

(No. 6918.)

“JAY” (S.S.),

“MANCHESTER” (S.S.)

AND

“CLEETHORPES” (S.S.).

The Merchant Shipping Act, 1894.

In the matter of a formal investigation held at the Town Hall, Hull, on the 23rd, 26th, and 27th days of March and the 2nd and 4th days of April, 1906, before J. G. HAY HALKETT, Esquire, assisted by Captain KENNETT HORE, Captain W. COWIE, and Mr. JOHN REED, into the circumstances attending the collisions between the s.s. “JAY” and the passenger paddle steamships “CLEETHORPES” and “MANCHESTER,” in the River Humber, on the 27th of February last.

Report of Court.

The Court, having carefully inquired into the circumstances attending the above-mentioned shipping casualties, finds, for the reasons stated in the Annex hereto, that the causes of the casualties were (i) the skipper being drunk in charge of his vessel and navigating the river with culpable recklessness; (ii) the second hand coming on board drunk and supplying the skipper and other members of the crew with drink. The Court finds the skipper, Mr. Thomas Cantwell, and the second hand, William John Nicholls, in default. It cancels the certificate of the former (No. 1429) and suspends the certificate of the latter (No. 3987) for three years from this date. The Court, on the application of the skipper, recommends the Board of Trade to grant him, after two years, a second hand's certificate, provided that he behaves himself satisfactorily in the meantime.

Dated this 4th day of April, 1906.

J. G. HAY HALKETT,  
Judge.

We concur in the above Report.

KENNETT HORE, }  
W. COWIE, } Assessors.  
JOHN REED, }

Annex to the Report.

This inquiry was held at the Town Hall, Hull, on the above-mentioned days, when Mr. H. Saxelbye appeared for the Board of Trade. Mr. Thomas Cantwell, skipper of the “Jay,” William Nicholls, second hand of the “Jay,” and Mr. George Arthur Cutsforth, master of the s.s. “Manchester,” were parties to the inquiry and appeared in person, but

were not represented professionally. Dr. T. C. Jackson watched the case on behalf of the owners of the “Jay.”

The “Jay,” official number 108534, is a British screw steam trawler, built of iron at North Shields in 1897 by Messrs. Edwards Bros., and her respective dimensions are:—Length, 106 ft.; breadth, 20·6 ft.; depth of hold, 12·66 ft.; gross tonnage, 143·61 tons; and registered tonnage, 44·29 tons. She was fitted by the North Eastern Marine Engineering Co., Ltd., Sunderland, with triple expansion engines of 41 h.p. nominal, the diameter of the cylinders being 12 ins., 18 ins., and 30 ins. respectively; length of stroke 21 ins., and her speed is given in the register as 10½ knots. She is owned by Messrs. Kelsall Brothers and Beeching, Ltd., of 103, High Street, Manchester, Mr. John Edmund Ambrose Kelsall, of 2, Balmoral Terrace, Fleetwood, and Mr. George Beeching, of Osborne House, Fleetwood, being her registered joint managers. She had one boat of the size and description usually carried by vessels of her class, and she was well fitted and properly equipped for the trade in which she was engaged.

The “Manchester,” official number 75357, is a British paddle steamship, built of iron at Goole in 1876 by the Goole Engineering and Shipbuilding Co., Ltd., and her respective dimensions are:—Length, 159·7 ft.; breadth, 18·9 ft.; depth of hold, 8·4 ft.; gross tonnage, 221·37 tons; and registered tonnage, 167·58 tons. She was fitted by Messrs. Laird Bros., Birkenhead, with oscillating engines, the diameter of the cylinders being 36 ins. and the length of stroke 36 ins. She is owned by the Great Central Railway Co. She had one lifeboat capable of accommodating 14 persons, one boat capable of accommodating 13 persons, 41 buoyant deck seats capable of supporting 234 persons, 407 life-belts, and 40 life-buoys.

The “Cleethorpes,” official number 118787, is a British paddle steamship, built of steel at Dundee in 1903 by Messrs. Gourlay Brothers & Co., and her respective dimensions are:—Length, 190·1 ft.; breadth, 25·5 ft.; depth of hold, 8·9 ft.; gross tonnage, 302·28 tons; and registered tonnage, 66·52 tons. She was fitted by Messrs. Gourlay Brothers with diagonal compound engines of 98 h.p. nominal, the diameter of the cylinders being 25 ins. and 48 ins. respectively; length of stroke 45 ins., and her speed is given in the register as 13 knots. She is also owned by the Great Central Railway Co., Mr. John Walker, of Nelson Street, Hull, being her registered manager.

