

(No. S. 365)

STEAM TRAWLER "SABIK"

and

STEAM TRAWLER "EUTHAMIA"

THE MERCHANT SHIPPING ACT, 1894.

REPORT OF COURT.

In the matter of a Formal Investigation held at the Town Hall, Grimsby, on the 17th, 18th, 19th and 21st days of April, 1934, before Joseph Smith, Esquire, assisted by Captain F. J. Thompson, O.B.E., R.D., R.N.R., Captain T. Daniel and William Addy, Esquire, D.S.C., into the circumstances attending the collision between the steam trawler "Euthamia" and the steam trawler "Sabik" which occurred off the north-west coast of Iceland, on the 26th day of January, 1934, and which resulted in the loss of the "Sabik" and twelve members of her crew.

The Court, having carefully inquired into the circumstances attending the above-mentioned shipping casualty, finds, for the reasons stated in the Annex hereto, and in the answers to the questions submitted by the Board of Trade, that the collision and the subsequent sinking of the "Sabik" and the loss of life were contributed to by the default of William Godard Johnson, the skipper of the "Euthamia," and suspends the certificate as skipper of a steam fishing vessel (No. 5765) of the said William Godard Johnson for a period of three months, and severely censures the deck hand, William Orbell.

Dated this 9th day of May, 1934.

JOSEPH SMITH, *Judge*.

We concur in the above Report.

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|-------------------|--------------|
| FRED J. THOMPSON, | } Assessors. |
| T. DANIEL, | |
| W. ADDY, | |

Judgment.

It is with great regret that the Court finds itself obliged to deal with a skipper of your long experience and excellent character. We take that character into full consideration, and we take into consideration the fact that you had been on the bridge devoting yourself to your duties for over seven hours, and also that, as far as we can judge in the absence of evidence from the "Sabik," the breach by that vessel of the Regulations for Preventing Collisions at Sea was the primary cause of the collision. But taking all those things into consideration we nevertheless are driven to the conclusion that during that fateful quarter of an hour which preceded the collision you did not provide for the navigation of the "Euthamia" in a proper and seamanlike manner. We are far from accepting the statements made by the witness Collings that the practice on all steam trawlers when steaming is to leave, on occasions, one member of the watch in the wheelhouse alone. Such a practice is directly contrary to the Regulations and the Notices issued by the Grimsby Steam Fishing Vessels' Mutual Insurance and Protecting Company, Limited, and, if we accept the evidence of the owners of the "Sabik" and the "Euthamia," contrary to the direct instructions of the owners. But while not accepting the general statement made by Collings, it is clear that on this occasion you did leave Orbell alone to steer and to keep such lookout as he could, and necessarily an inadequate one from the position he occupied at the wheel. The Court reluctantly finds that you did not take adequate steps to ensure that Collings went

on look-out when he returned from his dinner, and acquiesced in his absenting himself for a further period which extended to the time the collision occurred, contrary to all good practice, discipline and safe navigation. It is the duty of the skipper to maintain discipline on his ship, and he does not perform that duty if he turns a blind eye to the lookout man leaving his post for the galley fire.

Addressing Orbell, the President said that he had committed a dereliction of duty in not looking out of the port window and he severely censured him.

Annex to the Report.

This Inquiry was held at the Town Hall, Grimsby, on the 17th, 18th, 19th and 21st days of April, 1934. Mr. Walter West, Solicitor, of Grimsby, appeared for the Board of Trade; Mr. Malcolm Collinson, Solicitor, of Grimsby, appeared for the skipper of the "Euthamia"; William Godard Johnson, and Mr. H. S. Bloomer, Solicitor, of Grimsby, appeared for the owners and underwriters of the "Sabik" and "Euthamia", who were made parties to the Inquiry upon their own application. William Orbell, a party to the Inquiry, was not represented.

The "Sabik" was owned by Messrs. John E. Rushworth, Limited, of Grimsby, and John Edward Rushworth of "Eskdale", Bargate, Grimsby, was the managing owner. Her official number was 143,769. She was built at Selby, Yorkshire, by Messrs. Cochrane and Sons, Limited, in 1918, and engaged by Messrs. Charles D. Holmes and Company, Limited, of Hull. She was a ketch-rigged single screw steamship of 326.2 tons gross, fitted with inverted vertical direct acting compound engines of 69 nominal horse power, giving a speed of 11 knots. Her dimensions were:—length, 138.5 feet; breadth, 23.7 feet; depth, 12.8 feet, and she was equipped with wireless telegraphy installation.

