

(No. 6297.)

“DRUMALIS.”

The Merchant Shipping Act, 1894.

In the matter of a formal investigation held at the Magistrate's Room, Liverpool, on the 7th and 8th days of January, 1902, before W. J. STEWART, Esquire, assisted by Captain CUNINGHAME and Captain E. M. HUGHES, into the circumstances attending the stranding and loss of the British sailing ship “DRUMALIS,” of Liverpool, near Cape Sable, Nova Scotia, on August 11, 1901.

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 due to a want of proper care in the use of the lead.

Dated this 8th day of January, 1902.

W. J. STEWART,
Judge.

We concur in the above Report.

ANDW. CUNINGHAME, } Assessors.
E. M. HUGHES, }

Annex to Report.

This inquiry was held in the Magistrate's Room, Dale Street, Liverpool, on the 7th and 8th days of January, 1902, when Mr. Paxton appeared for the Board of Trade, Mr. Furness for the owners of the ship, and Mr. A. T. Miller for the master. The mate, Mr. William Ferguson Caine, was also a party to the inquiry and appeared in person, but was not professionally represented.

The “Drumalis,” official number 97,820, was a sailing ship, built of steel at Southwick, in the County of Durham, in 1890, by Messrs. William Pickersgill & Sons, and was registered at the port of Liverpool, her registered tonnage being 2,449.67 tons. Her length was 310 ft.; her breadth, 42.3 ft.; and depth of hold, 24.6 ft. She was rigged as a four-masted barque, and was the property of Mr. John Porter and others, Mr. Porter of Mersey Chambers, Liverpool, being the managing owner.

She was equipped with five boats, two of which were life boats, and the usual other life-saving appliances. She had also four compasses as detailed in the answer to the question relating to them.

The “Drumalis” left Dunkirk on the 13th July, 1901, for New York, with a part cargo of 2,020 tons of chalk, drawing 15 ft. 9 ins. forward and 16 ft. 6 ins. aft. She had a crew of 34 hands all told, namely 16 A.B.s, 9 apprentices, 1 ordinary seaman, a boatswain, a carpenter, a sailmaker, a steward and stewardess, 2 certificated officers, and the master, Mr. Abraham Joseph Whelan, who holds a certificate of competency as master numbered 017,195. There were also two passengers on board, namely, the master's wife and child.

The vessel made fair progress across the Atlantic, and at noon on the 9th August, her position as ascertained by observation was latitude 41° 30' N. and longitude 61° 40' W. Continuing her course to the westward, thick foggy weather was encountered with light baffling head winds, and no other opportunity presented itself for ascertaining and verifying the position of the vessel. At 4 a.m. on the 11th, her position by dead reckoning was supposed to be latitude 42° 18' N. and longitude 65° 18' W., just on the edge of soundings, and a cast of the lead was stated to have shown no bottom at 120

fathoms. Soundings were thereafter taken every hour, the vessel standing under easy sail to the north westward on the port tack; the weather, if anything, became thicker and the wind more fitful and light. At 10 a.m., 81 fathoms were said to have been obtained, but as all the ship's papers were lost, no reliable information was obtained by the Court as to the depths found thereafter until shortly before the casualty. During the afternoon it was stated that the fog signals of several steamers to the northward of the “Drumalis” were heard passing to the eastward and westward. Between 4 p.m. and 6 p.m., a fog signal of a somewhat peculiar tone was heard, but it was still ascribed to a passing steamer. Shortly after 6 p.m. the ship was wore round to the south-eastward and stood on the starboard tack, making, in the master's estimation, a mile or a mile and a half through the water. When the watch was relieved at 8 p.m., the mate, who took charge of the deck, took a cast of the lead and reported 20 fathoms to the master when he came on deck, and remarked on the peculiarity of the tone of a fog signal which appeared to him to be the same as the one he heard in the first dog watch. The master went into the chart room to ascertain the character of the fog signal on Cape Sable, and was just coming on deck a few minutes afterwards, about 8.30 p.m., when the ship suddenly struck on what subsequently was ascertained to be the south-west ledge near Cape Sable lighthouse, a position some 30 or 40 miles to the northward of where the master expected to be. It was quickly realized that the situation was dangerous, and the boats having been provisioned and lowered, the crew and passengers left the ship about midnight, and early next morning landed safely in a cove to the eastward of Cape Sable Lighthouse. Returning to the ship four or five hours after landing, the master and the mate found her bows submerged in seven fathoms of water, the stern above water, and the holds full of water. They also found that wreckers had been on board, who stripped the ship of everything that could be easily taken away. The vessel eventually went to pieces.