The “Jay” left the St. Andrew's Dock at about 7.30 a.m. of the 27th February last, bound for the Gamecock fishing fleet, in 56° 20' N. lat. and 4° 10' E. long., under the command of Mr. Thomas Cantwell, who held a certificate of competency as skipper (No. 1429 and dated 6th July, 1886) with a crew of nine hands all told. The second hand did not join the vessel until she was in the river. The skipper stated that he saw him dancing about on the dock head, and when he was brought on board by a steam launch at about 8.30 a.m. he was unquestionably very drunk. According to his own statement he had spent the hour and a half preceding going on board in a public-house, and he admitted that he was the worse for drink. He stated that although he had agreed to go to sea, he had the night before made up his mind that he would not go. He, however, said nothing to anyone of this determination, and on the morning he sent his clothes on board. He also proceeded to a public-house in the vicinity of the dock, and there can be no doubt that he intended to go to sea after he had got as much drink as he wanted. With his clothes he sent on board a bottle of whisky (a reputed quart), which he stated he was going to take out to a man in the fishing fleet. He also admitted that he brought from the public-house

a shilling bottle of whisky. Henry Holder, a ship's husband in the employment of the owners, acknowledged to the Court that he took the man on board, although he was the worse for drink and incapable of performing his duties. Holder stated that the skipper was sober, and that this being so he did not prevent the second hand going on board, that it was frequently difficult to get both of the two certificated hands on board sober, but that he had to be content if he had one of them able to discharge his duties.

When the "Jay" got into the river it was exceedingly foggy, and the anchor had been made ready, as the skipper expected that it would not be sufficiently clear for some time for him to get far down the Humber. Another steam trawler, the "Civic," followed the "Jay" out of the dock, and lay near her in the river while the former waited for her second hand. The morning was so thick that the skipper decided to anchor before attempting to proceed further. Considerable delay took place in getting the anchor out. It was the skipper's business to have seen that everything was in order before leaving the dock, but in dropping the anchor the chain was found to be foul in the locker and it jammed. As the anchor did not reach the ground, and as it was found impossible to clear the chain, the anchor had to be hove up again by the winch, the chain unshackled, and the wire hawser bent on in its place. By these means the vessel was eventually brought up. This must have been at the earliest at 10 a.m., but times throughout the inquiry are generally approximate and uncertain, the evidence being exceedingly conflicting. When the vessel came to anchor she was lying somewhere in the vicinity of the Albert Dock. During this time the second hand appears to have been behaving in a very disorderly manner on the deck, and to have been using bad language to the skipper, who had accused him of being drunk and had suggested that he should turn in. An altercation took place between the skipper and the second hand about a bottle (full or empty is uncertain), which, according to the boatswain, the skipper took from the second hand and threw overboard. Up to this point no exception can be taken to the conduct of the skipper since leaving the dock. It is questionable whether it would have been safe for the skipper to have proceeded at once down the river, and he appears to have done his best to keep the second hand, whose conduct must have been most exasperating, quiet. However, the delay was quite unnecessary after about 5 p.m., when the "Civic" appears to have proceeded to sea. By this time the fog had cleared away, and there was nothing to detain a trawler in the river. The skipper stated that the reason why he did not proceed to sea was not on account of the fog, but because of the drunken condition and troublesome behaviour of the second hand, and also because he felt that he would probably have to keep the second hand's watch when at sea. If, however, he had taken the drink away from the second hand and put him into his berth he could easily have taken the vessel down the river. But the skipper made no attempt throughout the day to proceed to sea, and, instead of adopting any measures to prevent the second hand from continuing his drunken bout, he, before long, betook himself to the cabin, where he commenced to drink with him and with the two engineers. The skipper admitted that he could not answer for anything which happened between about 3 p.m. and 11 p.m., when the vessel was anchored off the Victoria Pier. He had no recollection as to how he got from one anchorage to the other, as to who gave the orders for the anchor to be hove up, and the engines put at half-speed. He dimly remembered certain things that occurred during the period, but his evidence as to them was practically worthless. He was drunk during the whole time. The boatswain, who seems to have been on watch throughout practically the whole day until dark, was a total abstainer, and, according to his evidence, the skipper went below soon after the anchor was down, but kept coming on deck at times. According to the boatswain, he was sober up to and including 3 p.m., when he was on deck for about half an hour, but not at between 7 and 8 p.m. The chief engineer stated that soon after