The "Euthamia" is owned by Thomas William Baskcomb, of Grimsby, who is designated managing owner, her official number being 134,736. She was built at Beverley in 1912 by Messrs. Cook, Welton and Gemmell, Limited, and engaged by Messrs. Amos and Smith, Limited, of Hull. She is a ketch-rigged single screw steamship of 342 tons gross, fitted with triple expansion engines of 68 nominal horse power, giving a speed of 10½ knots. Her dimensions are:—length, 140 feet; breadth, 24.1 feet, and depth, 13 feet.

The "Sabik" carried a crew of fourteen, including the skipper, Frank Walker. She was equipped with a boat and life-saving appliances in accordance with the Board of Trade Regulations.

The "Euthamia" carried a crew of twelve, including the skipper, William Godard Johnson, certificate No. 5,765.

The "Euthamia" sailed from Grimsby on a voyage to the Icelandic fishing grounds on the 8th January, 1934, at 9.30 a.m. Her draught of water at the time of sailing was about 11 feet forward and about 16 feet aft. The vessel was well found and in good condition. She carried one fully equipped lifeboat, twelve approved life jackets, and four life-buoys, two being fitted with lines, carried fore side of bridge, all in good condition. No wireless telegraphy was fitted.

At 9 p.m. on the 11th January, 1934, the "Euthamia" put into Aberdeen owing to boiler and pump trouble, and after repairs had been effected, sailed the following night at 8 p.m. and arrived in due course at the fishing grounds on the north-west coast of Iceland. Fishing operations were carried out until the 23rd January, 1934, when, owing to bad weather, the vessel put into Dyrafjord for shelter.

The "Sabik" sailed from the Port of Grimsby for the Icelandic fishing grounds on the 16th January, 1934, at 7 a.m. At the time of sailing

the vessel was well found and in good condition. She carried one lifeboat on chocks on the deck aft, four life-buoys, and a cork life jacket in the possession of each member of the crew and kept in their bunks. The "Sabik" arrived on the west coast of Iceland and put into Dyrafjord on the night of the 25th January, 1934, owing to bad weather.

At 6 a.m. (G.M.T.) on the 26th January, 1934, the weather having moderated, the "Euthamia" got under way and proceeded to sea. After leaving the fjord she proceeded on a N.N.E. course by compass until 9 a.m. at an estimated speed, owing to a head wind and sea, of 7 knots, when fishing was resumed. At 11 a.m., owing to the wind increasing and a heavy sea, the trawl was raised, and at 11.50 a.m., a course of S.S.W. was set with a view to returning to Dyrafjord. There was a strong wind from the N.N.W. and it was freezing, the weather being remarkably clear and the land plainly visible for many miles. The vessel proceeded at full speed, estimated at $9\frac{1}{2}$ knots.

At noon the crew went to dinner, the skipper and one deck hand, Collings, remaining on the bridge, Collings being at the wheel. At 12.30 p.m. Collings was relieved by Orbell and went to his dinner. The weather having moderated somewhat, at about 12.50 p.m. the skipper decided to resume fishing and altered his course to W.S.W. for fresh grounds, remaining on the bridge until 1.10 p.m.

The outside port and starboard windows in the front of the wheelhouse were open, but there is some doubt as to whether the starboard middle window was open. The remaining windows were closed and were partially obscured by frost on the outside and condensation on the inside. At this time there were three trawlers in sight on the starboard hand several miles distant. The skipper stated that before going below he opened a window on the port side and looking out, saw no vessel. As the "Sabik" was then within four miles of the "Euthamia" and the visibility was good, the Court is of opinion that the skipper did not take an efficient look around. As stated, the skipper went below at 1.10 p.m., leaving William Orbell, deck hand, alone in the wheelhouse to steer and look out.