Following the track of the ship from her last well-ascertained position on the 9th August to the place where she was lost on the evening of the 11th, it is clear to the Court that the soundings could not have been taken with proper care else timely warning of the ship's approach to danger would have been had. The above remark applies especially to the sounding of 20 fathoms said to have been obtained about half-an-hour before the ship struck, for with the ship heading S.E. or S.E. by S. and going from 1 mile to 1½ miles per hour through the water, the chart shows no such depth in the direction whence she was coming. The Court is also of opinion that had the master been more alert he would have acquainted himself beforehand with the character of the fog signal on Cape Sable and thus been able to recognise it earlier than he did; though at the same time, the Court feels that it is in the highest degree desirable that the character of that signal should be such as to make it impossible for it to be mistaken for a steamer's ordinary fog signal.

At the conclusion of the evidence, the following questions were submitted 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?
- (2) Was the position of the vessel correctly ascertained at noon on the 9th August?
- (3) Was the weather thick with fog on the 10th and 11th August?
- (4) Were proper measures taken to ascertain and verify the position of the vessel at or about 6 p.m. on the 11th August and from time to time thereafter?
- (5) Was a safe and proper course set at or about 6 p.m. on the 11th August, and was due and proper allowance made for tide and currents?
- (6) Was the signal or whistle heard at 6 p.m., and thereafter, timed; was the lead used with sufficient care and frequency, and were accurate soundings obtained?
- (7) Was a good and proper lookout kept, and was the vessel navigated with proper and seamanlike care?
- (8) What was the cause of the stranding of the vessel?

(9) Was the loss of the "Drumalis" caused by the wrongful act or default of the master and mate, or of either of them?

Mr. Miller having addressed the Court on behalf of his client, the Court gave judgment as above, and returned the following answers to the questions of the Board of Trade:—

(1) There were four compasses on board the vessel, namely the standard compass on the quarter deck bridge by which the vessel was navigated, a steering compass and two spare compasses. They were in good order and sufficient for the safe navigation of the vessel.

(2) The position of the vessel was correctly ascertained at noon on the 9th August.

(3) The weather was thick with fog on the 10th and 11th August.

(4) Proper measures were taken to ascertain and verify the position of the vessel at or about 6 p.m. on the 11th August and from time to time thereafter, but the Court is of opinion that the measures were not used with sufficient care.

(5) At or about 6 p.m. on the 11th August, the ship was put on the starboard tack heading about S.E. by S. (true). Had the ship been in the position in which the master thought she was this would have been a safe and proper course. There is no evidence as to what allowance, if any, was made for tide and currents.

(6) According to the evidence of the master the signal or whistle heard at 6 p.m. and thereafter was timed. The lead was used with sufficient frequency, but the Court is of opinion not with sufficient care, and that the soundings obtained were not accurate.

(7) A good and proper lookout was kept, but the vessel was not navigated with proper and seamanlike care.

(8) The cause of the stranding of the vessel was the absence of sufficient care to obtain accurate soundings in thick weather, but the Court is of opinion that a contributory cause of the stranding was the insufficiently distinct character of the fog signal on Cape Sable.

(9) The loss of the "Drumalis" was due to a want of sufficient care in the use of the lead. The Court is of opinion that the chief officer could not have taken the soundings accurately, and that the master himself ought to have taken the precaution of satisfying himself that the soundings were being taken properly. In the circumstances the Court refrains from dealing with their certificates, but cautions the master to be more vigilant and careful in future, and censures the mate for not being more careful when taking soundings as it is clear the master was misled by the depths reported to him.

W. J. STEWART,
Judge.

We concur in the above report,

ANDW. CUNINGHAME, } Assessors.
E. M. HUGHES, }

Liverpool, 9th January, 1902.

(Issued in London by the Board of Trade on the
31st day of January, 1902.)

(No.

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The Merchant S

In the matter of a form
Magistrates' Room, Li
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Esquire, assisted by C
DYER, R.N., into the
supposed loss of the
mere" on a voyage f
which has not been h
in Lat. 36° 31' N. an
19th, 1901.

Report

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finds, for the reasons sta
the loss of the said vessel
upon her beam ends, an
the shifting of her cargo o

Dated this 18th day of

We concur in the above

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British sailing vessel, bu
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and other spaces, her
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