

(S. 184.)

"AFRICA" (S.S.).

The Merchant Shipping Act, 1894.

IN the matter of a formal investigation, held at the Town Hall, Hull, on the 13th, 14th, 16th, and 17th days of June, 1902, before J. G. HAY HALKETT, Esq., assisted by Captain RICHARDSON, Captain W. B. BIGLEY, and Mr. JOHN REED, into the circumstances attending the stranding of the British steamship "AFRICA" on a reef off the coast of Iceland, on the 14th day of April, 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 causes of the stranding and loss of the vessel were the absence of the skipper from deck at a time when the vessel was closely approaching the land, his neglect to give definite and sufficient instructions to the men on watch, and the failure of Michael Smith and Edward Andrews, A.B.'s, to keep a good and proper look-out. The Court finds the skipper, Mr. Henry Ernest Lydamore, and Michael Smith, A.B., in default, and orders them to pay the sums of £20 and £5 respectively to the solicitor of the Board of Trade towards the costs and expenses of this inquiry, and the Court severely censures Edward Andrews, A.B., for not keeping a good and proper look-out.

Dated this 17th day of June, 1902.

J. G. HAY HALKETT, Judge.

We concur in the above Report.

WM. BARNETT BIGLEY, } Assessors.
GEORGE RICHARDSON, }
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, and Mr. W. Wright appeared on behalf of the master and the mate. Joshua Gane, Michael Smith, and Edward Andrews, A.B.s, were also parties to the inquiry and appeared in person, but were not represented professionally.

Upon the application of Mr. J. F. Wintringham, the North-Eastern Steam Fishing Company, Limited, owners, and the Grimsby Steam Fishing Vessels Mutual Insurance and Protecting Company, Limited, underwriters, for both of which he appeared, were made parties to the inquiry.

The "Africa," official number 99,671, was a steam line fishing vessel, built at Beverley in 1892 by Messrs. Cochrane, Cooper, and Schofield, and her respective dimensions were:—length 116·8 feet; breadth 21 feet; depth in hold 11·5 feet; her tonnage being 79·14 tons net register. She was fitted with one triple expansion direct-acting engine of 50 h.p. nominal, and was owned by the North-Eastern Steam Fishing Company, Limited, of Grimsby, Mr. George Doughty, of Waltham Hall, near Grimsby, being the managing owner.

The "Africa" left Grimsby on the 29th of March last, bound for the fishing grounds of Iceland, under the command of Mr. Henry Ernest Lydamore, who holds no Board of Trade certificate, with a crew of 14 hands, all told.

She was well fitted and found in every respect. She had one boat which was of the usual size and description carried by such vessels, and was supplied with two

life-buoys and 14 life-belts. She had an Imray's chart of Iceland, but the master could not say up to what date it had been corrected.

The "Africa" arrived at Patrix Fiord on the 6th April, remained there until the 7th, and fished in the neighbourhood until the 13th, when the wind increased from the N.E. The master then returned south and lay off Snefells Jökul, where he fished until the afternoon of the 14th April. He then determined to shift his ground, and to proceed to Cape Utskalar for another day's fishing.

The master stated that at 4.45 p.m. of the same day, he ascertained the position of his vessel by cross bearings of Ondverdarnaes, which bore N.E. by E., and of Lon rocks, which bore E.S.E. These bearings appear to have been very roughly taken, and the master in his evidence displayed complete ignorance as to the use and correction of the deviation card which had been supplied by the compass adjusters. Nevertheless, the point of departure seems to have been approximately ascertained.

After the bearings had been taken, a course by compass of S. by E. was set to make a landfall at or near Cape Utskalar, and the patent log was streamed. The weather was fine and clear, with a strong breeze from E.S.E. The sea was smooth until the vessel got clear of the land and entered Faxø Bay, when it became slightly rougher. The mainsail and mizzen were set, and the engines were running full speed ahead.

In the opinion of the Court, the vessel made about 9 knots an hour over the ground from the point of departure until she stranded. During the whole period the engines were kept at full speed and the two sails set.