the vessel was anchored the second hand, who was drunk, invited him to drink with the skipper and the second engineer in the cabin. The second hand then produced a bottle of whisky—possibly the same which had been sent on board with his clothes—which was nearly full. Each of the four had some, but it was stated that the engineers had very little. After half an hour or more the chief engineer left the cabin, and was soon followed by the second engineer, who left the two certificated hands drinking together. The chief engineer said that during the day he was up and down to the cabin several times, and that about three times he had drinks with the skipper, second hand, and second engineer. On one of these occasions, it was said at between 2 and 3 o'clock, the second hand struck the skipper and afterwards tore the chief engineer's trousers. After this happened an unsuccessful attempt seems to have been made to put the second hand into his berth. The evidence as to the amount of drink on board was more or less conflicting, and according to no witness was there as much as would account for the consumption and the results. There is no evidence that the skipper brought any on board himself.

While the drinking was going on in the cabin the vessel took the ground. The skipper stated that this was at low water—at about 3 p.m.—that he had anchored her in the channel, and not more than 200-300 yards from the docks. In this position she would have had sufficient water to lie afloat at all states of the tide, and it can only be surmised that the wind or tide caused her to drag her anchor and get to the southward of the channel. At about 4.30 p.m. the boatswain put up the anchor lights.

At about 7.45 p.m., the weather being fine and clear with a fresh breeze blowing from the N., the vessel was riding to the flood tide—high water being, by the tide tables, at 8.56, but, according to the master of the "Manchester," it was actually at 8.35. At this time the second hand, although certainly not strictly sober, was much less drunk than formerly, but the skipper came on deck as drunk as ever. The boatswain reported to him that the vessel was dragging her anchor, and asked whether he should heave it up. The skipper replied "Yes," and the anchor was hove up. The skipper then rung the engines on at half-speed ahead, and, intentionally or unintentionally, turned the vessel's head up stream and in the direction of New Holland. It should here be remarked that although it was not suggested that the engineers were drunk, the evidence of at least the chief engineer as to times was less exact than is usually the case; he said that the engines started at between 5 and 6 p.m., or it might have been at 7.30, which points to his having been at least temporarily muddled by drink. When the engines were started the skipper did not order that the riding lights should be taken down and the regulation lights for a vessel under weigh exhibited. Thus she proceeded in the direction of New Holland Pier at half-speed, shewing anchor lights only. The skipper remained alone on the bridge, as the anchor was foul and the second hand, boatswain, and two other members of the crew were engaged in clearing it. Although the men forward had work to occupy their attention, they were doubtless, knowing the condition of the skipper, anxious as to the navigation of the vessel, and not without reason, as they soon saw that she was heading direct for New Holland Pier. It is difficult to say why the skipper put his vessel on this course. The most likely explanation is that he was unaware that she was no longer heading down the river—that he thought that she was making for the sea and that she was near the north bank. New Holland, being a railway terminus as well as a ferry steamship pier, is brightly lighted, and its whole extent must have been plainly in view. As the danger became imminent the men on deck shouted to the skipper to go astern, that he was going to run into the pier, or into a steamship, which subsequently proved to be the s.s. "Cleethorpes," which was lying inside the eastern head of the T shape. The skipper is stated to have replied to the shouts, "I can't help it"; and he certainly took no steps to avert the casualty, which almost immediately followed. The "Jay," coming well inside the pier head, struck, with her port bow, the straight portion of the pier on the

east side at or near the pier head, rebounded to port side parallel to starboard, and speed, with her "Cleethorpes" abaft the pier, happened the second hand on board which was made it the "Jay" was the pier, and propped deck hand behind.

