

(No. S. 348.)

## "EVELYN JOYCE."

THE MERCHANT SHIPPING ACT, 1894.

## REPORT OF COURT.

In the matter of a formal investigation held at the Moot Hall, Newcastle-upon-Tyne, on the 6th, 7th and 8th days of August, 1924, before David Thomas Hobkirk and James Thoburn Cackett, Esquires, two of His Majesty's Justices of the Peace acting in and for the City and County of Newcastle-upon-Tyne, assisted by Captain C. B. Graves, O.B.E., Captain J. Garriock and Mr. W. Ryder, into the circumstances attending the abandonment and loss of the British steamship "Evelyn Joyce," official number 132375, of North Shields, about one mile South of Bamburgh Castle, on the 14th day of April, 1924.

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 loss of the vessel was caused by fire breaking out in the fore peak where inflammable material was stored, through a young deck hand using matches there while getting out fishing gear. The means available on board to extinguish the fire were insufficient, and the vessel subsequently drifted ashore and became a total loss. The Court, while not finding the Skipper and Mate in default, considers that the Skipper, Arthur Albert Hunn, committed an error of judgment in not attempting to enter either Holy Island Harbour or Berwick, and in declining the offers of assistance made by the local fishermen.

Dated this 8th day of August, 1924.

D. T. HOBKIRK, }  
JAS. T. CACKETT, } *Judges.*

We concur in the above Report.

C. B. GRAVES, }  
JAS. GARRIOCK, } *Assessors.*  
W. RYDER. }

## ANNEX TO REPORT.

This was an Inquiry into the circumstances attending the loss of the British Steamship "Evelyn Joyce," of North Shields, and was held at the Moot Hall, Newcastle-upon-Tyne, on the 6th, 7th and 8th days of August, 1924, before DAVID THOMAS HOBKIRK and JAMES THOBURN CACKETT, Esquires, assisted by Captain C. B. GRAVES, O.B.E., and Captain JAMES GARRIOCK (Nautical Assessors), and Mr. WILLIAM RYDER (Fishery Assessor). Dr. PERCY CORDER appeared for the Board of Trade, Mr. HENRY TEMPERLEY represented the Master, the Mate appeared in person, and Mr. F. H. KIDD represented the Underwriters, who made themselves parties to the Inquiry.

The "Evelyn Joyce," official number 132375, was a single screw wood steam fishing drifter, built in the year 1912 at Yarmouth by Messrs. Fellows and Company, Limited, and was owned by Mr. Joseph Dixon Irvin, of 60, Linskill Terrace, North Shields, who was appointed Managing Owner on the 13th February, 1920. The registered dimensions of the vessel were: length, 90.6 feet; breadth, 19.3 feet; and depth in hold, 9.15 feet.

She was of 93.41 tons gross and 31.79 net registered tonnage, and had one reciprocal triple expansion direct acting vertical engine of 25 N.H.P., built by Messrs. Elliott and Garrod, Limited, of Beccles, in the year 1912. The speed of the vessel was 10 knots as per register.

(K1870) Wt111/P20 375 9/24 H &amp; Sp Gp 77

She was fitted with one steel boiler having a working pressure of 175 pounds to the square inch which was constructed by the same firm as were the engines in 1912.

She carried one boat on deck aft, the length of keel being 14 feet, and it was of sufficient size to carry all hands. She also carried two life buoys and 8 life belts, and had two compasses, one steering compass being placed in the wheel house and the standard compass being fixed on the top of the wheel house. They were last adjusted by Messrs. Wilson and Gillie, of North Shields, in September, 1923.

She carried the following pumps, viz.: one hand pump for deck and general purposes, two bilge pumps which worked with the engines, also a donkey engine pump which was a Tangye Duplex pump having a 4-inch stroke. A deck service hose was supplied in two lengths, 18 feet and 26 feet respectively, of 1½ inch diameter, armoured rubber hose, coupled with a centre coupling. This was supplied and approved by the Club Surveyor in July, 1923. She had also two water buckets. In addition to her navigation and fishing lamps, she had a duck lamp in the engine room, but no hand lamps were supplied for deck use. When the vessel was bought by her present owner in February, 1920, she was a steam fishing drifter, but was then converted into a steam trawler, and fitted with extra bunker space, passing her last survey in July, 1923.

Particulars of the cost of, and of the insurances effected upon, the vessel are given in the answers to the questions submitted by the Board of Trade. No independent evidence was tendered as to the market value of the vessel when she last left port, but it is common knowledge that for some time past there has been a great depreciation in value in all classes of shipping.

