

## Wreck Commissioner's Enquiries and Judgments.

Enquiries have been held recently into the following casualties, and judgments delivered:—

### Loss of the s.s. Louisburg.

Held at Sydney, N.S., before Capt. L. A. Demers, Dominion Wreck Commissioner, with Lieut.-Commander J. H. Knight, R.C.N., and Lieut. H. C. Owen, R.N.R., as nautical assessors. The s.s. Louisburg was owned by the Dominion Coal Co., and was wrecked in St. Mary's Bay, near Cape English, Nfld., May 4, when bound from Sydney, N.S., to St. John's, Nfld., with coal. The court found Capt. Kemp, master of the s.s. Louisburg, in default, for not insisting, or demanding, that the patent sounding lead be repaired, it having been out of order for nine months, and no steps were taken to call the owner's attention to it, so that it could have been remedied. The master's statement that he preferred the hand lead, or rather a marked line, is not rational. Either he does not understand the manipulation of the patent sounding machine, or he felt that having it in working order he would be expected to use it frequently. He is also considered in default for trusting too implicitly on his course, without making allowances based on actual calculations, instead of on supposition and assumption. It is well known that currents vary as to their direction and velocity in Cabot Straits and in the vicinity of Newfoundland. Because a course by compass had carried him safely in former trips, it is no reason to surmise that such a condition would always exist. He admitted the deviation of his compass had varied since he had been master of the vessel during the last two years. His education in navigation problems being very limited, there was very little left for him but the frequent use of the lead, to discover the erratic movements of his compass. His course and bearings were plotted on a blue black chart, and the court concluded that it was not of a late edition. It was not shown that he had applied himself to become acquainted with the vagaries of the currents by reference to any book on the subject. On the whole, the court considered that necessary care and precaution were not exercised by the master, under such foggy conditions as existed during the trip.

Regarding the total loss of the vessel, the court considered that poor judgment was shown, in view of the calm state of the seas which practically existed, to have insisted on going astern when it was found that water was entering the engine room. From the evidence it was gathered that there would have been greater wisdom demonstrated in beaching the vessel, by reversing the order and going ahead, thus leaving the possibility of salvaging her, but it is a point that the court did not desire to press.

Capt. Kemp has been in the company's service for some 30 years, which undoubtedly speaks in his favor. His straightforward evidence, coupled with the precarious conditions existing, are points which cause the court to deal leniently with him, though it considered the loss of the vessel under such conditions and at such time of stress, a very great offence indeed. It therefore suspended his certificate no. 3203, as master, for six months, but recommended during such suspension, a lower grade certificate be granted to him, that of mate, so as to permit him to improve himself in navigation matters.

### Stranding of the s.s. Lyacon.

Held at Montreal, before Capt. L. A. Demers, Dominion Wreck Commissioner, assisted by Capt. F. Nash and C. Lapierre, as nautical assessors. The court found that from the evidence adduced, it could not arrive at any other conclusion than that the pilot alone was at fault. From the master's testimony it was evident that the compasses had not been deviating from their former errors and the deviation given to the pilot, from the time he left Rimouski to the time of stranding. The pilot did not allow sufficiently for the spring tides which were beginning to form on that flood tide, and did not allow sufficient for the strength of the current, and enough on the course to obviate this, especially as at Red Island lightship he had to alter his course, due to the current. From this, it seemed to the court that it would have been rational to take extra care and be a little suspicious of the working of the current, or the effect on the vessel, especially one of the speed of the Lyacon. That he had ordered slow, and half speed, and gave an order for soundings, was quite proper, but before the sounding was reported the vessel touched. It did not appear to the court that there was any culpable negligence in the navigation of the vessel, but that there was miscalculation, or lack of calculation, is evident, and also a lack of judgment.

The court expressed its opinion that while it had been severe in dealing with pilots when conditions were different, it felt, that seeing they were exempt from military duties on account of their need, it would be wrong to suspend the pilot's license for any term short or long. Therefore to meet conditions as they exist, the pilot was severely reprimanded and fined the maximum amount, \$400, payable at \$50 a month, and was warned that should he appear before the court again, severe measures would have to be adopted. The officers' evidence showed that all precautions were taken, and as they are absolute strangers in these waters, they relied more or less on the pilot's knowledge and experience for guidance, although it is evident that the master suspected that something was wrong, but before he realized the exact conditions, the vessel grounded.

### Stranding of s.s. Lake Como.

Held at Montreal before Capt. L. A. Demers, Dominion Wreck Commissioner, assisted by Capt. F. Nash and C. Lapierre, as nautical assessors. After weighing the evidence the court found that Capt. John H. Dizer, master, was in default for careless navigation. His evidence as to courses and the behavior of the vessel was contradicted by other witnesses. He stated that the compasses were but casually and incompletely compensated, owing to lack of facilities to obtain solar observations. Such being the case, continuing on a doubtful course, at full speed, with uncertainty as to errors of compasses, was unjustified, and there did not seem to be any serious attempts to obtain soundings. Much of the evidence of the officers went to show that there had been considerable drinking, but that while the master could not be said to be intoxicated during the morning of the casualty, it was felt that after effects of days of hard drinking existed, and prevented proper judgment being exercised. The master was requested by the court to remain and hear his crew's evidence,

but he chose to absent himself, therefore whatever was said as to his intemperate habits was uncontradicted. The court felt that had proper measures been taken, the vessel would have floated off at the next tide, and considered that the use of a small kedge placed astern with a view to pulling the vessel off, was a farcical attempt to protect property. Altogether the court felt that the master did not take elementary measures of precaution, and as it has no jurisdiction over his license, a copy of the finding was forwarded to the U.S. Consul at Montreal, for the information of his government.

The court announced that the evidence showed that the Pointe des Monts light and the fog horn were in working order, and that the casualty was not due to any defects in the operation of the lighthouse system.

### Government Operation of Erie Canal.

The Director General of U.S. Railroads, acting upon the recommendations of the committee on inland waterways of the Railroad Administration, has decided to construct as quickly as possible and put into operation a line of barges to be operated by the government on the Erie Canal. The barges will be of the most approved type and will be operated in conjunction with and as a part of the general railway and waterways transportation system of the country under the control of the Director General of Railroads. This will ensure the complete co-ordination of the Erie Canal facilities with the railway facilities, and it is hoped will greatly enlarge the available transportation facilities throughout eastern territory. G. A. Tomlinson, of Duluth, Minn., has, as stated in Canadian Railway and Marine World for May, been appointed General Manager of the Erie Canal operations, including the construction of the barges and general equipment. Under government control of the railways and the canal there will be diverted to the canal all of the traffic that can be handled to the best advantage by water, and the canal will be made in the highest degree serviceable in the present situation.

### Combination of United States Express Companies under Government Control.

The Director General of U. S. Railroads has announced that, with a view to handling the express business in the most efficient and economical manner, he has sanctioned the plan of the four principal express companies (Adams, American, Wells Fargo, and Southern) forming a new express company, with which he will make a contract for the carrying on of the express business for all of the railways under federal control. Under this arrangement the new express company will be the Director General's agent for carrying on the express business. The character of the service and the character of the rates will be under the Director General's control and subject to initiation by him.

An important feature of the arrangement is that the new company is to be capitalized only to the extent of actual property and cash put into the business, and the government will share on a progressively increasing scale in any profits