

(No. 7301.)

“BALMORE.”

The Merchant Shipping Act, 1894.

IN the matter of a Formal Investigation held at County Buildings, Glasgow, on the 29th and 30th days of September, 1909, before WILLIAM GEORGE SCOTT MONCRIEFF, Esquire, Advocate, Sheriff Substitute of Lanarkshire, assisted by Captains ALEXANDER WOOD and OWEN R. MITCHELL, into the circumstances attending the loss of the British sailing ship “BALMORE,” of Glasgow, which sailed from Callao on or about the 16th day of July, 1908, for Antwerp, and has not since been heard of.

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 cause of the “Baltimore” not having been heard of since she left Callao on 16th July, 1908, does not directly appear from the evidence, but it is probable that she collided with ice to the east of the Falkland Islands where it lay in large quantities at the time when she should have been passing through that locality.

Dated this 30th day of September, 1909.

W. G. SCOTT MONCRIEFF,
Judge.

We concur in the above Report.

A. WOOD,
OWEN R. MITCHELL, } Assessors.

Annex to the Report.

This was an inquiry into the circumstances attending the non-appearance of the British sailing ship “Baltimore” after leaving Callao for Antwerp with a cargo of guano, whereby loss of life is presumed to have ensued.

Mr. T. W. Donald, writer, Glasgow, conducted the inquiry on behalf of the Board of Trade, and Mr. W. A. Allan, writer, Glasgow, appeared for the owners of the vessel, who also appeared in person.

The “Baltimore,” Official Number 98693, was built of steel, at Dumbarton, in the year 1892, by Messrs. Archibald McMillan & Son, Limited, shipbuilders there, and was of the following dimensions:—Length, 237·5 feet; breadth, 36·2 feet; and depth of hold from tonnage deck to ceiling at midships, 21·7 feet. Her gross registered tonnage was 1,422·48 tons, and her net registered tonnage 1,338·31 tons, while her under-deck tonnage was 1,316·47 tons. She was registered at the Port of Glasgow, and was owned by Mr. Robert Barr and others, Mr. Robert Barr, of 10, Bothwell Street, Glasgow, being entered in the transcript of registry as managing owner by advice received under his hand 4th February, 1892.

The “Baltimore” had three masts, and was barque rigged. She was constructed with one water-tight collision bulkhead forward about 22 feet from the stem. The main deck was laid with pitch pine planks measuring 5 by 4 inches. She had the usual ’tween deck beams on which the deck was laid at the fore and after ends of the vessel. She was constructed with a poop 29 feet in length, the deck of which was 7 feet above the main deck. In the bulkhead at the fore end of the poop there was a steel door on the starboard side 4 feet 5½ inches in height and 2 feet in width. There was also a half door on the port side in the upper part of the bulkhead. She was constructed with an open top-gallant fore-castle 34 feet in length, and had a steel

house 40 feet in length and 15 feet wide between the fore and main masts. There was a ventilator 12 inches in diameter at the after part of the fore-castle leading through the main deck into the hold, the cowl of which was 3 feet 6 inches above the deck. Another ventilator 17 inches in diameter was fitted abaft the main mast through the main deck into the hold, the cowl of which was 3 feet 9 inches above the deck. The height of the coamings of these ventilators was not stated in evidence. Excepting these two ventilators and hatchways there does not seem to have been any other deck openings into the hold. She had three hatches as follows:—No. 1 hatch 8 feet in length and 6½ feet in breadth, the coamings of which were 24 inches above the deck, and No. 2 hatch 16 feet in length by 12 feet in breadth, with coamings also 24 inches above the deck. This latter hatch was fitted with one shifting beam at centre measuring 42 inches deep, and made of 7/8-inch iron. No. 3 hatch was 8 feet in length by 6½ feet in breadth, and the coamings were 27 inches above the wood deck. She had five wash ports fitted on each side in the bulwarks for freeing the main deck of water, three of which, on each side, were 2 feet 9 inches by 2 feet, while the others were 2 feet 3 inches by 9 inches. According to the owner's statement the vessel carried the boats and life-saving appliances in accordance with the statute. It appears from the plan produced in Court that when new she was supplied with four boats, two of which she carried under davits. When built in 1892 she was assigned a load line by Lloyds. The certificate of freeboard was produced in Court, from which it appears the vessel's freeboard, when laden on the voyage in question, was 4 feet 5½ inches. In May 1904, the “Baltimore” passed her special No. 3 survey at London and retained her class 100A1 at Lloyds. She was again surveyed in February, 1907, at Marseilles, before leaving Europe on the voyage in question. The sum of £850, according to the owner's statement, was spent upon her during the last two voyages.