The "Sabik", lying in Dyrafjord at 10.30 a.m. on the 26th January, 1934, received a wireless report that the weather was improving, and the skipper decided to put to sea. The vessel left at about 11 a.m. At 12.30 p.m. the second engineer, John Thomas Larn, took over the engine room watch from the chief engineer, the vessel at this time being near the entrance to the fjord, proceeding at "easy full speed ahead," making about 9 knots. At 1 p.m. the skipper went into the engine room and ordered the second engineer to push the "Sabik" along a bit faster as he wanted to get to the fishing grounds as soon as possible. The second engineer then opened the engines to full speed. At 1.20 p.m. the skipper gave an order down the voice-pipe to the wireless operator, Samuel John Abram, requesting him to call up the steam trawler "Lorinda" and ask how the weather and fishing were. Abram called up the "Lorinda" and received a reply "Please wait a minute". Shortly afterwards the impact of collision was felt. The wireless operator came immediately on deck with other members of the crew, realising that something serious had happened.

Meanwhile, in the engine room, the second engineer, who was preparing to oil the engines, at 1.25 p.m., felt the crash on the starboard side. The engines and dynamo stopped immediately and after closing the intermediate stop valve, he rushed on deck. Water was then coming into the engine room from the top of the boiler and the engine room was filling rapidly.

On reaching the deck he met the wireless operator who had instructions to send out an S.O.S. Larn, the second engineer, informed him that this could not be done as the engines and dynamo had stopped. The second engineer was intending to return to the engine room to see if he could re-start the dynamo, when the skipper ordered him to stay on deck.

The skipper, the second hand, the third hand, and the second engineer, together with the wireless operator and the cook, endeavoured to get the lifeboat out, but found that one of the gripes had jammed.

At this time the "Euthamia" was lying about a ship's length away on the "Sabik's" starboard quarter.

The "Sabik" was sinking so rapidly that before they could get the boat clear they had to abandon their efforts. The ship took a heavy list to starboard and sank stern first in from three to four minutes from the time of impact. The skipper, the second hand, the second engineer Larn, and the wireless operator found themselves in the water. None of the remainder of the crew was seen again and apparently, although the second engineer spoke of seeing the third hand and assisting him into the port rigging, went down with the ship. The "Sabik's" boat floated clear, bottom up, and the skipper, the second hand and the wireless operator, held on to it. The second engineer after swimming around for a while, found a deck board floating about and held on to it.

On board the "Euthamia," Orbell being at the wheel, at 1.12 p.m. Collings, the deck hand, returned to the wheelhouse with two pots of tea. One of these he handed to Orbell, who took it to the skipper in the chartroom below, Collings in the meantime relieving him at the wheel. Orbell almost immediately returned to the wheelhouse and after drinking his tea, again took the wheel and Collings then left the wheelhouse to get himself some tea in the galley.

At about 1.25 p.m., Orbell saw the "Sabik" fine on the port bow and only a few yards distant. He immediately put the engine room telegraph to full speed astern, but before the engineer in charge, who was firing at the time, could get to the engines, the impact took place.

Johnson, the skipper of the "Euthamia," came on the bridge as soon as he felt the impact and assumed control of the vessel.

The vessels had separated after the impact and the "Sabik" had drawn ahead. The skipper of the "Euthamia" brought the "Euthamia" round the stern of the "Sabik" intending to go along the "Sabik's" port side to take the crew off, but the "Sabik" sank rapidly, within three or four minutes of the collision. The skipper of the "Euthamia" then ordered the lifeboat of his vessel to be launched, but this order was not carried out because the attention of the crew was directed to the above-mentioned members of the crew of the "Sabik," three of whom were clinging to the "Sabik's" boat and one was keeping afloat with the aid of a pound board. All the men on the deck of the "Euthamia" immediately went to the side of the ship and concentrated their efforts on rescuing and hauling up the four men in the water. A line with a life-buoy attached was first thrown to the second engineer Larn and he was hauled on board. The "Euthamia" then proceeded towards the "Sabik's" lifeboat from which, in the meantime, she had drifted some distance. The "Sabik's" second hand, by this time, had disappeared from the lifeboat. A life-buoy had reached the skipper and the wireless operator of the "Sabik" who were then holding on to it, having let go of the boat. A cod line was thrown to them and the wireless operator fastened this round his arm. He said to the skipper, "Hold on, I have a line", but the skipper replied, "Goodbye, I'm done" and disappeared in the water. The wireless operator, himself almost unconscious by this time, was hauled on board the "Euthamia."