The mate and an A.B. then went on watch. The former received from the master the instruction, "You know the old tip, Tom, call me if required," and the latter received the course "S. by E., nothing to E." Shortly before 6 o'clock, the master went below into the cabin for tea, and did not again come on deck until after the vessel stranded. At tea with the master in the cabin were, among others, Joshua Gane, Michael Smith, and Edward Andrews, A.B.s. To these men the master gave the following instructions:—"Two hands on the bridge, and not to forget it. Don't be frightened of calling me if you want anything."

At 6.30, the mate's watch was relieved by Joshua Gane and the eldest apprentice. Joshua Gane is afflicted with deafness, and stated that he did not hear the instructions given by the master in the cabin at tea-time, and the Court is disposed to accept this statement.

On going on watch he said that the only order he got from the mate was "Keep her S. by E." He did not hear the mate say, "Nothing to windward." About 7 o'clock the master gave a further order to Gane through the speaking tube. According to the master, this was to run the steam down for 50 miles on the log unless they previously saw Utskalar light, in which case they were to call him—whereas Gane states that he received no order to call the master when the light was seen. The master denied that he was aware of Gane's deafness, but the Court is not prepared to credit this statement; and, further, it inclines to accept Gane's version of what the master said. In any case, it was the master's duty to have gone on to the bridge and to have definitely ascertained that his orders were understood.

At about 9.10 the watch was taken by Michael Smith and Edward Andrews, A.B.s, who got the S. by E. course from Joshua Gane, and a further instruction, "Let the steam run down at 50 miles and call the skipper," but no instruction to call the skipper when Utskalar light became visible. Both these men had heard the master's orders in the cabin. At 9.30, Joshua Gane, after leaving the wheel-house went aft to examine the log, and stated that he did not see it very distinctly, but that as far as he could make out it registered 42 or 43 miles. He then went to leeward of the wheel-house and called out to Smith, "I can't see exactly, but I think there is 42 or 43 miles on the log." Gane then went below. Smith and Andrews denied hearing this or anything else from Gane after he left the wheel-house, and Gane admitted that he received no reply from the men on watch.

At this time the night was fine and clear, and lights were visible at their full range. In the wheel-house Michael Smith was standing at the port side of the wheel and Edward Andrews was at the starboard side of the wheel-house on the look-out. From the evidence of Smith and Andrews the Court is of opinion that there was only one window (if any) open in the wheel-house, and Andrews admitted that he was smoking.

About 10 o'clock Utskalar light was seen by the watch, distant 4 to 5 miles away, and from 3 to 4 points on the port bow. The full range of this light is marked upon Imray's chart at 11 miles. Even in the absence of instructions from the master, the Court is of opinion that the plain duty of the men on watch was then to have called the skipper and reported the light. But this was not done, and the vessel was kept on the same course and at the same speed as before.

At about 10.10 p.m. the chief engineer came on deck and asked Smith how much further he had to go. Smith replied, "We have got to go 50 miles by the log, and I don't think it will be before our watch is out." Smith's watch was out at 11 o'clock.

Shortly before 10.30 p.m. Utskalar light was abeam on the port bow, and in the opinion of the Court two miles distant. Michael Smith in his evidence stated that it did not occur to him that by keeping on the same course the vessel must inevitably run ashore.

About 10.30 Smith sent Andrews again to examine the patent log. Andrews reported to Smith that it registered 45 or 46 miles, but admitted in examination that he could not see it clearly.

During the course of the inquiry the questions of the Board of Trade were handed to Andrews, and he then admitted that he was unable to read. Smith apparently accepted the statement of Andrews as to the distance run, and excused himself for not calling the skipper as the log showed less than 50 miles.

The vessel continued on the same course for ten minutes when Andrews, on Smith's orders, told the chief engineer, through the speaking-tube, to let the steam go down. The vessel ran for another ten minutes still, when Andrews, at about 10.50 p.m., left the starboard side of the wheel-house went to the port side, and opened a window, when he saw and reported to Smith land right ahead and distant about a mile. Andrews stated that if the port window in front of Smith had been open, and if Smith had been looking out, he would have seen the land.

The master was not called, the engines were not eased, stopped, or reversed, but the vessel's helm was put hard-a-port and her head brought out to W.S.W., when, four or five minutes after land had been sighted, she took the ground heavily on a reef nearly three miles to the W.S.W. of Utskalar.

