

(No. 6917.)

"AUGUSTINE" (S.S.).

Translation.

Criminal Court of Magistrates of Judicial Police for
the Island of Malta, Valletta.

20th March, 1906.

DR. G. B. MIFSUD,
Magistrate.

N. LEWIS, }
M. DE MARIA, } Nautical Assessors.

The Court,

Having heard the unsworn statement of Captain Francesco Scicluna and the evidence of the other witnesses who were on board the s.s. "Augustine" on the 2nd March, 1906, when the said ship, under the command of the said captain, stranded, and became subsequently a total wreck on the rocks of Benghazi, North Africa;

Having received the sworn report of the Assessors, Nichols Lewis and Michele De Maria, which report was duly read and explained to the accused;

Whereas the report is in accordance with the facts disclosed by the inquiry as to the casualty on the Benghazi Shoals;

The Court, concurring thereto, inasmuch as the captain of the "Augustine," Francesco Scicluna, in navigating his ship, which after stranding became a total wreck, showed incompetence and a total negligence of the ordinary rules of prudent navigation;

In terms of Article 92 of Ordinance No. VI. of 1891, amending Ordinance No. I. of 1874 and Section 470 (a) of the Merchant Shipping Act of 1894;

Suspends the competency certificate of Captain Francesco Scicluna for three months.

We concur.

(Signed) N. LEWIS,
Master, s.s. "Reggio."

(Signed) M. DE MARIA,
Master Mariner.

(Signed) G. B. MIFSUD,
Magistrate.

I do hereby declare that all the foregoing documents headed "Translation" have been faithfully translated by me into English from the Italian record.

23rd March, 1906.

ALFRED P. HARE,
Translator.

Sworn and subscribed before me, at Malta, Valletta, this 23rd day of March, 1906.

DR. GIOV B. MIFSUD,
Magistrate.

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I do hereby certify that Mr. Alfred P. Hare is the official translator of the Courts of Judicial Police.

Malta, Valletta,
23rd March, 1906.
P. V. VELLA,
Registrar.

Report of Assessors.

We, as nautical assessors, having given our best care and consideration to the case inquired into in our presence in the matter of the stranding and total loss of the s.s. "Augustine," on the Benghazi Shoals on the 2nd March, 1906, at or about 8 p.m., beg to report as follows:

The master of the "Augustine" made out when Benghazi light was 7 or 8 miles off, bearing nearly East, two steamers leaving the roadstead. The "Augustine," which was steering E. $\frac{1}{2}$ S., ported her helm, giving those steamers that appeared to be two points on the port bow a wider berth. The "Augustine" was not in any proximate danger of a collision with those steamers that passed her clear about a quarter of an hour before the casualty. The "Augustine" was, under very slackened speed, proceeding to take her moorings when the breakers of the Diamante Shoals were noticed close under the bows. The engine was made to go full speed astern, evidently too late to avoid the serious stranding on hard rock, which eventually brought about later the total loss of the ship.

We are of opinion that the master knew the dangerous nature of Benghazi roadstead, and that he took no precaution when approaching the moorings to ascertain the ship's proper position. Had he taken the bearing of Benghazi light, he would have ascertained his close proximity to the rocks, and had he used the lead he would have ascertained to have exceeded the proper and safe anchorage for the night time. No proper navigation was, in our opinion, exercised, nor was the master's criterion of safe anchorage (the lights of the two steamers in motion some miles away) a proper one, nor a reliable one.

Malta, March 20, 1906.

(Signed) N. LEWIS,
Master, s.s. "Reggio."

(Signed) M. DE MARIA,
Master Mariner.

20 Marzo, 1906.

Letto e spiegato in Italiano all'inquisito.

(Fto.) A. BONELLO,
Scriv.

(Fto.) G. B. MIFSUD,
Magistrato.

A true copy.

P. V. VELLA,
Registrar.

(Issued in London by the Board of Trade on the
20th day of April, 1906.)