The "Euthamia" and two other trawlers, the "Lorinda" of Fleetwood and the "Ebor Wyke" of Hull, cruised round and searched amongst the wreckage for about two hours, but saw no other survivors.

The "Euthamia" then proceeded to Dyrafjord, arriving at 6 p.m., and landed the two survivors who were put into hospital, together with Collings,

the deck hand of the "Euthamia," who broke his collar bone at the time of the impact by being thrown against the galley door.

In the meantime, the damage to the "Euthamia" was inspected and it was found that her stem was twisted to starboard, several shell plates were buckled and one fractured. Temporary repairs which were effected at Dyrafjord, were completed at 10 p.m. on the 30th January, 1934, and at midnight the "Euthamia" left for Grimsby, eventually arriving at that port at 10 p.m. on the 6th February, 1934.

The second engineer Larn, and the wireless operator Abram, the survivors of the "Sabik," after spending twelve days in hospital, were taken to Reykjavik where, after five days' stay, they were put on board the s.s. "Island" and taken to Leith and subsequently by train to Grimsby where they arrived on the 19th February, 1934.

As requested by the Solicitor for the Board of Trade, the Assessors have marked a chart of the western portion of Iceland showing the approximate point of the collision, the course of the "Euthamia" and the assumed course of the "Sabik". They have also given the bearing of the sun at the material time.

The attention of the Court was drawn to the Board of Trade Warning Notice with regard to the maintenance of a proper lookout. The Court is of opinion that in cases where neglect to maintain a proper lookout is found, proceedings should be instituted and penalties imposed.

The Court recommends that the lifeboats and life-saving appliances of trawlers and other fishing vessels should be inspected by the Board of Trade once in every year, and, in view of the difficulty and delay which occurred in launching the boat of the "Sabik" and the liability of the gripes to become rusted, the Court also recommends that the boats of fishing vessels should be put into the water at frequent intervals not exceeding six months.

Questions.

(1) What was the approximate position of the "Euthamia" at or about 12.50 p.m. on the 26th January, 1934?

(2) What was the state of—

- (a) the weather;
- (b) the wind;
- (c) the sea; and
- (d) the visibility

at that time?

(3) On what course and at what speed was the vessel proceeding at and after 12.50 p.m. on that date? Was any change made in the course and/or speed before the collision?

(4) Who was in charge of the navigation of the "Euthamia" at 12.50 p.m.? Who else was in the wheelhouse or on the bridge then?

(5) Did the skipper go below, and, if so, at what time did he go below?

(6) Did the skipper before he went below take steps to observe what other vessels were in sight? If so, what other vessels did he see? How did they bear from him?

(7) Did the skipper see all the vessels which were in fact within his range of vision? If not, why not?

(8) Did the skipper before he went below give any, and, if so, what instructions to the deck hand whom he left in charge? Were such instructions adequate and proper?

(9) Was the skipper justified in going below when he did?

(10) Did the skipper after he went below ask for and obtain from Orbell, the deck hand in charge, any, and, if so, what information?

(11) What windows of the wheelhouse were open between 12.50 p.m. and the time of the collision? How many points on either bow of the vessel were within the range of vision of the man at the wheel through the open windows?

(12) Was the vision through the windows of the port side of the wheelhouse obstructed from any, and, if so, what cause? If so, should the windows of the port side of the wheelhouse have been opened?

(13) Did Collings, the other deck hand of the watch, leave his post as lookout man before the collision? If so, at what time and for what purpose did he leave?

(14) Did Collings obtain Orbell's permission to leave his post as lookout man before he left it? If not, should he have done so?

(15) Was the discipline maintained by the skipper over the crew of the vessel adequate for her safe navigation when he was below?

(16) When did Orbell first see the "Sabik"? How did she then bear from the "Euthamia"? How far distant was she? How was she heading?

(17) Must the "Sabik" have been in sight for a considerable time and, if so, approximately how long before Orbell observed her?

(18) If so, how was it that the "Sabik" was not observed from the "Euthamia" before she was?

(19) Upon which of the two vessels rested the duty imposed by the provisions of the Regulations for Preventing Collisions at Sea to keep out of the way of the other?