The "Evelyn Joyce" left the Tyne at 11 a.m. on April 13th, bound for the fishing grounds about 14 miles N.E. from the Farne Islands. She carried a crew of eight hands all told, and appears to have been in good sea-going order, with the usual stores and bunker coals on board. The weather was fine and clear with a moderate northerly breeze, and about 6 p.m., when in the vicinity of the Farne Islands, the engines were stopped and the vessel laid to, for what exact reason the Court was unable to ascertain, but apparently to wait for daylight early on the 14th, when it was intended to commence fishing operations. Under these circumstances, at about 3 a.m., the weather being hazy, with a fresh easterly breeze, the skipper was on deck near the wheelhouse, when, as he stated in Court, he noticed a smell of tar. He sent the mate forward to see if anything was wrong, and immediately afterwards smoke and flames were seen to be coming up from the fore peak hatch or scuttle. It appears that the deck hand, William Newton, had, shortly before this, been sent down into the fore peak to get up the dan gear, and that, as stated in answer to Question 3, he had used a number of matches in this operation, as no lamps of any kind were available for use by the deck hands. On seeing the fire, the skipper at once ordered the deck hose to be coupled on and the donkey pump started, and this was done. But, unfortunately, the hose proved to be about four feet too short to reach the fore peak scuttle. However, it was used as far as possible and water was continuously played down the hatch. Also the only two buckets on board were brought into use, water being drawn from overside and poured down the hatch. But these means proved of little use, as, owing to a heavy deck beam on the fore side of the hatchway, it was not possible to get at the seat of the fire, which was apparently forward of the opening. If the hose had been a few feet longer, a better attempt could have been made.

About 4.30 a.m. the skipper realised the serious condition of his vessel, so he had the engines started, and steered in towards the land. Subsequently Holy Island was seen, and shortly afterwards the engines were stopped, the island being about

one mile distant. As the vessel was considerably by the stern all the water which was being poured into the fore peak found its way aft to the engine-room, and was dealt with there as far as possible by the ejector. But it was found that more water was gaining access than could be pumped out, this having the effect of placing the vessel more by the stern, and, prior to the time of her subsequent abandonment, the water had risen up to the fire bars. About 7 a.m. the motor fishing boat "Sarah Brigham," from Holy Island Harbour, the skipper of which was Mr. Thomas Kyle, while on her way to the fishing grounds to the E.N.E. sighted the "Evelyn Joyce." The skipper, seeing that smoke was proceeding from the trawler, at once put on all speed and made for the "Evelyn Joyce," and, hailing her skipper, told him he was a licensed pilot for Holy Island and offered assistance. This was declined, the skipper stating that he did not think it would do any good. Subsequently other boats from Holy Island, viz., "The Friends," "Breadwinner," "Guiding Star," "Linda," "Jane Wilson" and "Markwell" came alongside. These were all motor boats, except the "Markwell," and they were afterwards joined by the "Mary" of Seahouses.

As, however, the skipper of the "Evelyn Joyce" did not ask for assistance, all the boats, with the exception of the "Sarah Brigham," left, the last-named standing by at the request of the skipper.

About 10 a.m. there was an explosion in the fore peak which opened up the deck and outside planking, flames coming from the fore peak and smoke from above the waterline.

The vessel drifted to the south, and eventually stranded on Greenhill Sands, about a mile south of Bamburgh Castle, between 12.30 and 1 o'clock. Prior to this the crew of the "Evelyn Joyce" had been transferred to the "Sarah Brigham," but the skipper remained on board till the last, when he was also taken on board the fishing boat.

The trawler became a total wreck. No lives were lost.

It will be seen that the Court did not find the skipper of the "Evelyn Joyce" in default; but, at the same time, it considered that it was an error of judgment on his part in not attempting to enter Berwick or Holy Island Harbour and in declining the assistance of the local fishermen, who were practically agreed as to the latter possibility of entering Holy Island Harbour. One of them, Mr. G. W. Wilson, the skipper of the "Jane Wilson," who is Harbour Master at Holy Island, and acts as Lloyd's Sub-agent, stated to the Court that the "Evelyn Joyce" might have been beached inside the harbour on the Ouse and scuttled, but he admitted he did not suggest that course to the skipper when he was alongside the "Evelyn Joyce." Mr. Wilson subsequently reported to the authorities that the skipper had refused offers of assistance, and it was apparently as the result of this report that the present proceedings were instituted.

The Court considers it unfortunate that Mr. Wilson did not, with his local knowledge as Harbour Master, specifically notify to the skipper at the time, the facility with which, as he now stated, the vessel could have been safely beached in the harbour.

