

STEAM TRAWLER "SAN SEBASTIAN"
THE MERCHANT SHIPPING ACT, 1894
REPORT OF COURT

In the matter of a Formal Investigation held in the Magistrates' Room, Liverpool Police Court, Dale Street, Liverpool, on the 16th, 17th, 18th and 23rd days of March, 1937, before Stuart Deacon, Esquire, Stipendiary Magistrate, assisted by Captain A. E. Dodd, Captain A. L. Gordon and G. Robb, Esquire, into the circumstances attending the stranding and subsequent total loss of the British steam trawler "San Sebastian" of the port of Fleetwood on the 10th day of January, 1937.

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 stranding and subsequent total loss of the said vessel was caused by the wrongful act and defaults of Richard Wilfred Pook, her skipper, and also by the defaults of James Archibald Maunder, her mate.

The Court, finding that such stranding and subsequent total loss of the s.t. "San Sebastian" was caused by the wrongful act and defaults of Richard Wilfred Pook, her skipper, suspends his certificate of competency as skipper for twelve months from this date, and the Court, although finding further that such stranding and such subsequent total loss as aforesaid was also caused by the defaults of James Archibald Maunder, her mate, thinks that, having regard to the fact that the Court is satisfied that the mate, in acting as he did after 2.30 a.m. on the 10th January, 1937, was endeavouring to carry out, to the best of his ability and as he understood it, an order which he had received through the boatswain from the skipper at 2.30 a.m., the Court ought not to deal with his certificate as second hand, and contents itself with severely censuring him.

Dated this 23rd day of March, 1937.

STUART DEACON,
Judge.

We concur in the above Report.

A. E. DODD, A. L. GORDON, GEORGE ROBB.	}	Assessors.
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The Court refuses the application of the skipper for its recommendation for the grant to him of a certificate of competency as second hand during the period of suspension.

STUART DEACON,
Judge.

A. E. DODD, A. L. GORDON, GEORGE ROBB.	}	Assessors.
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Annex to the Report.

This Inquiry was held in the Magistrates' Room, Liverpool Police Court, Dale Street, Liverpool, on the 16th, 17th, 18th and 23rd days of March, 1937.

Mr. H. A. Thew, of Messrs. Avison, Morton and Company, Solicitors, of Liverpool, appeared for the Board of Trade, and Dr. T. C. Jackson, of Messrs. A. M. Jackson and Company, Solicitors, of Victoria Chambers, Bowlalley Lane, Hull, represented the owners, the Boston Deep Sea Fishing and Ice Company Limited, of Dock Street, Fleetwood, whose registered manager is Fred Parkes of "Wellvale", Warbreck Hill Road, Blackpool, in the County of Lancaster. The owners were made a party to the Inquiry on the first day of the hearing at the request of their solicitor, Dr. T. C. Jackson. Dr. T. C. Jackson also watched the proceedings on behalf of the underwriters, the Steamship Mutual Insurances Association, of

Sunderland. Neither the skipper, Richard Wilfred Pook, nor the mate, James Archibald Maunder, was legally represented.

The s.t. "San Sebastian" official number 148,223, port of registry, Fleetwood, was a steel built steam trawler, ketch-rigged, built by Collingwood Shipbuilding Company Limited, Collingwood, Ontario, in 1918. Her gross tonnage was 278.18 and nett register tonnage 122.61. Her registered dimensions were:—length 125.7 feet, main breadth 23.5 feet and depth of hold 12.7 feet.

She was fitted with reciprocating triple expansion direct acting vertical engines of 61.6 nominal horse power, 370 indicated horse power, and a single-ended multitubular boiler of steel with a loaded pressure of 180 lbs. The designed speed of the vessel was 10 knots. The engines were built by the Marine Iron Works, Chicago, Illinois, and the boilers by the Canadian Allis Chalmers Limited, Toronto. She was constructed with four bulkheads. She was equipped with the boat and life-saving appliances usual in vessels of her class.

She was owned by the Boston Deep Sea Fishing and Ice Company, Limited, Fleetwood, the registered manager being Mr. Fred Parkes, "Wellvale", Warbreck Hill Road, Blackpool, Lancashire.

This vessel left Fleetwood at 9.40 a.m. on the 9th January, 1937, with a crew of thirteen hands including the skipper, there being no passengers, bound for the fishing grounds on the west coast of Scotland under the command of Richard Wilfred Pook, skipper, certificate number 20236 dated 23rd day of February, 1933.