The “Baltimore” left Marseilles in March, 1907, with a cargo for Melbourne; then she sailed to Sydney and Newcastle, New South Wales, and from there to Taltal and Ylo in South America. From Ylo she proceeded to Ballestas Island where she arrived on the 1st of April, 1908, to load a cargo of guano for Antwerp. On the 3rd of July, 1908, the vessel had completed loading her cargo, and the master served the following notice on the Peruvian Corporation, Limited, who were supplying the cargo:—

“My Dear Sirs,

“I hereby advise you that from the mean of the draft taken forward and aft and by the displacement scale I judge that the ship ‘Baltimore’ under my command has received her complete and full cargo of 2,300 English tons guano, and do not wish for more cargo. Observing that from the rough water the draft of the ship may probably not be absolutely correct.”

(Signed) “T. F. GROUNDWATER, Master.”

On the same date as the above letter was written the master signed bills of lading at Ballestas Island for 2,300 tons of cargo. It appears from the documentary evidence produced that the weight of cargo on board was only roughly estimated from the ship's draught of water, and to remove any doubt as to the ownership of any excess of cargo over that mentioned in the body of the bill of lading, the following note was inserted in the margin, and initialed by the master:—

“It is hereby understood that there is no other guano on board except that supplied by the charterers, and therefore whatever quantity there is on board belongs exclusively to the consignees of the cargo.”

“The ship draws aft 20 feet 3 in.”

“The ship draws forward 19 feet 7 in.”

After completing her cargo the “Baltimore” sailed for Callao in order to receive water and provisions, and to engage some seamen. A list of crew was sent by the master to the managing owner from this port, which list was produced in Court. On this list the ship's draught of water was also entered, viz.:—19 feet 7 inches forward, and 20 feet 3 inches aft. The density of water 1·026 was also given. It was contended in Court that her draught was entered in this document from observations made of the water she was drawing at Ballestas Island—where owing to the rough state of the sea accuracy was not possible—and that the master did not observe how deep

his vessel was while in Callao, where the water was much more suitable for this purpose. This is extremely unlikely. The draught of the vessel on going to sea is a very important matter to the master, and would probably have his first attention after the vessel came to anchor in smoother water in Callao; and, further, there is no mention made in any other document of the density of water which appears to have been taken in this port. Even to admit the contention advanced that the master disregarded the draught of his vessel in Callao, and relied on his observations of this matter at his loading port after taking in stores and water for the homeward voyage, she would be deeper on leaving Callao, thus reducing the possibility of the vessel drawing less than the draught entered in the bill of lading. If the inaccuracy were the other way and the vessel drawing more at Ballestas Island than the draught entered in bills of lading on leaving Callao, this excess would be increased. The Court is of opinion, however, that the master would carefully observe the draught of his vessel in Callao. Accepting his figures, it appears from the displacement scale that the vessel would have 4 feet 4½ inches of a freeboard, whereas by Lloyd's certificate of freeboard she should have had 4 feet 5½ inches, thus being overladen to the extent of one inch. With the exception of the crew list, no letter or correspondence of any kind from the master at Callao to the managing owner was produced. With regard to the crew of the vessel when she sailed from Callao, the following is an extract from an affidavit produced in Court:—

"That according to the books kept at His Britannic Majesty's Consulate General at Callao, the British barque 'Baltimore,' of the port of Glasgow, official number 98,693, T. F. Groundwater being master, arrived at this port from Ballestas Island on the 10th day of July, 1908, laden with a cargo of guano, and departed hence on the 15th day of the same month, her crew consisting of 19 hands, all told, there being no passengers on board."

"T. F. Groundwater, master; Robert Bruce, first mate; Stanley C. Letchford, second mate; James Pirrie, third mate; G. Puhlen, carpenter; Charles Conchin, sailmaker; A. Leray, steward; Alfred Charles, cook; Norman Scott, able seaman; Clarence Buxton, able seaman; T. Reilly, able seaman; R. Thomson, able seaman; G. Todsen, able seaman; C. Rasmussen, able seaman; W. Daley, able seaman; T. Lindstorm, able seaman; N. G. Koepel, able seaman; James McKechnie, able seaman; Edwin Hatch, able seaman; and J. T. Galloway, ordinary seaman."