(20) Did the vessel whose duty it was to keep out of the way of the other take all proper steps to do so? If not, why not?

(21) Was a good and proper lookout kept on board—

- (a) the "Sabik"?
- (b) the "Euthamia"?

(22) Were—

- (a) the "Sabik"
- (b) the "Euthamia"

navigated with proper and seamanlike care?

(23) Did Orbell on sighting the "Sabik" take all proper steps to avoid collision with her?

(24) When did the collision take place? At what angle did the vessels collide?

(25) What damage was caused by the collision to—

- (a) the "Sabik"?
- (b) the "Euthamia"?

(26) Were any, and, if so, how many lives of the crew of the "Sabik" lost as a result of the collision?

(27) Was the "Sabik" supplied with a boat and life-saving appliances in accordance with the requirements of the Board of Trade Regulations, and were the same in good order?

(28) Did those on the "Euthamia" take all proper steps to rescue the crew of the "Sabik"?

(29) What was the cause of the collision?

(30) Were—

- (a) the collision between the s.t. "Sabik" and the s.t. "Euthamia" and the subsequent sinking of the s.t. "Sabik,"
- (b) the loss of life

caused or contributed to by the wrongful act or default of William Godard Johnson, the skipper of the s.t. "Euthamia," and William Orbell, the deck hand in charge of the watch on the s.t. "Euthamia," or either, and, if so, which of them?

Answers.

(1) The approximate position of the "Euthamia" at or about 12.50 p.m. on the 26th January, 1934, was Latitude 66° 7' N. Longitude 24° 4' W.

(2) (a) The weather was fine with the temperature below freezing point.

(b) The wind was N.N.W., Force 6.

(c) The sea was rough.

(d) The visibility was very good with bright sunshine three points on the port bow at an altitude of 6 degrees.

(3) At and after 12.50 p.m., the "Euthamia" was on a course of W.S.W. magnetic, proceeding at a speed of about 9½ knots. No change was made in the course or speed before the collision.

(4) The skipper was in charge of the navigation of the "Euthamia" at 12.50 p.m. Deck hand William Orbell was in the wheelhouse with him at that time. There was no other person in the wheelhouse, Orbell's watchmate Collings having gone to his dinner at 12.30 p.m.

(5) The skipper went below at 1.10 p.m.

(6) The skipper before he went below, observed three other trawlers on his starboard side distant about four to five miles. One of these trawlers was laid to, another was fishing, and the third was steaming in a south-easterly direction. The skipper, before going below, opened one of the windows on the port side, and looking around observed no other ships in sight.

(7) The skipper did not see all the vessels which were in fact within his range of vision. The "Sabik" was to port of the "Euthamia" and within four miles of her at the time the skipper went below.

The Court is of opinion that the reason for the skipper not seeing the "Sabik" on his port hand was that he did not take an efficient look around on the port side.

(8) The skipper, before he went below, instructed deck hand Orbell to steer a straight course and to watch the vessels to starboard and to try and see what they were doing, and to let him know when Koppernaes was abeam.

Such instructions were proper as far as they went but were not adequate as they diverted Orbell's attention from looking out on the port side.

(9) The skipper was not justified in going below when he did without seeing that an adequate lookout was posted in addition to the man at the wheel.

(10) The skipper, after he went below, called up to deck hand Orbell at about 1.20 p.m. and asked for and obtained information as to what the vessels on the starboard hand were doing.

(11) The Court is of opinion that the outer starboard and port front windows of the wheelhouse were open but find a conflict of evidence regarding the starboard midship window which may or may not have been open.

The range of vision of the man at the wheel through the open window on the starboard side would be from 2 degrees on the starboard bow to 16 degrees on the starboard bow and through the open port window from 37 degrees on the port bow to 45 degrees on the port bow.

If the starboard front centre window was open the range of vision would be from 3 degrees on the port bow to 18 degrees on the port bow.

These bearings are based on the assumption that the man at the wheel remained in one position in the wheelhouse on the starboard side of the steam-gear steering wheel which was fixed in front of the hand-steering wheel at the back of the wheelhouse.

(12) The Court is of opinion that the vision through the windows on the port side was obscured owing to frost on the outside and condensation on the inside.

The windows on the port side should have been open.