At about 11.30 p.m. on the 9th January, 1937, the vessel was proceeding up the North Channel towards the Mull of Cantyre on a N.W. by N. $\frac{1}{4}$ N. course magnetic, the weather being overcast and clear, wind S.S.W., force 6, visibility good. The skipper was on the bridge with the boatswain, Harold Evans, Altacarry Light being in sight a little on the port bow. When the Mull of Cantyre Light opened out about 11.40 p.m., the skipper took a bearing of the Altacarry Light but only took the bearing of the Mull of Cantyre Light as given on the chart, and did not verify this latter by a compass bearing, and with these bearings he fixed the vessel's position. Just before leaving the bridge at midnight the skipper ordered the boatswain to alter the course to N. by E. when the Mull of Cantyre Light bore N.E., and when the Light was abeam on that course to set the log and to call him when it read 12.

In accordance with this order, when, at about 12.45 a.m., the Mull of Cantyre Light bore N.E., the course was altered to N. by E. by the boatswain; a bearing of the Mull of Cantyre Light was taken by the boatswain when it was on the 4 points at 12.58 a.m., and when the Light was abeam at 1.20 a.m. the boatswain fixed the vessel's position as three miles off and the log was set at 0.

Up to this time, the weather had remained as before stated, but about 2.5 a.m. a change came, and thick rain set in reducing the visibility, as the boatswain stated in his evidence, to a quarter of a mile, but the Court is of the opinion that it was about two miles.

At 2.25 a.m. the boatswain called the skipper and told him he was going off watch in five minutes, and that he had seen a light on the port bow and that it was raining. The skipper replied and told the boatswain to tell the mate that if he made the light out to be Churn Island Light to call him when he was abreast of it.

At 2.30 a.m. the boatswain was relieved by the mate, James Archibald Maunder (who holds a

certificate as second hand, number 21898), and before leaving the bridge he pointed out to the mate the light he had seen and passed on the orders from the skipper, viz., to call him when the log read 12 or if he made the light out to be Chuirn Island Light to call him when he was abreast of it. The mate failed to distinguish the character of the light pointed out to him and at 2.55 a.m. called the skipper. When the latter got on the bridge about 3.1 a.m. he looked round but saw nothing for a few minutes. Then he saw a light on the port quarter and realised the vessel had been set to westward, and he immediately ordered the engines to be stopped and the wheel to be put over to starboard, himself helping in this operation, but before either of these orders could take effect the vessel struck heavily on or close to the rock which later was identified as Iommalach Rock. The skipper, after ordering the men to get the life-boat out, went down to his cabin to get the rockets to give to the mate, and he then, for five or six minutes, sent out an S.O.S. but could get no reply. During this time the vessel was bumping heavily, and started to list to starboard when he came on deck. He could then see two or three lights and a rock 15 to 20 yards away on the port side about the height of the bridge, and he ordered the men to put on lifebelts. Seven men got into the lifeboat which had been successfully got out, but at this time the heavy swell that was running carried the boat on to the vessel's rail, which by now was nearly flush with the water, and stove in or started a plank, and the boat began to fill with water. Some of the men jumped back to the vessel and the skipper thought that all had got on board again but, unfortunately, a little later, it was found that one was missing, and this turned out to be Joseph Gledhill, cook. After the men got back aboard the skipper told them the only thing then was to swim for the rock; it would be every man for himself. They all went together to the port side which was then awash, and the skipper watched the men go off by twos and threes until there were only four left in the rigging.

The skipper knew that the chief engineer, William Pye, could not swim, so he clambered up the rigging to cut the "Dan Buoy" adrift as he thought if he could get it clear it would be a good help to the chief engineer. The skipper did get the buoy cut away, but it stuck in the rigging and he could not clear it. It may also be stated here that the skipper had previously given his lifebelt to a seaman who had not then got one on and who was one of the two seamen who had got into the lifeboat to bale out some of the water which had been shipped whilst getting it out.

Whilst the skipper was coming down the rigging the vessel turned over on to her starboard side and when he got down he looked round but could not see any one in the water or on the vessel. He then scrambled to the bow, from where he started to swim to the rock on which he could see the men. He was unable to reach it, so he turned round and swam for other land which he thought was the mainland, but which turned out to be another rock.

At daylight he could see the men on the rock and saw them rescued later (about 9 a.m.) by the "Pibroch", a small coasting vessel. The "Pibroch" passed about half a mile from the rock on which the skipper was, but those on board did not see him and he was not rescued until 2 p.m.