As the "Jay" was remaining in the channel the anchor lights were exhibited, and the lights were exhibited up the masthead taken down soon after the masthead lights were exhibited. There was no evidence at the latter point, but those on board were done afterwards at the time of the collision. The only light exhibited was the anchor light. In the pier the second hand was clearing the light of a steamship, which was the s.s. "Manchester" the starboard bow of a vessel in the quarter of a mile from the pier. The skipper went forward to go forward to port. It is likely that the collision was kept out of the way. The man on board the "Manchester" was Hull at 8.30 p.m. The passengers on board the "Manchester" were on board at port bow and after a mile, was as a riding light. The master and the vessel was first seen in the "Manchester" which has only one light to the Hull Pier anchor light. They drew near the pier, and a short blast with the whistle, and a greater security, was given. The vessel was hard a port. A casualty then occurred, and it was covered that the vessel was coming to anchor, and the helm to be steered to starboard. A danger which was a danger were the "Jay," however, the "Manchester" was about half-way down the pier, and the stern of the vessel was in the engines of the vessel, but not in the vessel, and the second or two engines stopped and the vessel ahead, the skipper of the Merchant's vessel, the look-out man under the im- According to the evidence the engines were beached her. elapsed, the immediate danger was brought to a halt, and the passengers were safe. The "Jay" was still at half-speed, and exhibited or

east side at or near the corner of a projecting lavatory, rebounded back, and, slewing round with her port side parallel to this part of the pier, she turned to starboard, and, her engines still going at half-speed, with her stern also struck the s.s. "Cleethorpes" abaft the starboard paddlebox. After this happened the second hand seems to have pulled himself together to some extent, for he sent the deck hand on board the "Cleethorpes" with a hawser, which was made fast to that vessel and by means of it the "Jay" was got clear of the "Cleethorpes" and the pier, and proceeded into the river, leaving the deck hand behind on board the "Cleethorpes."

As the "Jay" left the pier, the skipper still remaining in the same condition on the bridge, her anchor lights were still up, but no masthead or side lights were exhibited. As a preliminary to putting up the masthead light, the foremost anchor light was taken down soon after leaving the pier, but neither the masthead light nor the side lights were exhibited. There is a conflict of testimony on this latter point, but the Court accepts the evidence of those on board the "Manchester" that, whatever was done afterwards or was being arranged for then, at the time of the collision with the "Manchester" the only light carried by the "Jay" was the after anchor light. In a few minutes after leaving the pier the second hand and boatswain, who were forward clearing the anchor, saw the masthead and red light of a steamship, which subsequently proved to be the s.s. "Manchester," two or three points on the starboard bow and apparently distant about a quarter of a mile. They both sung out to the skipper to go full speed astern, and to put his helm hard to port. It does not appear certain or even likely that the skipper, although it was his duty to keep out of the way, took any steps then to avoid the collision. At about the same time the look-out man on board the s.s. "Manchester," which left Hull at 8.30 p.m. for New Holland with 150-200 passengers on board, saw a white light broad on the port bow and apparently distant a little over a quarter of a mile, which he at once reported to the bridge as a riding light and which was also seen by the master and the man at the wheel. When the light was first seen it was taken by those in charge of the "Manchester" for the riding light of a keel or barge which has only one mast and consequently, according to the Hull Trinity House rules, only carries one anchor light. As a precautionary measure, when they drew nearer to the light the master gave one short blast with the whistle, and told the man at the wheel to port, and immediately afterwards, for greater security, he gave the order to put the helm hard a port. Just after this and too late to avoid a casualty the master of the "Manchester" discovered that the light was carried by a vessel under weigh, coming towards him. He then ordered the helm to be steadied, then put to starboard and hard a starboard "as the one chance still left of avoiding danger which was otherwise inevitable," and if the danger were unavoidable to ease the blow. The "Jay," however, coming on at half-speed, struck the "Manchester" with her stem on the port quarter about half-way between the after end of the sponson and the stern. Immediately before the collision the engines of the "Jay" were put full-speed astern, but not in sufficient time to take the way off the vessel, and they were kept at full-speed astern for a second or two afterwards. The engines were then stopped and quickly afterwards put at half-speed ahead, the skipper thus disregarding Section 422 of the Merchant Shipping Act, 1894. After the casualty the master of the "Manchester" was informed by the look-out man that the vessel was holed, and was under the impression that she was going to sink. Accordingly the helm was kept hard a starboard, and the engines at full-speed ahead, with the view of beaching her. However, before many minutes had elapsed, the master ascertained that there was no immediate danger to his vessel, and accordingly she was brought round in a circle under the starboard helm, and proceeded to the pier, where her passengers were safely landed.

