

That the master, Captain Scott, was so far suffering from the effects of liquor taken previously to the vessel leaving port, as to be unfit for the duties of his command; and that had his condition been as it should have been, the accident would most probably have been avoided.

I therefore, subject to confirmation by the Governor, suspend the certificate of the said William Ralph Scott for three months, and adjudge him to pay the costs of this inquiry.

Given under my hand this twenty-ninth day of December, one thousand eight hundred and eighty-three, at Nelson, New Zealand.

OSWALD CURTIS, R.M.

I concur in the above report.

WILLIAM J. GIBBONS, Assessor.

Confirmed.

WM. F. D. JERVOIS, Governor.

(No. 2152.)—"TRIUMPH," s.s.

REPORT of an INQUIRY, held at Auckland, on the 7th January, 1884, into the Stranding of the s.s. "Triumph," of Newcastle-upon-Tyne.

I FIND and report as follows, that is to say,—

1. That the official number of said ship, called the "Triumph," is 80570, of which James Brotherton is master, who holds a certificate of competency, and which ship belonged to John McIntyre, McIntyre Brothers, of Newcastle-upon-Tyne.

2. That the loss or damage herein more particularly mentioned, happened on the 29th day of November, 1883, at about ten o'clock in the evening, on the Tiri Tiri Islands.

3. That the loss or damage appears, by the evidence, to have been caused by the vessel stranding on the rocks on the shore of Tiri Tiri.

4. That the nature of the loss or damage done was an injury to the hull, which the master considered sufficient to justify him in selling the vessel, after some unsuccessful attempts to float her.

(No evidence of amount of insurance.)

That the "Triumph" is schooner-rigged; her port of registry, Newcastle-upon-Tyne; her registered tonnage, 1,797. That no lives were lost through the casualty.

And I, the said Resident Magistrate, further state my opinion on the matter aforesaid, to be as follows:—

That the charge made against the master, of inebriety on the day of the casualty, is not supported by the evidence. I am of opinion, from the evidence, that he was perfectly sober all the day and up to the time of the stranding of the ship. The evidence discloses a full explanation of the way in which the casualty was brought about. The order given by the master to the quartermaster to steer with the light on Tiri Tiri broad on the port bow, coupled with the fact that the quartermaster did steer in that way for twenty minutes, and that the master was asleep during the whole of that time, fully explains how the ship came into the position in which she was at the moment of striking. It is obvious that a ship steered as the "Triumph" was, *i.e.*, with the light kept in the fore-rigging, would not follow a straight course, but would curve round towards the light. A sketch chart, prepared by Captain Lewis, one of the Nautical Assessors, is attached to this report, and shows the course the ship must have taken from the time the pilot left her to the moment of the casualty, her head being then north-west.

The happening of the casualty being explained in this way, I am of opinion that the master, the chief officer, the quartermaster, and the look-out are all, in different degrees, to blame in the matter.

I cannot accept the statement made by the man on the look-out, O'Halloran, that he hailed the bridge when the ship was a mile from the point of danger, which, at the rate she was travelling, would have allowed her five and a half minutes to elapse before she reached the spot where she struck. I believe the fact was, as the quartermaster stated, that no alarm was given by the look-out nor by any one else until the last moment, when both the quartermaster and the look-out simultaneously perceived the danger.

I am of opinion that the look-out was dozing, or otherwise neglecting his duty, and that it was not until the ship was actually on the point of striking that he gave the alarm.

The principal responsibility rests upon the master, who states—and I am of opinion that the statement is true—that he fell asleep on the bridge. That this was caused by overwork on the day of the vessel's departure from Auckland, and by exhaustion from want of sleep and pain caused by neuralgia, appears to be the fact; but being in that state I consider he should not have trusted to his own powers of watchfulness, but should have kept some one with him on the bridge. I am of opinion that the order to steer by the light was an improper order to give. A course by compass should have been given.

A man should have been stationed between the fore-castle head and the bridge to repeat warnings or orders, more especially as the wind S.S.E. was blowing nearly from aft forward.

I think also that the master departed from the general rule in not having himself ascertained who was on the look-out, so as to know what degree of confidence he could place in him.

I am of opinion that the whole circumstances of the case disclose a want of care and forethought on the part of the master amounting to gross carelessness.

I have suspended his certificate for three years.

With regard to the chief officer, Owen, his evidence was in many respects unsatisfactory, and in one particular, in my opinion, untruthful. Notwithstanding his denial, I believe he did give the order to square the yards, and that he did say he would go forward and whistle when the yards were square. Apart from this, however, I am of opinion that he neglected his duty in not keeping