"That of the foregoing seamen, G. Todsen, C. Rasmussen, Edwin Hatch, N. G. Koepel, James McKechnie, T. Lindstorm, W. Daley, and J. T. Galloway, engaged at this port, of whom Edwin Hatch and J. T. Galloway did not join."

"That the boarding master informed deponent that, at the last moment, he sent on board of the said vessel, in place of Edwin Hatch, an Austrian seaman named T. Sternwick, but that for J. T. Galloway he provided no substitute."

"And the said appearer furthermore declared that no pilots are employed at the port of Callao."

(Signed) "REUBEN M. BYRNE."

After leaving Callao on the above-mentioned date, nothing whatever has been seen or heard of the "Baltimore."

Mr. James Macfarlane, late master of the Glasgow sailing ship "Falls of Garry," appeared in Court, and gave evidence of the dangerous condition in which he found the trade route from the West Coast of South America, through ice in the South Atlantic, at the time the "Baltimore" would be passing through that region. The "Falls of Garry," under his command, left Taltal, homeward bound, on the 8th of August, 1908. Considering the relative dates and places from which these vessels sailed, the "Baltimore" would be from 10 to 13 days' sail ahead of the "Falls of Garry" when off Cape Horn.

Mr. Macfarlane stated that he encountered very bad weather when in the vicinity of Cape Horn, and that on the 2nd September, when about 90 miles to the eastward of the Falkland Islands, he entered an extensive field of icebergs, extending on both sides as far as the eye could reach. It took his vessel thirty hours going at the rate of from seven to eight knots to pass entirely through the

ice; while from 3.30 p.m. to 10.30 p.m. he was sailing past one solid mass of ice which appeared to him to be from 300 to 400 feet high. At this part of the voyage he had clear moonlight; and he explained that without the moonlight his vessel would have been in very great peril. A chart of icebergs as seen in the South Atlantic during September, 1908, and prepared by the master of the French steamship "Francoise d'Ambroise," was also produced, showing this vessel's track through the ice for eleven days. On the 18th September, ice was first encountered in latitude 52° 07' south and longitude 47° 35' west; and it was last seen on the 28th September in latitude 44° 55' south and longitude 36° 25' west. Between these dates immense quantities of ice were passed, one iceberg alone being described as seven miles in length and 150 metres in height. Considering that under ordinary circumstances the "Baltimore" should have reached the ice-field ten days ahead of the "Falls of Garry" when the nights were dark, without moonlight, the Court is of opinion that it is very probable she was lost in the ice.

At the conclusion of the evidence, Mr. Donald, on behalf of the Board of Trade, submitted the following questions for the opinion of the Court:—

(1) What was the cost of the vessel to her owners? What insurances were effected upon and in connection with her, and how were they apportioned?

(2) When the vessel left Callao on or about the 15th or 16th July, 1908—

(a) Was she in good and seaworthy condition as regards hull and equipment?

(b) Was her cargo properly stowed and secured from shifting?

(c) Had she the freeboard required, and was she in good trim for a voyage to Antwerp?

(3) What is the cause of the vessel not having been heard of since she left Callao on or about the 15th or 16th July, 1908?

The Court gave judgment as above, and returned the following answers to the questions of the Board of Trade:—

(1) The cost of the vessel to her owners when new in 1892 was £13,250. The insurances effected upon the vessel when she left Callao were £8,500 upon hull, and £2,700 upon freight.

(2) When the vessel left Callao on the 16th July, 1908—

(a) She appears to have been in good and seaworthy condition as regards hull and equipments.

(b) Her cargo was properly stowed and secured from shifting.

(c) She had not the freeboard required, viz., 4 feet 5½ inches. From the draught of water, as entered in the bill of lading, and as also stated by the master in the crew list which he forwarded to the owners from Callao, her mean draught was 19 feet 11 inches. This draught, as appears from the displacement scale, would give the vessel only 4 feet 4½ inches of a freeboard; otherwise, the vessel was in good trim.

(3) The cause of the vessel not having been heard of since she left Callao on the 16th July, 1908, cannot be ascertained, but there is the evidence from the experience of other vessels that a large amount of ice lay across the "Baltimore's" track to the east of the Falkland Islands when she should have passed through that locality. The disappearance of the "Baltimore" is probably due to her having collided with this ice.

W. G. SCOTT MONCRIEFF,
Judge.

We concur in the above Report.

A. WOOD, }
OWEN R. MITCHELL, } Assessors.

(Issued in London by the Board of Trade on the
26th day of October, 1909.)