

(No. 7504.)

“LOTA.”

FINDING and Order of a Naval Court, held at Santos, on the 9th and 10th days of November, 1911, to inquire into the stranding of the British barque “LOTA.”

Report of Court.

The “Lota” was a British vessel, barque rigged, of 1,285 tons register, Official Number 98826, built at Sunderland in 1891, and belonging to the Port of Bristol.

It appears from the evidence given before this Court that she sailed from Antwerp on or about the 8th day of August, bound for Santos, with a cargo of general merchandise and a crew of nineteen hands all told.

That the usual weather was encountered, and nothing of any special note occurred during the voyage until her arrival in Santos Bay on the 4th day of October.

That on the following day she was boarded by the pilot, Joaquim José da Silva, and on the morning of the 6th an attempt was made to sail the vessel up to Santos, but that on account of the strong current and choppy sea the vessel would not turn round quickly to back clear of the land, and consequently anchor was let go again.

That at 12.30 p.m. on same day the vessel was boarded by another pilot, Antonio Luiz dos Santos Cardim, who took charge of the vessel in substitution of aforesaid pilot, José da Silva, in view of the former having a fair knowledge of English and the latter none at all.

That the vessel, owing to the anchor not coming up as quickly as anticipated, did not make the course intended, being driven in towards the shore by the current.

That the pilot in charge, after the vessel struck, gave orders for the foreyard to be braced and the port anchor to be let go, the master, however, countermanding the order to brace round the foreyard.

That according to the pilot's admission both the order to brace round the yards and to let go the port anchor could not, as a matter of fact, have been executed, seeing that the vessel had already struck, and the men were, acting under the master's orders, employed in launching the lifeboats.

That the vessel after bumping for about an hour was towed off by a dredger of the Dock Company to a safe anchorage.

The Court, having regard to the circumstances stated above, finds as follows:—

That the master was justified in making the attempt

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to sail the vessel into port instead of waiting for several days for the tug, in view of the dangerous position in which she would have been in the event of the wind from S.W. increasing, as it was threatening to do.

That the charge brought by the eight members of the crew against the master of having been entirely to blame for the stranding is groundless, and that same was made with malicious intent and solely at the instigation of the seaman, Theodor Gunther, who seems to have exercised an influence detrimental to the discipline of the ship on the signatories of the letter containing the charge laid before the Court.

That the Court sees no ground for blaming the conduct of the master, who appears to have done everything in his power to avert the stranding, and behaved in a seamanlike and proper manner both before and after the casualty.

That the members of the crew who signed the letter addressed to the Consul-General in Rio de Janeiro did not conduct themselves properly, not having exerted themselves to the extent that they might have done.

That the Court considers the charges brought by the eight members of the crew in question against the master to be vexatious and without foundation, and in pursuance of the powers vested in it by Section 483 of 57 & 58 Vict., c. 60, orders that the sum of £12 18s. 0d., being the costs of the proceedings before the said Court, be paid by the master, being one of the parties thereto, and he is hereby ordered to pay the amount he is hereby empowered to deduct same from the wages of:—

- Theodor Gunther.
- John Svannson.
- M. Walsh.
- Chr. Moyensen.
- Chr. Negel.
- O. Bernard.
- O. Janssons, and
- W. Niemi.

£1 12s. 3d. being thus recoverable from each of above seamen. The expenses of this Court, fixed at £12 18s. 0d., are approved.

Dated at Santos this 10th day of November, 1911.

R. A. SANDALL,
President of Naval Court.

ALF. ST. GEO. GLASSON, Master, s.s. “Inverau,” 2,853 tons.	} Members.
J. DONALDSON, Master, Ship “Monkbarns.”	

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