The skipper went by land to Port Ellen to join the other members of the crew and he then learned that, in all, four of the crew were missing, viz.,

William Sharp,	deck hand,
Joseph Gledhill,	cook,
Thomas Wilfred Archer,	second engineer,
and Joseph Cox,	fireman.

The Court considers that the circumstances disclosed at this Inquiry by the evidence indicate

carelessness and serious lack of sense of responsibility on the part of the skipper and, in a lesser degree, on the part of the mate.

The Court strongly condemns the action of the skipper in ordering and allowing the boatswain, an uncertificated man, to alter the course without his own personal supervision at such an important position as that off the S.W. of the Mull of Cantyre when the vessel was proceeding into narrow waters.

Had the skipper been on deck at the time he would have been able to fix the position of the vessel with accuracy from cross-bearings then available.

The Court further condemns the conduct of the skipper when the Mull of Cantyre Light was abeam and when good cross-bearings were still available, for not then obtaining a correct fix of his position, for if he had then taken advantage of this opportunity to fix the position of the vessel, he would have found she was setting to the westward and he could have made allowance for the tide, and so prevented the casualty.

Further, another opportunity was missed by the skipper when the boatswain called him at 2.25 a.m. on the 10th January, 1937, and reported that he could see a light but could not make it out, and that it was raining; had the skipper come on deck then and taken action the casualty would, in all probability, have been avoided.

Again, still another opportunity to avoid the stranding came to the skipper when the mate called him at 2.55 a.m. and reported that he could not make the light out; had he then hastened at once on deck and taken action, the casualty might even then have been averted.

In the opinion of the Court, the mate is also to blame for the happening of the casualty, inasmuch as he did not, when coming on watch at 2.30 a.m. on the 10th January, 1937, read the log, or attempt to verify the vessel's position by looking at the chart to which the Court is satisfied he had access.

Further, in view of the conditions prevailing when he came on deck, the Court also thinks that the mate spent too much time in trying to make out the character of the light that had been pointed out to him by the boatswain and which he saw from time to time, and that he is to blame for allowing the vessel to carry on on her course and speed too long after 2.30 a.m. on the 10th January, 1937, before calling the skipper and making him acquainted with the conditions which then prevailed. Had the mate called the skipper earlier the Court is again of the opinion that the casualty might have been averted.

At the conclusion of the evidence Mr. Thew, on behalf of the Board of Trade, submitted Questions for the opinion of the Court.

Dr. T. C. Jackson addressed the Court on behalf of the owners of the s.t. "San Sebastian".

The Questions and Answers are as follows:—

Q. 1. When the s.t. "San Sebastian" left Fleetwood for the fishing grounds off the west coast of Scotland on the 9th January, 1937, was she in good and seaworthy condition?

A. When the s.t. "San Sebastian" left Fleetwood for the fishing grounds off the west coast of Scotland on the 9th January, 1937, she was in good and seaworthy condition.

Q. 2. What charts had she on board at that time? Were they properly corrected up to date?

A. The vessel had on board at that time the following charts:—West Coast of Scotland Fishing Pilot Chart and Cape Wrath to North Channel on five sheets (Fishing Chart No. 014). They were properly corrected up to date.

Q. 3. What compasses did the vessel carry and where were they situated? When and by whom had they last been professionally adjusted? Were deviation cards supplied to the skipper after such adjustments?

A. The vessel carried two compasses, one in the roof of the wheelhouse and the other, a standard compass, inside the wheelhouse. They

were last professionally adjusted on the 15th October, 1936, by Charles R. Barr, compass adjuster, of Fleetwood. Deviation cards were supplied to the skipper after such adjustments.

Q. 4. Had the skipper corrected the compasses from time to time by observation and did he know the proper corrections to apply to them?

A. The skipper had not corrected the compasses from time to time by observation; the only corrections to apply to them of which he had any knowledge were those on the before-mentioned deviation cards.

Q. 5. Were the compasses in good and satisfactory condition on the 9th and 10th January, 1937?

A. In the opinion of the Court the compasses were in good and satisfactory condition on the 9th and 10th January, 1937, although in the course of the hearing a suggestion of the possibility of the compasses being in error and thus accounting for the disaster was made to the Court both by the skipper and the mate.

Q. 6. What sounding appliances were on board the vessel? Were they in good and satisfactory condition on leaving Fleetwood on the 9th January, 1937?

A. The sounding appliances on board the vessel were:—A Marconi echo sounding machine and deep sea hand leadlines. In the opinion of the Court they were in good and satisfactory condition on leaving Fleetwood on the 9th January, 1937.