The "Jay" then proceeded up and across the river still at half-speed; whether her side lights were then exhibited or not is uncertain. The skipper had ap-

parently no idea where he was going. He appears to have cruised about the river for about two hours, in the course of which he very nearly ran into the bank at Hessele, from which he was prevented by the second hand, who was then getting sober, and he also, according to the boatswain, ordered the anchor to be let go and started the engines at full-speed ahead. At about 11 p.m. she brought up near the Victoria Pier, where she remained for the night. Drinking then, apparently recommenced for some time.

It is unfortunately sometimes the duty of this Court to have to investigate casualties which have their origin in the drunkenness of men in charge of fishing vessels, but a case as glaring and as serious as the present one is happily seldom heard of.

The Court considers that a share of the responsibility for what happened lies with Henry Holder, the ship's husband, for taking the second hand on board in his then drunken condition. The only effective way of preventing men under the influence of drink from going to sea is for the owners and their servants to refuse to have them on board in that state. Henry Holder said that he was satisfied if he got one of his two certificated hands sober. As long as this looseness prevails among ship's husbands there will be danger of such scandalous proceedings taking place as have been now the subject of investigation. It may be, as Holder said, that the ship's husbands cannot search the men to see if they are carrying bottles on board, but if only sober men are taken, the danger of bottles will be greatly lessened.

The second hand was, in a sense, the cause of the events which happened on the evening of the 27th February last. It was he alone who came on board drunk, and it was he who brought the whisky with him. Not only was he drunk, but his behaviour was disgraceful after he joined the vessel. He produced his liquor in the cabin, tempting not only the skipper but the engineers to drink; he created disturbance and he insulted, and finally struck, the skipper. His conduct clearly disentitles him for the present to sail under a second hand's certificate.

As to the skipper, he was in command of the vessel. So far from the second hand's drunkenness and misbehaviour affording any excuse for his giving way to drink himself, it was an additional reason why he should have been more alert than usual. His clear duty was to take away the drink from the second hand and to order him to his quarters. But the temptation afforded by the presence of drink on board was too much for him. Excused temporarily for inaction by the fog, he went below soon after the vessel was at anchor and, instead of taking the whisky from the second hand, he sat and drank it with him. It is unnecessary to recapitulate the details of the mad course pursued by the "Jay" in the evening of her collisions first with the brightly-lighted New Holland Pier, secondly with the "Cleethorpes," and lastly with the "Manchester," and afterwards of his cruise in the neighbourhood of Hessele. All that can be said is that the skipper was in sole charge exceedingly drunk, and his vessel was for a time a menace to life and property on the river. It is the merest chance that he did not sink the "Manchester"—that a terrible disaster did not occur which no doubt would have been followed by his trial and conviction for manslaughter. As far as he is concerned, the Court finds it difficult to imagine a worse case.

The damage to the s.s. "Manchester" will cost about £200, and to the s.s. "Cleethorpes" about £60 to make good.

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 instructions were given to the skipper of the "Jay" on the morning of the 27th February last, by or on behalf of the owners, with regard to proceeding to sea and joining the Game Cock Fleet? Were such instructions carried out by the skipper of the "Jay"?

(2) When did the "Jay" leave her anchorage in the River Humber? Were the vessel's regulation

lights in their places alight, and were her anchor lights also up and alight? Was the skipper, mate, or any other member of the crew under the influence of drink at this time?

(3) What were the circumstances in which the "Jay" collided with the New Holland Pier and the s.s. "Cleethorpes" at or about 8.35 p.m. of the 27th February last? Were the "Jay" and "Cleethorpes," or was either of them, seriously damaged thereby? And was the skipper then on the bridge and at the wheel?

(4) On leaving the New Holland Pier at or about 8.45 p.m. of the 27th February last, was the vessel (the "Jay") exhibiting her underway regulation lights, and (or) her anchor or any other and what lights? Was the skipper, mate, or any other member of the crew under the influence of drink at this time?