On the vessel stranding, Smith and Andrews rushed in a state of panic from the wheel-house, leaving the engines going at full speed; and, without calling their shipmates, made for the boat in order to secure their personal safety. The chief engineer, on feeling the shock, stopped the engines on his own responsibility, and the master went on deck, finding no one on the bridge. Smith and Andrews, with other men, were engaged in clearing away the boat. The sea was moderate at this time and the vessel had made no water. The master therefore ordered the engines full speed astern to try and back the vessel off the rocks.

Before the order was carried out the second engineer hauled in the patent log to prevent its fouling the propeller. The log was then examined, and registered 56½ miles. As the reversing of the engines was of no avail, the crew commenced to lighten the ship by jettisoning the coal. This, in a falling tide, was unsuccessful; and it was decided to attempt to get the vessel off at 10 o'clock (high-water) next morning by running out anchors. The wind now increased, and about 4 a.m. as the tide flowed the weather got worse and the vessel began to bump. Just before 8 o'clock an Icelander's boat came alongside and Andrews, the cook, the trimmer, and two apprentices were taken ashore in her, the skipper of the boat remaining on board the "Africa." At 9, the "Africa" bumped very heavily, and at 9.30 she knocked a hole through her bottom. The fires were drowned out, and all on board left for the shore in the boat. On the following days, the 16th and 17th, the crew were engaged in salving what they could out of the vessel. On the 18th, a salvage boat arrived from Reykjavik, but it was found that

nothing could be done to save the "Africa," which subsequently became a total wreck. The crew then left for Reykjavik, and thence for Leith on the 27th. They arrived at Leith in due course and proceeded by rail to Grimsby.

The evidence adduced in the inquiry revealed carelessness and incompetency on the part of three of the parties to the inquiry. With reference to the master, the Court cannot refrain from expressing surprise that so ignorant and careless a man should have been entrusted with the command of a vessel of the class of the "Africa."

He did not know how to apply the deviation indicated by the deviation card to courses or bearings, much less how to test the accuracy of the card itself. He wholly failed to realise the responsibilities of his position. He did not come on deck after 6 o'clock until the casualty. He gave no general orders to be called when any light was visible. Doubtless the men on watch should have called him when they saw the light, but that does not relieve him of his responsibility in remaining below without having made such an order clear beyond the possibility of mistake. The Court believes that Gane received no order from him to this effect.

The attitude of the men on watch on seeing the light was no doubt partially accounted for by the order to call the master when there was 50 miles on the log. They thought of the log and of nothing else, and even if the log had been accurately examined the vessel would have been only a little over four miles from danger when the master should have been called. And this is quite apart from the risk which always exists of the patent log being fouled, or in some other manner failing to accurately record the distance run. The Court is of opinion that it was the master's duty either to remain in charge of his vessel the whole time or to take adequate steps to ensure his being called before the vessel drew near to the land.

As to Michael Smith, he failed to call the master when he ought to have done so even in the absence of instructions, he neglected to take proper steps to make sure that the log was accurately examined, he did not keep a good and proper look-out, and after the land had been reported to him, he failed to take proper steps to keep the vessel off it. When the ship struck, he did not stop the engines or call the master or crew.

With reference to Andrews, he professed to read the patent log although unable to do so, and he failed to keep a good and proper look-out.

At the conclusion of the evidence, Mr. Saxelbye, 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?
- (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 4.45 p.m. of the 14th April last? Was a safe and proper course then set and thereafter steered, and was due and proper allowance made for tide and currents?
- (4) Did the skipper leave proper and sufficient instructions with the mate before going below at or about 5 p.m. of the 14th April? Were the instructions given him by the skipper carried out by the mate?
- (5) Was the master justified in leaving the vessel in the sole charge of A.B.s after 6.30 p.m. of the 14th April?
- (6) Did the master give Joshua Gane, Michael Smith, and Edward Andrews, A.B.s, proper and sufficient instructions with regard to the navigation of the vessel? Were the instructions, if any, given by the master to Joshua Gane, Michael Smith, and Edward Andrews, A.B.s, respectively, carried out by them, or any of them?
- (7) Was the patent log on board in good working order, and did it correctly register the distance run from time to time after 4.45 p.m. of the 14th April?
- (8) Was a good and proper look-out kept?
- (9) What was the cause of the stranding and loss of the vessel?
- (10) Was the vessel navigated with proper and seamanlike care?
- (11) Was the loss of the s.s. "Africa" caused by the wrongful act or default of the skipper and mate, or of

either of them, Michael Smith, or them?