Q. 7. At about 11.30 p.m. on the 9th January, 1937, on what course was the vessel sailing?

A. At about 11.30 p.m. on the 9th January, 1937, the vessel was sailing on a course N.W. by N.½N. magnetic.

Q. 8. Did the skipper obtain cross-bearings of Altacarry Light and the Mull of Cantyre Light and if so how did they bear?

A. The skipper did not obtain cross-bearings of the Altacarry Light and the Mull of Cantyre Light. What the skipper actually did was to obtain the bearing of the Altacarry Light which then bore N.W. northerly and with this knowledge he took a bearing of the Mull of Cantyre Light as shewn by the opening sector on the chart, and these he used to give him a cross-bearing.

Q. 9. What was the state of (a) the weather, (b) the wind, (c) the visibility, and (d) the tide at about that time?

A. At about that time (a) the weather was overcast but clear, (b) the wind was S.S.W., (c) the visibility was good, and (d) the tide had been ebbing to the westward for about two and a half hours.

Q. 10. Was there any, and if so what, alteration in these conditions between that time and the time of the stranding?

A. An alteration in these conditions between that time and the time of the stranding took place at about 2.5 a.m. on the 10th January, 1937, when it began raining, and the visibility materially decreased. It was stated by the boatswain in his evidence that the visibility at about 2.25 a.m. was only a quarter of a mile, but, in the opinion of the Court, the visibility, in fact, at that time, and up to the time of stranding, was about two miles.

Q. 11. What was the speed of the vessel at about that time? Was there any, and if so what, alteration made in the speed between that time and the time of the stranding?

A. The speed of the vessel at about 11.30 p.m. on the 9th January, 1937, was nine and a half knots. No alteration was made in this speed between that time and the time of the stranding, except only that the skipper immediately before the stranding of the vessel had ordered the engines to be stopped, but under the circumstances this order was too late to have any effect.

Q. 12. At about that time did the skipper give any, and if so what, orders to the boatswain? If any orders were given, were they safe and adequate? Were they carried out?

A. At about midnight of the 9th January, 1937, that is to say, about twenty minutes after

the Mull of Cantyre Light had been opened out, the skipper, on leaving the bridge, gave the following order to the boatswain, Harold Evans, viz., to carry on the course N.W. by N.½N. until he got the Mull of Cantyre Light bearing N.E. and then to alter his course to N. by E. and when he was abreast of the Mull of Cantyre Light to set the log, and further to call him, the skipper, when the log showed that the vessel had run twelve miles. This order was not safe and adequate, in the opinion of the Court, to be given at that time to the boatswain, inasmuch as the Court is of opinion that the skipper should himself have been on deck and verified his position by cross-bearings both at the time when such alteration of course was made at 12.45 a.m. on the 10th January, 1937, and again when, at 1.20 a.m. on the same day, the Mull of Cantyre Light was abeam and the log set.

Q. 13. Did the skipper tell the boatswain to pass any, and if so what, orders on to the mate? Did the boatswain in fact pass the orders on to the mate? Did the mate carry them out? If not, why not?

A. The skipper told the boatswain when, at about midnight of the 9th January, 1937, he gave him the order mentioned in the Answer to Question 12, to pass on that order to the mate when he came on watch, but the boatswain did not, in fact, pass the order on in those terms to the mate, because of the events which occurred at 2.25 a.m. on the 10th January, 1937, when the boatswain informed the skipper that he thought he had seen a light on the port bow, and which events are more particularly referred to in the Answer to Question 15 hereinafter. The skipper at this time, namely 2.25 a.m., told the boatswain to tell the mate that if he, the mate, made out the light to be Chuirn Island Light, he should call him when he was abreast of it. The boatswain passed this order on to the mate, apparently in the form that he, the mate, was to call the skipper when the log read twelve, or if he, the mate, made out the light to be Chuirn Island Light, then he was to carry on until the vessel was abreast of the Light. The mate stated in his evidence that he understood this order to mean that he was to carry on until he had made out the light and if it was the Chuirn Island Light, he was to call the skipper when he was abreast of it, and if he did not make the light out, he should call the skipper then, that is to say, that he was justified in running a mile or two over the twelve miles in his attempt to make out the light, and the skipper agreed with this interpretation of his order. In the opinion of the Court, the mate did not carry out this order properly, because, in his endeavour to discover what the light was, he allowed the vessel to proceed further on its course than he ought to have done without ascertaining the reading on the log.