(5) At or about 8.50 p.m. of the 27th February last were the s.s. "Jay" and the s.s. "Manchester" crossing ships within the meaning of Article 19 of the Regulations for preventing collisions at sea? If so, did the "Jay" comply with Articles 19, 22 and 23, and did the s.s. "Manchester" comply with Articles 2 and 21 of the said Regulations?

(6) Was a good and proper look-out kept on board the s.s. "Jay" and the s.s. "Manchester"?

(7) What was the cause of the collision between the s.s. "Jay" and the s.s. "Manchester," and were both vessels, or was either of them, seriously damaged thereby?

(8) After colliding with the s.s. "Manchester," did the skipper of the "Jay" stand by her and ascertain whether she was in need of assistance and give the name of his vessel to her master and otherwise comply with Section 422 of the Merchant Shipping Act, 1894?

(9) Were the "Jay" and "Manchester" navigated with proper and seamanlike care?

(10) Was serious damage to the s.s. "Jay," the s.s. "Cleethorpes," and the s.s. "Manchester," or any of them, caused by the wrongful act or default of the skipper and second hand of the "Jay" or of either of them?

Does blame attach to the master of the "Manchester"?

The skipper and the second hand having said a few words, and Mr. Saxelbye having addressed the Court 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 only instructions that were given to the skipper of the "Jay" by or on behalf of the owners on the morning of the 27th February last were to proceed to sea and join the fishing fleet in lat. 56° 20' N. long. 4° 10' E. The only part of such instruction which was carried out by the skipper during the 27th February last was to leave the dock for the River Humber. The morning was very foggy, but there was nothing to have prevented the vessel going to sea in the afternoon.

(2) All the times mentioned at the inquiry are approximate and uncertain, the evidence as to them being conflicting but as far as can be ascertained the "Jay" left her anchorage in the River Humber at or about 7.45 p.m. of the 27th February last. The vessel's regulation lights were not in their places alight, but her anchor lights were up and alight. The skipper was drunk, the second hand was considerably under the influence of drink, if not actually drunk. He came on board in the morning very drunk, and he had been drinking with the skipper, chief and second engineers during the day. There is no evidence that the engineers were under the influence of drink. The other members of the crew were not under the influence of drink.

(3) The circumstances under which the "Jay" collided with the New Holland Pier and the s.s. "Cleethorpes" at or about 8.35 p.m. of the 27th February

last were as follows:— The "Jay," instead of going to sea as she might have during the afternoon if the skipper and second hand had not been drinking in the cabin, had been riding all day to the tide in the River Humber somewhere in the vicinity of the Albert Dock. She apparently had got set by the wind or tide to the southward of the channel, and at low water had taken the ground. At about 7.45 p.m., the weather being fine and clear, a fresh breeze blowing from the north, she was riding to the flood somewhere not far from her former position but about midway across the river, when the boatswain reported to the skipper that she was dragging her anchor and asked whether he should heave it up. The skipper replied "Yes." The anchor was hove up. The skipper went on the bridge, put the engines at half-speed ahead, consciously or unconsciously turned his vessel round to the southward, and proceeded in the direction of New Holland Pier with no side or masthead lights, but with anchor lights still exhibited. The skipper was alone on the bridge and drunk, the second hand, also under the influence of drink, being engaged with the boatswain and other members of the crew at the bows in clearing the anchor. Whilst so engaged these men saw that the vessel was making straight for the inside of New Holland Pier, which was brilliantly lighted, and shouted to the skipper to go astern and warned him that he was about to run into the pier or into the steamship that lay alongside it. The skipper is reported to have replied, "I can't help it." He was too hopelessly drunk to do anything, and the "Jay" ran inside the pier, and with her port bow struck the straight portion of it. The pier consists of a straight portion running north into the river with a T shaped head running east and west, alongside which the steamers embark and disembark their passengers. The "Jay" struck the straight portion on the eastern side near a corner formed by the projection of a lavatory. She then evidently rebounded astern, for she slewed round with her port side parallel to the pier, and turning to starboard she with her stern struck the s.s. "Cleethorpes" (which was moored to the inside of the T end with her head to the eastward) abaft the starboard paddle box. There is no evidence as to whether the serious damage which the "Jay" sustained was caused at this time or later. The "Cleethorpes" was seriously damaged. The skipper was then alone on the bridge and at the wheel.