Mr. Winttringh the Court on behalf of Mr. Wright, on behalf of Mr. Saxelbye had the Board of Trade, the Court following answer the Board of Trade:—

(1) The vessel is to say, one of the courses were second in front of the spare one, kept sufficient for the were adjusted in Grimsby.

(2) The master's compasses by his evidence it is the errors or to courses.

(3) The master April he took the position of the vessel were very rough, been substantial, was then set a long), and due to and currents.

(4) The skipper instructions with about 5 p.m. whether such instructions were fulfilled.

(5) Considering the skipper was just in charge of A.B.s when the vessel was struck.

(6) The master Smith, and Edward Andrews, sufficient instructions.

either of them, and does blame attach to Joshua Gane, Michael Smith, and Edward Andrews, A.B.s, or any of them?

Mr. Wintringham and Mr. Wright having addressed the Court on behalf of the owners and underwriters, Mr. Wright, on behalf of the master and mate, and Mr. Saxelbye having replied on behalf of the Board of Trade, the Court gave judgment and returned the following answers to the questions of the Board of Trade:—

(1) The vessel had three compasses on board: that is to say, one on the roof of the wheel-house by which the courses were set and the vessel navigated, the second in front of the wheel-house, and the third, a spare one, kept below. They were in good order and sufficient for the safe navigation of the vessel. They were adjusted in January last by Mr. O. T. Olsen, Grimsby.

(2) The master did not ascertain the deviation of his compasses by observation from time to time, and from his evidence it is clear that he was unable to ascertain the errors or to apply the proper corrections to the courses.

(3) The master stated that at 4.45 p.m. of the 14th April he took cross-bearings to ascertain and verify the position of the vessel, and, although these cross-bearings were very roughly taken, they do not appear to have been substantially inaccurate. A safe and proper course was then set and thereafter steered (but continued too long), and due and proper allowance was made for tide and currents.

(4) The skipper did not leave proper and sufficient instructions with the mate before going below at or about 5 p.m. of the 14th April, and it is doubtful whether such instructions as were given to him by the skipper were fully carried out by the mate.

(5) Considering that the night was fine and clear, the skipper was justified in leaving the vessel in the sole charge of A.B.s from 6.30 p.m. until about 9.30 p.m., when the vessel began to near the land, and no later.

(6) The master did not give Joshua Gane, Michael Smith, and Edward Andrews, A.B.s, proper and sufficient instructions with regard to the navigation of the

vessel. The instructions given by the master to Joshua Gane, A.B., appear to have been carried out by him, but the instructions given to Michael Smith and Edward Andrews, A.B.s, were not carried out by either of them.

(7) The patent log on board was in good working order, and it correctly registered the distance run from time to time after 4.45 of the 14th April.

(8) A good and proper look-out was not kept.

(9) The causes of the stranding and loss of the vessel were, the absence of the skipper from deck at a time when the vessel was closely approaching the land, his neglect to give definite and sufficient instructions to the men on watch, and the failure of Michael Smith and Edward Andrews, A.B.s, to keep a good and proper look-out.

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

(11) The loss of the s.s. "Africa" was caused by the wrongful act and default of the skipper, and blame attaches to Michael Smith and Edward Andrews, A.B.s.

The Court finds the skipper, Mr. Henry Ernest Lydamore, and Michael Smith, A.B., in default, and orders them to pay the sums of £20 and £5, respectively, to the Solicitor of the Board of Trade towards the costs and expenses of this inquiry.

The Court severely censures Edward Andrews, A.B., for not keeping a good and proper look-out.

(Signed)

J. G. HAY HALKETT,
Judge.

We concur in the above Report.

GEORGE RICHARDSON,
WM. BARNETT BIGLEY, } Assessors.
JOHN REED,

(Issued in London by the Board of Trade on the 11th day of July, 1902.)