

(No. 6360.)

"ACARA" (S.S.).

IN the matter of a formal investigation held at Magistrate's Room, Liverpool, on the 22nd and 23rd days of April, 1902, before W. J. STEWART, Esquire, assisted by Captain A. ANDERSON and Captain BIGLEY, into the circumstances attending the stranding and loss of the British s.s. "ACARA" at Jones' Inlet, Long Island, New York, on March 1st, 1902.

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 the careless navigation of her by her master, Mr. George Kilgour, whose certificate, numbered 86,552, the Court suspends for a period of six months from the date hereof.

Dated this 23rd day of April, 1902.

W. J. STEWART,
Judge.

We concur in the above Report.

ABSM. ANDERSON, } Assessors.
WM. BARNETT BIGLEY, }

Annex to the Report.

This inquiry was held at the Magistrate's Room, Dale Street, Liverpool, on the 22nd and 23rd days of April, 1902, when Mr. Paxton appeared for the Board of Trade, Mr. Miller for the master and second officer, and Mr. Furness for the owner.

The "Acara," official number 109,465, was a British screw steamship, registered at the Port of Liverpool, and built of steel by Messrs. Palmer's Shipbuilding and Iron Company, Limited, of Jarrow-on-Tyne, in the year 1898. Her dimensions as per register were:—Length, 380 ft.; breadth, 47.3 ft.; and depth in hold from tonnage deck to ceiling at midships, 29.2 ft. She was fitted with triple expansion inverted direct-acting engines of 400 n.h.p. and 2000 i.h.p., and at the time of her loss, which forms the subject of this investigation, was the sole property of Mr. James Marke Wood, of Liverpool, Mr. James Robert Broadfoot, of 17, Water Street, being the duly appointed manager. She had three compasses, one of which was a Sir William Thomson's Standard, by which the vessel was navigated. Her gross tonnage was 4192.84 tons, and, after deducting 1515.47 tons for engine room and crew spaces, her registered tonnage was 2677.37 tons. She was supplied with all necessary boat and life-saving appliances in accordance with the Act, and was in good order and well found in every respect. The "Acara" left Shanghai on the 7th December last laden with a general cargo of about 4000 tons bound for New York. She had a crew of 60 hands all told and one passenger, viz., the captain's wife, and, at the time of leaving, the "Acara" was under the command of Mr. George Kilgour, who held a certificate of competency as master, numbered 86,552. On their way to New York they called in at several ports and completed their loading at Penang. They coaled at Colombo, came through the Suez Canal, and arrived at Bermuda on the 24th February last. After taking in bunker coal at the latter port they left there at 6.40 a.m. of the 25th, and at noon of the 26th the vessel's position by observation was latitude 35° 10' N. and longitude 68° 8' W. From this position a compass course of N. 40° W. was steered or N. 54° W. true, the weather at the time being a strong gale from the westward, with a heavy sea. This course was continued, and at noon of

the 27th, no observations being obtainable, the position by dead reckoning was latitude 37° 9' N. and longitude 70° 35' W. The weather now commenced to moderate, and the same course was continued up to 6 a.m. of the 28th, when it was altered to N. 40° W. true. At 9.20 a.m. the course was altered to N. 15° W. true, and at 10 a.m. it was again altered to N. 9° W. true. At 11 a.m. it was altered to N. 1° E. true, and at 11.45 a.m. land was sighted on the port side some seven to eight miles off, but the master informed the Court that he was unable to determine exactly what point it was. He, however, assumed it to be in the vicinity of Little Egg Inlet, New Jersey. At noon they were unable to get any observations, and the position by dead reckoning was latitude 39° 34' N. and longitude 73° 57' W. The wind at this time was a moderate gale from the southward and eastward, and the weather somewhat hazy, whereupon the vessel was stopped and a cast of the lead taken in 13 fathoms, with a bottom of black specks and coarse sand. The course was thereupon altered to N. 36° E. true, which was continued until 1.35 p.m., when it was again altered to N. 50° E. true, and at 2 p.m. it was altered to N. 48° E. true.

