

(No. 6242.)

"LADY ST. AUBYN."

Shipping and Seamen's Act, 1877.
Wrecks and Casualties.Colony of }
New Zealand, } REPORT on a Shipping Casualty to the
to wit. } Schooner "LADY ST. AUBYN."To the Honourable the Minister having charge of the
Marine Department of New Zealand.

I, the undersigned, Stipendiary Magistrate in and for the Colony of New Zealand, having been on the 11th day of March, 1901, applied to by Alexander Rose, Esquire, Collector of Customs at the port of Auckland, for a formal investigation, pursuant to section 240 of "The Shipping and Seamen's Act, 1877," and other provisions of the said Act, respecting a shipping casualty to a certain British ship called the "Lady St. Aubyn," of the port of Lyttelton, on the 25th day of February last, at entrance to Kaipara Harbour, did duly proceed with the said investigation, to wit, on the 15th day of March instant, and had before me, and examined on oath, divers persons and witnesses, to wit, Alexander McDonald, master, David Cowie, able seaman, Alfred Whymark, assistant signalman, Edward Neilson, able seaman, Thomas Radcliff, able seaman, and William Hayers, cook, the original depositions of whose evidence are hereunto annexed, signed by me, being assisted therein by John Adamson, holding a certificate of competency as master mariner, No. 82,634, from the Board of Trade, and Thomas Fernandez, holding a certificate of competency as master, No. 36, from the Marine Department of New Zealand, who were duly appointed by the Hon. the Minister of Marine to act as Assessors; and, upon such investigation and examination of witnesses as aforesaid, I find and report as follows, that is to say:—

1. That the official number of said ship called the "Lady St. Aubyn" is 58,381, of which Alexander McDonald is master, who holds a certificate of competency, No. 016,355, issued by the Board of Trade, London, and which ship belonged to Robert Pitcaithly, of Christchurch, New Zealand.
2. That the loss or damage herein more particularly mentioned happened on the 25th day of February, 1901, at about midday, at the North Sandspit of Kaipara Harbour.
3. That the loss or damage appears by the evidence to have been caused as in special report hereto attached.
4. That the nature of the loss or damage done was total loss. That the vessel was insured. That the "Lady St. Aubyn" is schooner-rigged. Her port of registry Lyttelton. Her registered tonnage 150 tons. That no lives were lost through the casualty.

And I, the said Stipendiary Magistrate, further state my opinion on the matter aforesaid to be as follows:—

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That the "Lady St. Aubyn" was lost on the 25th February, 1901, by drifting on the North Sandspit of Kaipara Harbour, while trying to enter that port.

She had a leading wind of moderate strength while crossing the bar and until she passed the first red buoy. The wind then became baffling and more easterly, and ultimately failed. The master tried first to tack and then to wear, but failed in both operations, and the vessel was carried by tide and sea on to the North Spit, where she became stranded and afterwards a total wreck. The crew were able to walk ashore at low water. The vessel was well manned, well found, and seaworthy.

The master, during the time he was entering, cast his lead and had his anchor ready to let go, but did not try to anchor. The reason he gives is that he thought it would be useless, and that the vessel might have floated on to the anchor. These reasons appear to my Assessors not to be valid ones.

I am of opinion that the master committed a grave error in judgment in not letting go his anchor when his vessel was drifting towards the North Spit. The necessity for having an anchor always ready and letting it go in time is specially referred to in the sailing directions for Kaipara Harbour in "The New Zealand Pilot," where it is pointed out that the wind sometimes fails at this entrance when most required, and that there are strong tides which set a vessel to the North Spit. The master had not the "New Zealand Pilot" on board, but he had a work called "Brett's New Zealand and South Pacific Pilot," which contains the same caution. The error in judgment is not considered grave enough to oblige me to interfere with the master's certificate. I consider that he should bear the costs of this inquiry. I understand, however, from the Collector of Customs, that the master is not in good circumstances; he is only the master of a small vessel, and not earning much. The order then will be that he pay half the costs (limited to five (£5) pounds).

Given under my hand, this fifteenth day of March, one thousand nine hundred and one, at Auckland, New Zealand.

(Signed) HERBERT W. BRABANT,
Stipendiary Magistrate.

I concur in the above report.

(Signed) THOS. FERNANDEZ, Assessor.

I concur in the above report.

(Signed) J. ADAMSON, Assessor.

A true copy.

W. T. GLASGOW,
Secretary, Marine Department, N.Z.

(Issued in London by the Board of Trade on the
13th day of September, 1901.)