Q. 14. At what time did the skipper leave the bridge, and for how long did he remain below?

A. The skipper left the bridge just before midnight of the 9th January, 1937, and he remained below until 3 a.m. or 3.1 a.m. on the 10th January, 1937.

Q. 15. While he was below, did he receive any reports from either the boatswain or the mate? If so, what were they, and what action did he take on them? Was such action safe and proper?

A. While the skipper was below, he received, at 2.25 a.m. on the 10th January, 1937, the report referred to in the foregoing Answer to Question 13 from the boatswain to the effect that he was going off watch in about five minutes, and that he thought he had seen a light on the port bow, which he could not make out to be any particular light, that it was raining, and that the mate would soon be up to relieve him. In answer to this report, the skipper gave the boatswain the order referred to in the foregoing Answer to Question 13, which he was to pass on to the mate, but the skipper did not himself go up on deck at that time. At 2.55 a.m. the mate called the skipper and told him that he could not make the light out, and there would be over twelve miles on the log and that it was raining. Having received this report, the skipper

went up on deck at about 3 a.m. to 3.1 a.m. In the opinion of the Court, neither of the skipper's actions, either at 2.25 a.m. or 2.55 a.m. on receiving the before mentioned respective reports, were safe or proper, inasmuch as, in the opinion of the Court, the skipper ought to have gone on deck on receiving the report from the boatswain at 2.25 a.m. in order to try to ascertain then the true position of his vessel, and further on receiving the report at 2.55 a.m. from the mate, he should have gone on deck without delay.

Q. 16. At what time did the mate take over the watch from the boatswain? Did he remain on the bridge from that time until the time of the casualty?

A. The mate took over the watch from the boatswain at about 2.30 a.m. on the 10th January, 1937. He remained on the bridge from that time until the time of the casualty, except when he went for a moment into the skipper's room to call him at 2.55 a.m.

Q. 17. Did he take any, and if so what, steps to ascertain the vessel's position when he went on watch? Had he access to the charts? If not, should he have had such access?

A. The mate did not take any steps to ascertain the vessel's position when he went on watch. He had access to the charts, inasmuch as the Court is satisfied both by his own evidence and that of the skipper that he could have had recourse to the chart in the skipper's room at any time if he had chosen to go there.

Q. 18. While he was on watch did he see any, and if so what, lights?

A. While he was on watch the mate saw a light on at least three occasions. The first time he saw it was when he was in company with the boatswain just before the latter went off watch after 2.30 a.m. It was then two or three points on the port bow. The second time he saw it the light was four or five points on the port bow, and the third time he saw it the light was five or six points on the port bow. This last time that he saw the light was just about five minutes before he called the skipper. The mate stated in his evidence that he could not make out what the light was, except that, from its position, it could not be the Churn Island Light, and he thought that it was that of a vessel because the light altered its bearings so quickly.

Q. 19. When the skipper returned to the bridge, on what course did he find the vessel was sailing?

A. When the skipper returned to the bridge, the vessel was sailing on a course N. by E.

Q. 20. Did he see any, and if so what, light? How was it bearing?

A. The skipper stated that he could see no light when he returned to the bridge at about 3.1 a.m., but that after about five minutes it cleared and he could then see the Otter Light. He stated that this Light was then bearing about three points on the port quarter.

Q. 21. What action did he take at about this time?

A. The skipper on seeing the Otter Light, as before mentioned, shouted "Stop her" and himself grasped the middle spoke of the wheel, and turned it over two full turns to starboard and told the man at the wheel to put her hard over. Unfortunately, under the circumstances, none of these actions was in time to avert the casualty, and, in the opinion of the Court, not more than two or three minutes elapsed between the time when the skipper first saw the Otter Light and the vessel striking the rocks.

Q. 22. Were the courses which the skipper set safe and proper in view of all the circumstances?

A. The courses set by the skipper appear to have been safe and proper, until the time when, on leaving the bridge at about midnight, he ordered the boatswain to carry on the course N.W. by N. $\frac{1}{2}$ N. until he got the Mull of Cantyre Light bearing N.E., and then to alter his course to N. by E. and when he was abreast of the Mull of Cantyre Light to set the log and further to call him, the

skipper, when the log showed that the vessel had run twelve miles. In the opinion of the Court, this was not a safe and proper course for the skipper to order to be set, inasmuch as (a) he himself did not verify the position of the vessel at the time when the alteration of course took place, and (b) the course itself, even if the position of the vessel had been verified by the skipper, was not safe and proper because no allowance was made for the effect of the tide setting the vessel to the westward.

