

(No. 6500.)

“HELGA.”

The Merchant Shipping Act, 1894.

In the matter of a formal investigation held at the Board of Trade Office, Victoria Road, Cork, on the 4th, 5th, 6th, 7th, 9th, and 10th days of March, 1903, before CHAS. E. B. MAYNE, R.M., assisted by Captains GEORGE RICHARDSON and HENRY PARSELL, into the circumstances attending the stranding and subsequent loss of the sailing ship “HELGA” in Ballycreegan Bay, on the south coast of Ireland, on 22nd day of January, 1903.

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 stranding and subsequent loss of the “Helga” was due to the master wearing the vessel to W.N.W. on a lee shore after having run some distance towards it, through the fore braces getting foul and without ascertaining before wearing the vessel—as he might have done—his distance from the land by taking a cast of the lead. The Court finds the master alone in default, but in consideration of his long services and the very high character he has been given, the Court does not feel disposed to deal with his certificate, but reprimands him severely.

Dated this 10th day of March, 1903.

CHAS. E. B. MAYNE, R.M.,  
Judge.

We concur in the above Report.

GEORGE RICHARDSON, }  
H. PARSELL, R.N.R., } Assessors.

Annex to the Report.

This inquiry was held at the Board of Trade Offices, Cork, on 4th, 5th, 6th, 7th, 9th, and 10th days of March, 1903, when Mr. J. H. Bennett appeared on behalf of the Board of Trade, Mr. A. H. Allen appeared for the owners, Mr. James Foley appeared for the master, and Mr. Walter B. Ronan for the Cork Harbour Commissioners. The first and second officers were not legally represented.

The “Helga,” official number 96063, was a British sailing ship built of steel at Dumbarton by Messrs. Archibald MacMillan & Son in the year 1889, and was registered in London in the year 1901. She was owned by the Helga Ship Company, Limited, of 5, East India Avenue, City of London, Mr. Robert Moore, of 5, East India Avenue, City of London, being designated the person to whom the management of the vessel is entrusted by and on behalf of the owners by advice received the 18th day of September, 1901, under his hand as public officer of the Helga Ship Company, Limited. The “Helga” was of the following dimensions:—length, 256.7 ft.; breadth, 39.2 ft.; depth in hold from tonnage deck to ceiling at midships 22.4 ft. Her gross registered tonnage was 1773.28 tons, and, after deducting 105.51 tons for crew space &c., her net registered tonnage was 1667.77 tons. She had three masts and was rigged as a full rigged ship.

The “Helga” left San Francisco on September 3rd, 1902, laden with a cargo of about 2,659 tons of wheat bound for Cork or Falmouth for orders; her draft of

