.W. swell setting on the vessel's port bow, and the strong caution given on the Admiralty chart as to the danger of a vessel being set out of her position towards the shore on this part of the coast.

6. Having regard to the state of the weather after midnight of the 12th-13th November, the vessel was not navigated at too great a rate of speed.

7. The lead was not used before the stranding, and under the circumstances it should have been used before altering the course after midnight of the 12th-13th November.

8. A good and proper look-out was kept.

9. The casualty was caused through the vessel having been set in towards the land, and by the master altering his course to cross the Bay of Biscay before the vessel was clear of the Spanish coast.

10. Under the circumstances, the Court is unable to say that the vessel was navigated with proper and seamanlike care.

11. The loss of the s.s. "Anubis" was caused by the default of the master alone, but, taking into consideration all the circumstances, the Court refrains from dealing with his certificate.

W. J. STEWART, Judge.

We concur in the above Report.

WM. PARFITT, } Assessors.
A. WOOD, }

Liverpool,
December 29th, 1900.

(Issued in London by the Board of Trade on the
25th day of January, 1901.)

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