Fortunately, the crew of the "Evelyn Joyce" were, with the "Sarah Brigham" standing by, in a position to leave their boat at any time in safety, and it remains problematical whether, under any circumstances, the "Evelyn Joyce" could have been effectually salvaged.

There was no suggestion, on the part of the Board of Trade or the Underwriters, of any foul play, and the master stated he was afraid to beach the vessel having regard to the safety of the crew.

The recommendation of the Court as to the provision of proper lamps, and the exercise of care that there should be at all times an adequate length of hose ready for use, should go far to prevent the recurrence of similar disasters.

At the conclusion of the evidence the following Questions were submitted on behalf of the Board of Trade, Mr. Temperley addressed the Court for the skipper, and Dr. Corder replied:—

1. What was the cost of the s.s. "Evelyn Joyce" to her owners?

What amount was spent on her in overhaul and repairs?

What was her value at the time she last left North Shields?

What Insurances were effected upon, and in connection with, the ship?

2. Was the vessel supplied with:—

(a) proper hand lamps for use of the crew;

(b) adequate means for extinguishing fire?

3. What was the cause of the fire which broke out in the fore peak of the vessel at or about 4 a.m. of the 14th April last?

4. What was the position of the vessel at the time the fire was discovered?

5. When the fire was discovered were prompt and proper and sufficient measures taken by those on board to extinguish it and to save the vessel?

6. Was the skipper justified in declining the offers of assistance made to him and in not making for some place on land where adequate assistance might be obtained?

7. What was the cause of the loss of the vessel?

8. Was the vessel navigated with proper and seamanlike care?

9. Was the loss of the s.s. "Evelyn Joyce" caused by the wrongful act or default of the skipper, Arthur Albert Hunn, and the mate, Thomas Durrant, or of either of them?

To which the Court replied as follows:—

(1) The "Evelyn Joyce" was purchased by her present owner in February, 1920, for £5,000, and he stated he subsequently spent nearly £2,000 in overhaul, alterations, and repairs. He valued her at £5,300 at the time she left North Shields in April last, but no evidence was placed before the Court as to her actual market value at the time.

She was insured for £5,000 with the United Kingdom Trawler Insurance and Indemnity Association, Limited.

(2) (a) Hand lamps were supplied for use in the engine room, but no lamps of any kind, were supplied for deck use.

(b) Adequate means for extinguishing fire were not supplied, as the water service hose from the engine room was too short to reach the scuttle of the fore peak. In addition there were only two buckets on board.

(3) The Court is of opinion that the fire was caused by a young deck hand using matches in the fore peak whilst getting up fishing gear and carelessly throwing some of them down unextinguished amongst inflammable stores of paraffin oil, tallow, and tarred nets stored therein. The Court understands that it is a common practice to use matches under these conditions, but strongly recommends that properly covered lights such as those in hurricane lamps should be supplied for use in enclosed spaces, more particularly where inflammable stores are carried.

(4) The position of the vessel at or about the time the fire was discovered, 4 a.m. of the 14th April last, was some 10 or 12 miles N.E. by E. of the Longstone Light on the Farne Islands.

(5) When the fire was discovered prompt and proper measures were taken by those on board to extinguish it, but the means available were insufficient.

(6) The Court is of opinion that, after the skipper found it impossible to get the fire under, he was not

justified  
the lo  
judgm  
Island

(7)  
which  
subsec

(8)  
fire, th  
manlik

justified in declining the offers of assistance made by the local fishermen, and he committed an error of judgment in not attempting to enter either Holy Island Harbour or Berwick.

(7) The loss of the vessel was caused by the fire which originated in the fore peak, and the vessel subsequently drifting ashore.

(8) Apart from the incidents connected with the fire, the vessel was navigated with proper and seamanlike care.

(9) The loss of the vessel was not caused by the wrongful act or default of the skipper, Arthur Albert Hunn, and the mate, Thomas Durrant, or either of them.

D. T. HOBKIRK, }  
JAS. T. CACKETT, } *Judges.*

We concur.

C. B. GRAVES, }  
JAS. GARRIOCK, } *Assessors.*  
W. RYDER, }

(Issued by the Board of Trade in London  
on Wednesday, the 3rd day of September, 1924.)

LONDON:  
PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:  
Imperial House Kingsway, London, W.C. 2; 28, Abingdon Street, London, S.W. 1;  
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;  
or 120, George Street, Edinburgh;  
or through any Bookseller.

1924.

*Price 4d. Net.*