(4) On leaving the New Holland Pier at or about 8.45 p.m. the "Jay" was not exhibiting her underway regulation lights. Of the two anchor lights prescribed by the Rules of the Trinity House, Hull, the foremost one was removed after leaving the pier, but the after light, which was made fast to the boom topping lift, remained in position. At this time the skipper was drunk and the second hand, although recovering from his drunkenness, was still under the influence of drink. The other members of the crew were not under the influence of drink.

(5) At or about 8.50 p.m. of the 27th February last the s.s. "Jay" and the s.s. "Manchester" were crossing ships within the meaning of Article 19 of the Regulations for preventing collisions at sea. The "Jay" did not comply with Articles 19, 22 or 23. The "Manchester" did comply with Article 2, but did not comply with Article 21 of the said Regulations, as she had no means of knowing until too late to avoid the casualty that the white light she saw was that of a steam vessel under weigh and coming towards her. The "Manchester" ported her helm under the impression that the light seen was that of a keel or barge at anchor, and when a casualty became inevitable she starboarded to ease the blow.

(6) A good and proper look-out was not kept on board the s.s. "Jay," but was kept on board the s.s. "Manchester."

(7) The causes of the collision between the s.s. "Jay" and the s.s. "Manchester" were the s.s. "Jay" not exhibiting her regulation lights and her failure, owing to the drunkenness of the skipper, who was still alone on the bridge, to keep out of the way of the s.s. "Manchester." The s.s. "Jay" was seriously damaged, but there is no evidence as to

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whether the damage was sustained in this collision or earlier at the pier. The s.s. "Manchester" was seriously damaged thereby.

(8) After colliding with the s.s. "Manchester" the skipper of the "Jay" did not stand by her nor ascertain whether she was in need of assistance nor give the name of his vessel to her master, nor otherwise comply with section 422 of the Merchant Shipping Act, 1894.

(9) The s.s. "Jay" was not navigated with proper and seamanlike care. The s.s. "Manchester" was navigated with proper and seamanlike care.

(10) Serious damage to the s.s. "Jay," the s.s. "Cleethorpes," and the s.s. "Manchester" was caused by the wrongful act and default of the skipper and second hand of the "Jay." The Court cancels

the certificate of the skipper, No. 1429, and suspends the certificate of the second hand, No. 3987, for three years from the date hereof. No blame attaches to the master of the "Manchester."

J. G. HAY HALKETT,  
Judge.

We concur.

KENNETT HORE, }  
W. COWIE, } Assessors.  
JOHN REED, }

(Issued in London by the Board of Trade, on the 4th day of May, 1906.)

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been drinking in  
the tide in the  
vicinity of the  
got set by the  
channel, and at  
At about 7.45  
r, a fresh breeze  
ing to the flood  
er position but  
n the boatswain  
was dragging her  
ld heave it up.  
anchor was hove  
put the engines  
r unconsciously  
ward, and pro-  
lland Pier with  
h anchor lights  
ne on the bridge  
der the influence  
tswain and other  
in clearing the  
en saw that the  
inside of New  
ly lighted, and  
and warned him  
pier or into the  
The skipper is  
elp it." He was  
and the "Jay"  
t bow struck the  
r consists of a  
the river with a  
, alongside which  
their passengers.  
n on the eastern  
projection of a  
nded astern, for  
e parallel to the  
with her stern  
ich was moored  
head to the east-  
ox. There is no  
amage which the  
s time or later.  
damaged. The  
idge and at the

Pier at or about  
oiting her under-  
anchor lights pre-  
House, Hull, the  
ing the pier, but  
ast to the boom  
At this time the  
l hand, although  
as still under the  
bers of the crew  
nk.

e 27th February  
Manchester" were  
of Article 19 of  
ions at sea. The  
es 19, 22 or 23.  
h Article 2, but  
the said Regula-  
ing until too late  
ite light she saw  
veigh and coming  
ported her helm  
seen was that of  
n a casualty be-  
ease the blow.

was not kept on  
pt on board the

between the s.s.  
" were the s.s.  
n lights and her  
the skipper, who  
en out of the way  
s.s. "Jay" was  
o evidence as to