(13) Collings, the other deck hand of the watch, did not take up his post as lookout man. Collings returned to the bridge from his dinner at about 1.12 p.m. with two pots of tea; he took the wheel while Orbell took a pot of tea below to the skipper and remained at the wheel while Orbell drank the other

pot of tea. Collings then left the bridge to get tea for himself in the galley and remained in the galley until the collision occurred.

(14) When Collings left the wheelhouse he did not ask Orbell's permission to do so. He should have done so.

(15) The discipline maintained by the skipper of the "Euthamia" was not adequate for the safe navigation of the vessel when he was below.

(16) Orbell first saw the "Sabik" immediately before the collision, heading about N.N.W. and bearing very fine on the port bow and distant only a trawler's length.

(17) The "Sabik", in the opinion of the Court, must have been in sight for at least half an hour before Orbell observed her.

(18) The "Sabik" was not seen earlier owing to the inefficient lookout on the "Euthamia".

(19) By the Regulations for the Prevention of Collisions at Sea, it was the duty of the "Sabik" to keep out of the way of the "Euthamia", as the vessels must have been on crossing courses for at least 35 minutes.

(20) The "Sabik" did not take all proper steps to keep out of the way of the "Euthamia", but as all the members of the crew of the "Sabik" who were responsible for her navigation were lost as a result of the collision, there was no evidence before the Court to enable it to say why the "Sabik" did not keep out of the way of the "Euthamia".

(21) For the reason given in the answer to the last question, the Court is unable to say whether a good and proper lookout was kept on the "Sabik".

A good and proper lookout was not kept on the "Euthamia".

(22) The "Sabik" and the "Euthamia" were not navigated with proper and seamanlike care.

(23) There was not, on sighting the "Sabik", sufficient time for Orbell to take any effective steps to avoid collision with the "Sabik".

(24) The collision took place at about 1.25 p.m. on the 26th January, 1934. The vessels collided at about a right angle.

(25) The "Sabik" was struck by the stem of the "Euthamia" on her starboard wing bunker. The damage was so extensive that her starboard side was cut into and she sank almost immediately within from three to four minutes. The "Euthamia" received damage to her stem which was twisted to starboard. Several shell plates were buckled and one was fractured.

(26) The skipper and eleven members of the crew of the "Sabik" lost their lives as a result of the collision.

(27) The "Sabik" was supplied with a boat and life-saving appliances in accordance with the requirements of the Board of Trade.

At the time of the collision, the boat and life-saving appliances were in good order and passed the Grimsby Mutual Insurance Company's survey on the 4th October, 1933.

(28) The Court is of opinion that reasonable steps were taken by those on board the "Euthamia" to rescue the crew of the "Sabik". The skipper of the "Euthamia" ordered the second hand to launch the small boat but, with some disregard of discipline, the attention of the majority of the crew was diverted to getting the two men saved out of the water. It is possible that had the boat been launched further lives might have been saved.

(29) The collision was caused by the failure of the "Sabik" to keep out of the way of the "Euthamia" in accordance with Article 19 of the Regulations for Prevention of Collisions at Sea, and the failure of the "Euthamia" to keep a proper lookout and to take such action as was best to avert a collision when so close that a collision could not be avoided by the "Sabik" alone.

(30) (a) and (b). The collision between the s.t. "Sabik" and the s.t. "Euthamia" and the subsequent sinking of the s.t. "Sabik" and the loss of life, were contributed to by the default of William Godard Johnson, the skipper of the s.t. "Euthamia" in that he failed to see that a proper lookout was set before leaving the bridge.

Having regard to the fact that Orbell was left alone in the wheelhouse to steer the vessel and to keep the lookout—the work of two men—and that his attention was further directed by the skipper to the vessels on the starboard side, thereby diverting his attention from looking out on the port side, the

Court is of opinion that there was a dereliction of duty on the part of Orbell in not looking out on the port side even if that involved leaving the wheel for that purpose, and finds that the collision and sinking of the s.t. "Sabik" and the loss of life were contributed to by this default, and severely censures him for the default.

JOSEPH SMITH, *Judge*.

We concur,

FRED J. THOMPSON, }
T. DANIEL, } *Assessors*.
W. ADDY, }

(Issued by the Board of Trade in London
on Monday, the 4th day of June, 1934.)

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