water on leaving was 20 ft. 6 in. forward, and 20 ft. 11 ins. aft. She was under the command of Mr. Richard Morton Ferguson, who holds a master's certificate of competency, No. 86316, and the crew consisted of 21 hands all told with one passenger, the master's wife; she was in good order and condition and well supplied in every respect, having boats and life-saving apparatus according to the statute. After a successful voyage she arrived off Falmouth on January 19th, and on January 20th the master received orders to proceed to Cork to discharge the cargo. In pursuance of this order the vessel sailed at once, and on January 21st last at 4.30 p.m. she arrived at a position, the Old Head of Kinsale bearing N.W. ¼ W. magnetic, at an estimated distance of 15 miles, the wind at the time being S.S.W., force 6, the weather slightly hazy, and the vessel being under all plain sail, steering W.N.W. going 6-7 knots per hour, she continued on a W.N.W. course to 5.15 p.m., when it was altered to E.N.E., and sail reduced to three topsails, foresail, inner jib, and fore staysail. At 8 p.m. the vessel was brought to the wind on the port tack, heading W. by N. ¾ N. and hove to, the Old Head of Kinsale light bearing W.N.W. at an estimated distance of 10 miles. From 4.30 to 8 p.m. frequent signals were made for a pilot with blue lights and torches without receiving any reply. The vessel lay-to until about 11 p.m.; between 9 and 10 the upper topsails were lowered and at 11 the master wore the vessel round on the starboard tack heading S.E. to S.E. by S., her speed being about 2 knots per hour. At this time Kinsale bore W. ¾ N. Daunt's Rock N.N.E. Between 12 and 1 a.m. of the 22nd January last, the master stated in his evidence that he thought he saw a pilot boat's signal about midway between Daunt's Rock and Roche's Point lights, distant about five miles. This statement was verified by the first officer. When this signal had been seen, the main yard was braced aback. Signals of blue lights and torches continued to be made at short intervals. After 1 a.m. the weather became more hazy, with rain, the wind from S.S.W. increasing in force, with rising sea. At 2 a.m. all lights were obscured by the haze. Daunt's Rock light when last seen bore N.W. by W. about six miles. At this time a cast of the lead was taken in 28 fathoms. This depth should have warned the master, had he had a proper chart, that he was then within 3½ miles from the land. The vessel continued laying-to, drifting under the influence of wind and sea towards the shore, until 3 a.m., when the master wore the vessel to the westward on the port tack. While in the act of wearing, the port fore braces got foul by the washing of the water on deck and through the flapping of the foresail. It took about 20 minutes to clear them, during which time the vessel was heading directly towards the shore at a speed of six to seven knots, making about N. by W. course, when the braces were cleared, the yards were braced up on the port tack, and the vessel brought to the wind under three lower topsails, foresail, and fore topmast staysail, inner jib, and main topmast staysail. About 20 minutes to half an hour after bracing the yards up the weather partially cleared, and land was seen close to on the starboard quarter. Orders were immediately given to make sail as fast as possible. The upper topsails and spanker were set. Immediately after setting the sails, at about 4.30 a.m., the vessel struck aft and violently amidships on the rocks near Ballycreegan Coast Guard Station. The upper topsails were lowered, the spanker and main topmast staysail taken in, and orders were given by the master to launch the boats. The starboard lifeboat was safely launched. The ship was striking so heavily and the rigging slacking very much, the master thought it prudent to order the crew into the boat, fearing that the masts might fall and injure her. The crew, with the master and his wife, who was the only passenger, got safely into her and rowed to windward of the ship, where they remained until about 10 a.m., when the coastguard's boat, with the crew from Ballycotton station, came to their assistance, and soon after they were taken in tow by a tug and taken to Queenstown, where they were all safely landed.

The master returned to the ship on the 23rd January and found her full of water, also that she had been boarded, and that all the moveable effects belonging to himself, his wife, officers, and crew had been stolen, and that it was impossible to salvage any of the cargo or to do

anything to prevent the ship becoming a wreck, which she subsequently did.

Carefully reviewing the evidence, it is difficult to understand why the master, when he saw the pilot signal between 12 and 1 a.m. on January 22nd, did not run towards it and get closer to Roche's Point, especially as that light was visible at the time, and the entrance to Queenstown Harbour open, which he might have entered, and anchored his ship inside Roche's Point. It is also difficult to understand why the master, who had soundings at 2 a.m. on the 22nd January, giving only 28 fathoms, the vessel being then on the starboard tack, heading to a position of safety, should have decided to wear the vessel to the westward, under the circumstances of wind, weather, sea, a ship with a foul bottom, and a dangerous lee shore.

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

(1) Was the vessel supplied with proper and sufficient charts and sailing directions?

(1A) What was the position of the vessel at or about 6 p.m. of the 21st January last. Were safe and proper courses thereafter steered, and was due and proper allowance made for tide, currents, and leeway?

(2) Were proper signals for a pilot made on board the "Helga" between the hours of 6 p.m. of the 21st and 2 a.m. of the 22nd January last?

(3) What was the position of the vessel at or about 2 a.m. of the 22nd January last. Where safe and proper courses thereafter steered, and was due and proper allowance made for tide and currents?

(4) Was the lead used after 2 a.m. of the 22nd January last? If not, should it have been used?