The weather from noon was more or less thick with fog and heavy rain, whereupon the whistle was sounded and the engines reduced to half speed. At 5 p.m. the vessel was stopped and soundings taken in 20 fathoms, with black specks and coarse sand, the vessel being then continued again at half speed. At 8 p.m. the vessel was again stopped and soundings taken in 23 fathoms, with less black specks than on the two previous soundings, with fine sand. The weather at this time is described as a dense fog, and at 9 p.m. the course was altered to S. 47° E. true, which was kept till 11.30 p.m., when the fog lifted, and it was altered to N. 30° W. true, the master stating that the last alteration was made with the view of making the light of the Fire Island light vessel. At midnight the second officer relieved the chief officer, and the weather appears to have been fairly clear and they were able to see some four to five miles, whereupon the engines were put at full speed. At 12.30 a.m. of the 1st March the master requested the second officer to take an observation of the Pole Star for latitude, which he did, and found that it placed the vessel in latitude 40° 29' N. The master stated that he checked the working of the observation and found the result to be as reported by the second officer. It may here be noted that this placed the vessel some 16 to 18 miles north of her assumed position, and although the master stated that he had doubts as to the correctness of the latitude as found by the Pole Star, he took no measures whatever to ascertain whether it was correct or not, which, under the circumstances, he could and should have done. The course at this time was altered to N. 39° W. true, and at 12.50 a.m. the second officer took another observation of the Pole Star, which placed the vessel in latitude 40° 28' N. This also was reported to the master, and at 1 a.m. he, the master, went to the chart house, leaving instructions to be called if heavy rain or fog came on. The second officer then took charge of the deck without the slightest knowledge that the course being steered was leading into danger, and without any definite instructions to look out for lights or to use the lead. In fact, the master left the bridge at a time when his presence was highly necessary. The weather remained fairly clear, the N. 39° W. true course was continued, when at about 2.15 a.m. the sound of a bell buoy was heard on the port bow; this was immediately communicated to the master, who came on deck at once and ordered the helm hard aport and the engines full speed astern, but after coming round some three points she took the ground at a place which was afterwards found to be Jones' Inlet, Long Island, New York. Every effort was made to back the vessel off, but the wind and sea increased, and at 8 a.m. it got so bad that the master considered it advisable to abandon the vessel, which they did in their own boats, and after great difficulty succeeded in landing in safety.

On the 4th, the weather having moderated, the master went off to the "Acara," and found her back was broken and the decks parted. Salvage operations were taken in hand, and a portion of the cargo was by this means salvaged, but the vessel has become a total loss. No lives were lost.

At the conclusion of the evidence, Mr. Paxton, for 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 9.40 a.m. of the 28th February last?

(4) Were safe and proper courses steered after 9.40 a.m. of the 28th February last, and was due and proper allowance made for tide and currents?

(5) What was the land sighted at or about 11.45 a.m. of the 28th February? Were proper measures then and thereafter taken to ascertain and verify the position of the vessel?

(6) Were any and if so, what observations as to latitude obtained after midnight on the 28th February, and was the master justified in steering the courses he did after these observations were obtained?

(7) Was the lead used after 8 p.m. of the 28th February? If not, should it have been used?

(8) Was a good and proper look-out kept?

(9) Was the vessel navigated with proper and seamanlike care?

(10) Was the loss of the s.s. "Acara" caused by the wrongful act or default of the master and second officer or of either of them?

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

(1) The vessel had three compasses, a standard on the upper bridge by which the vessel was navigated, a steering compass on the lower bridge, and one aft. They were in good order and sufficient for the safe navigation of the vessel, and were last adjusted by Messrs. Williams & Co., of Cardiff, in May, 1901.

(2) The master ascertained the deviation of his compasses by observation from time to time. The errors were correctly ascertained and the proper corrections to the courses applied.

(3) Measures were taken to ascertain the position of the vessel at about 9.40 a.m. of the 28th February last, but such position was not verified as it might and should have been.

(4) Safe courses were steered from 9.40 a.m. up to shortly after midnight, but not after that hour. No

allowance appears to have been made for tide or currents.

(5) The land sighted at about 11.45 a.m. was that between Absecon and Barnegot Inlets, New Jersey. Proper measures were then taken to ascertain the approximate position of the vessel, but not after.

(6) Shortly after midnight observations of the Pole Star were taken, which placed the vessel in latitude 40° 29' N. to 40° 26' N. The master was not justified in steering the course he did after these observations were obtained.

(7) The lead was not used after 8 p.m. of the 28th February last, and the omission to use it was, in the opinion of the Court, a grave one.

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

(9) The vessel was not navigated with proper and seamanlike care.

(10) The loss of the "Acara" was caused solely by the wrongful acts and default of the master, George Kilgour. There is no doubt that the navigation of the vessel after midnight of the 28th February last was careless and negligent in the extreme. The master totally ignored the results of the Pole Star observations and made no attempt whatever to verify them; in fact, he went off the bridge to the chart room very shortly after the first one was obtained, leaving the second officer in charge, but without telling him that the course being steered was leading direct on to the land or giving him any instructions except as to being called in case of change of weather.

The Court therefore finds that the master was very gravely in default, and but for the frank and honest way in which he admitted his error, would have felt it necessary to suspend his certificate for a longer period than the six months, which they consider the lowest penalty which they would be justified in inflicting.

On the application of Mr. Miller, the Court recommend that the master be granted a chief mate's certificate during the period of suspension of his certificate as master.

W. J. STEWART,
Judge.

We concur in the above Report.

ABSM. ANDERSON. } Assessors.
WM. BARNETT BIGLEY. }

Liverpool, 25th April, 1902.

(Issued in London by the Board of Trade on the 23rd day of May, 1902.)

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