

(No. 7791.)

"AMY TURNER" (S.V.).

THE MERCHANT SHIPPING ACT, 1894.

FINDING AND ORDER OF A NAVAL COURT.

Finding and Order of a Naval Court held at the British Consulate-General, Manila, on the 5th day of May, 1923, to investigate the circumstances attending the foundering of the British sailing ship "Amy Turner" near Guam on March 27, 1923, when on a journey from Melbourne to Manila and the cause of such foundering.

The "Amy Turner" was a sailing vessel, barque rigged, of 901 tons registered tonnage, Official No. 134213, built at Boston, U.S.A. in 1877, and belonging to the port of Melbourne.

It appears from the evidence given before this Court that the vessel sailed from Melbourne on or about January 14, 1923, for Newcastle, to take on 1,200 tons of coal, and that it sailed from Newcastle on or about February 7 with the said cargo and a crew of 14 hands all told.

It further appears from an entry of January 15, 1923, in the Log Book produced to the Court, that on January 14, when leaving Port Philip Bay the vessel grounded for about nine hours, but it is unknown whether there was any enquiry or survey at Newcastle.

It also appears that in the estimation of the survivors (four in all) the vessel was well found and equipped, seaworthy and not overladen; a gasoline engine had, however, to be used regularly to pump out some two feet of water every eight hours.

It appears that the voyage was uneventful till March 23, when the weather turned stormy, but without anything out of the ordinary till March 25, when the storm rose to typhoon violence, the vessel being at noon in lat. 13 deg. 48 min. N. and long. 147 deg. 11 min. E.

It appears that the gasoline engine was put out of action by waves on this day and that an attempt to use the donkey engine for pumping was similarly frustrated, so that the hand pumps had to be used continuously. The vessel was labouring and leaking considerably, and the Master decided to make for Guam for shelter and assistance.

It appears that Guam (wireless station) was sighted at 10 a.m. on March 26th and signals of distress, including rockets, made without response in the storm. The typhoon was at its height, straining and sweeping the vessel and washing the after boat (dingy) out of its davits. The water was gaining and the vessel seemed to be beginning to break up.

It appears that by 8 a.m. on March 27th the bulwarks and stanchions had been broken away and a spare spar was adrift. The main hatch was stove in, and the water which had been 15 feet at midnight of March 26th gained rapidly and the vessel was settling by the head.

It appears that the Master prepared to abandon ship about 8 or 8.30 a.m. on March 27th and ordered provisions, &c., to be placed in the two boats; and also preparations to be made for getting them over ship's side by means of topgallant halliards, as there were no davits. Three of the crew were stationed at the starboard boat and five at port boat (one inside) which was to leave the ship first, the Master, his wife and the remainder of the crew being at the time on the poop, where the Master's wife had sought a slight shelter from the waves breaking over the ship, and from falling debris.

At this juncture, about 10 a.m. on March 27th, the vessel settled very suddenly and unexpectedly by the head, and waves breaking on the deck washed the two boats overboard. Two seamen (Lindholm and Tracey) jumped into the starboard boat at the moment of disaster and went overboard with it, as did West, another seaman, who grasped the boat as it was swept away and clambered on board from the water. The port boat was still fast by one rope and was also caught in rigging and falling debris, and was overturned. Cornish, the seaman in the boat, was flung into the sea, but being a strong swimmer, managed to reach the starboard boat. Few of those drowned were even seen by

the survivors. The boy, Holland, was seen for a moment in the port boat apparently trying to cut it free, the cook was seen on some wreckage, and so was the Master with something which may have been his wife. Other figures were indistinct and disappeared almost immediately, as did the vessel, which sank beneath the water, the stern alone remaining in sight for a few moments. The starboard boat was blown rapidly away half full of water, despite efforts to keep it near the spot of the disaster. The position of the vessel when lost was approximately lat. 14 deg. 00 min. N. and 145 deg. 40 min. E.

It appears that the four survivors in the starboard boat first endeavoured to reach Saipan or Guam, but failing that made for Mackenzie Island, which was also missed. It was then decided to make for the Philippines, which were reached (Mawes Is. in Mindanao) on April 18th after 23 days in an open boat under very trying conditions as to food, water and exposure.

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

That the casualty was due to overwhelming stress of weather, under which the "Amy Turner" was greatly damaged and filled gradually beyond the power of the crew to pump out, so that foundering became inevitable.

That the Master appears to have navigated his vessel in a seamanlike and proper manner, and to have done all in his power to avert the loss of the vessel.

That in view of the terrific weather encountered and the consequent straining and irreparable damage to hatches, the Court does not consider that the amount of leakage early in the voyage had any material influence in hastening the foundering.

That the crew appear to have conducted themselves properly, and to have done everything to save the ship.

That the unfortunate loss of life was inevitable in the circumstances.

That it is not clear how far an earlier abandonment would have meant more lives saved, in view of the terrific weather and of the difficulty of launching boats without davits or proper launching gear, which might have offset the greater chance of the boats picking up men while the vessel still floated. It is also not clear whether the entanglement of the port boat by falling rigging and debris would have been avoided by an earlier abandonment.

That the ultimate safety of the survivors is in the opinion of the Court primarily due to the skill and energy of Charles West who, holding a Master's Certificate, was responsible for the navigation of the boat, with only a sextant and Marine Almanac, during a voyage of some 1,600 miles in 23 days; and that credit is also due to Clifton Cornish who, as ranking officer, was responsible for the general order and distribution of food and water on board.

That the Court desires also to place on record their opinion that it is undesirable for a vessel of 900 tons register to keep boats on board without a more satisfactory method of launching:

And finally that it desires also to point out the absence of information among the ship's papers as to enquiry and survey after the stranding on January 14th, in view of the fact that such stranding of 9 hours of a wooden vessel over 40 years old may have caused strains handicapping it in resisting the pounding of the seas before it sank.

The Court in pursuance of the powers vested in it by Section 483 of 55 & 58 Vict. c. 60 orders that the sum of £6 4s. 0d. being the costs of the proceedings before the same Court be paid by the Owner of the "AMY TURNER" being one of the parties thereto and he is hereby ordered to pay the said amount accordingly.

The expenses of this Court fixed at £6 4s. 0d. are approved.

Dated at Manila this 5th day of May, 1923.

THOMAS HARRINGTON, *H.B.M. Consul-General,
President of the Naval Court.*

R. WOODGETT, *Master of the British s.s.
"Calchas." Off. No. 143742. Member
of the Court.*

WM. H. THOMAS, *Master of British s.s. "Grace
Dollar." Off. No. 142702. Member of
the Court.*