Q. 23. Was a good and proper lookout kept on board the vessel?

A. A good and proper lookout was kept on board the vessel.

Q. 24. Were soundings taken by those in the vessel before she stranded? If not, should they have been taken?

A. No soundings were taken by those in the vessel before she stranded. In the opinion of the Court, soundings should have been taken after 2.5 a.m., when the visibility began to decrease and subsequently became worse.

Q. 25. When and where did the s.t. "San Sebastian" strand?

A. The place where the s.t. "San Sebastian" stranded was on or close to the Iommalach Rock, which is about half way between the Otter Rock and Churn Island, off the south coast of the Island of Islay, Scotland. The time of the stranding was about 3.10 a.m. on the 10th January, 1937.

Q. 26. What was the cause of the stranding of the s.t. "San Sebastian"?

A. The cause of the stranding of the s.t. "San Sebastian" was the fact that the course of the vessel was altered at 12.45 a.m. on the 10th January, 1937, and the vessel was then set on a N. by E. course when she was S.W. of the Mull of Cantyre, without the position of the vessel being then properly verified, and the fact that the vessel was thereafter continued on that course at full speed until the time of stranding, no allowance having been made for the influence of the tide which the Court is satisfied was all the time while the vessel was on this course carrying the vessel to the westward.

Q. 27. Were all reasonable steps taken by the skipper to save the crew?

A. The Court is satisfied that all reasonable steps were taken by the skipper to save the crew. In particular the skipper believed that the chief engineer, William Pye, was unable to swim, and so he climbed up the rigging to cut the "Dan Buoy" out of the rigging, as he thought it would be a help in keeping him, the chief engineer, afloat in the water, but the ship turned over before he was able to achieve his object. Before doing this the skipper had given his own lifebelt to a member of the crew who was in the lifeboat, which he had ordered to be launched, and whom he ascertained had not then got a belt. The Court considers that these actions of the skipper were highly commendable.

Q. 28. How many members of the crew lost their lives as the result of the casualty?

A. Four members of the crew lost their lives as the result of the casualty, namely—

William Sharp,	deck hand,
Joseph Gledhill,	cook,
Thomas Wilfred Archer,	second engineer,
and Joseph Cox,	fireman.

Q. 29. Was the stranding and subsequent total loss of the s.t. "San Sebastian" caused or contributed to by the wrongful act or default of Richard Wilfred Pook, her skipper, and James Archibald Maunder, her mate; or either, and if so which, of them?

A. The stranding and subsequent total loss of the s.t. "San Sebastian" was caused by the wrongful act and defaults of Richard Wilfred Pook, her skipper, as follows:—

(a) His wrongful act and default in that at about midnight of 9th January, 1937, he, on leaving the bridge, gave the following order to the boatswain, Harold Evans, viz., to carry on

the course N.W. by N.½N. until he got the Mull of Cantyre Light bearing N.E. and then alter his course to N. by E. and when he was abreast of the Mull of Cantyre Light to set the log, and further to call him, the skipper, when the log showed that the vessel had run twelve miles, and did not himself subsequently return to the deck and verify the position of his vessel by cross-bearings at the time when such alteration of course was made by the boatswain at 12.45 a.m. on the 10th January, 1937;

(b) His default in that he did not verify the position of his vessel at about 1.20 a.m. on the 10th January, 1937, when the Mull of Cantyre Light was abeam and the log set by the boatswain;

(c) His default in that he did not go on deck at 2.25 a.m. on the 10th January, 1937, and endeavour to identify the light which the boatswain then reported to him as having seen, more particularly having regard to the boatswain's report also that it was then raining; and

(d) His default in that he did not go on deck promptly when called by the mate, James Archibald Maunder, at 2.55 a.m. on the 10th January, 1937.

Such stranding and subsequent total loss as aforesaid was also caused by the defaults of her mate, James Archibald Maunder, as follows:—

(a) He omitted at 2.30 a.m. on the 10th January, 1937, when he went on watch, to read the log, and he did not by this means or by any reference to the chart endeavour to verify the then position of the vessel; and

(b) He allowed the vessel to carry on on her course and speed too long after 2.30 a.m. on the 10th January, 1937, before calling the skipper and making him acquainted with the conditions which then prevailed.

STUART DEACON,

Judge.

We concur in the above Report.

A. E. DODD,

A. L. GORDON,

GEORGE ROBB.

} *Assessors.*

(Issued by the Board of Trade in London
on Thursday the 29th day of April, 1937)

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