(5) Was a good and proper look-out kept?

(6) What was the cause of the stranding and loss of the vessel?

(7) How was it that the vessel did not obtain the services of a pilot or tug in response to the signals made during the night of the 21st and 22nd January last?

(8) Was the vessel navigated with proper and seamanlike care?

(9) Was the stranding and loss of the British sailing ship "Helga" caused by the wrongful act or default of the master, chief and second officers, or any of them?

Mr. Ronan, Mr. Foley, and Mr. Allen addressed the Court on behalf of their respective clients, and Mr. Bennett replied on behalf of the Board of Trade. The Court then gave judgment, and returned the following answers to the questions of the Board of Trade:—

(1) The vessel was amply supplied with proper and sufficient charts and sailing directions by, and at the expense of, the owners of the ship, but the master, as he stated in his evidence, neglected to select from them and use the particular charts necessary for the navigation of the south coast of Ireland.

(1A) The position of the vessel at or about 6 p.m. of the 21st January last was not ascertained, but at 4.30 p.m. of the same date the Old Head of Kinsale bore N.W.  $\frac{1}{4}$  W. magnetic at an estimated distance of 15 miles. Safe and proper courses were thereafter steered. No allowance was made for tide or currents.

(2) Proper signals for a pilot were made on board the "Helga" from 6 p.m. of the 21st to 2 a.m. of the 22nd of January last.

(3) The position of the vessel at or about 2 a.m. was Daunt's Rock light bearing N.W. by W. magnetic at an estimated distance of six miles, when a cast of the lead was taken giving 28 fathoms. The course the ship was making by the wind from 2 a.m. to 3 a.m. was safe and proper but not afterwards. The master stated that he did make an allowance for tide and currents.

(4) The lead was not used after 2 a.m. of the 22nd January last, and it should have been used.

(5) A good and proper look-out was kept.

(6) The cause of the stranding and loss of the vessel was the master wearing her to the W.N.W. on a lee shore after having run some distance towards it through the fore braces getting foul, and without ascertaining before wearing the vessel, as he might have done, his distance from the land by taking a cast of the lead.

(7) The reasons that the vessel did not obtain the services of a pilot in response to the signals that were made during the night of the 21st to the 22nd January last, were that when the master and chief officer between 12 and 1 a.m. saw a flash light at an estimated distance of five miles, between Daunt's Rock and Roche's lights, which in the opinion of the Court was undoubtedly that shown by the pilot cutter on her appointed station, they did not steer the "Helga" towards the light, as it was comparatively easy for them to have done without risk or danger, as Roche's Point light was in sight, a sufficient guide to safe anchorage inside it, but very difficult if not impossible for the cutter to reach the vessel, especially as the wind was blowing strong from the S.S.W. at the time with a rough sea. Owing to the hazy and rainy weather at this time, and at frequent intervals previous to this time, and considering the distance between the two vessels, it is very doubtful whether the signals of the pilot cutter and those of the "Helga" could have been seen by each other. After 1 a.m., the pilot cutter, in the opinion of the Court, prematurely left her station and anchored in Queenstown harbour. The reason the vessel did not obtain the services of a tug was that there was none in the vicinity at the time.

(8) The vessel was not navigated with proper and seamanlike care.

(9) The stranding and loss of the British sailing vessel "Helga" was not caused by the wrongful act or default of Mr. H. M. Smith, first officer, or Mr. H. Knott, second officer, but by the default of Mr. Richard Morton Ferguson, master, alone.

CHAS. E. B. MAYNE, R.M.,  
Judge.

We concur in the above Report.

GEORGE RICHARDSON, } Assessors.  
H. PARSELL, R.N.R., }

(Issued in London by the Board of Trade on the  
7th day of April, 1903.)

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We concur in the a

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H. Parsell, R.N.R.  
Lawrence, B.L., inst  
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Company, the owner  
solicitor, appeared  
T. J. Andrews, and  
Board of Trade.

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were not represente

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