

Loss of Auxiliary Powered Schooner Dornfontein.

Judgment was delivered recently, following an investigation into the loss of the auxiliary powered schooner Dornfontein off Brier Island, Bay of Fundy, Aug. 2. The enquiry was held at St. John, N.B., by Capt. L. A. Demers, Dominion Wreck Commissioner, assisted by Capt. A. J. Mulcahy and Jas. Hayes, nautical assessors.

The master, Capt. C. E. Dagwell, testified that he left St. John, N.B., July 26, with a crew of mixed nationalities, Norwegian, Swedish, Danish and Russian Finn, and with a cargo of lumber for Durban, South Africa. He had received clearance from the customs, and secret instructions from the transport officer, the day before. He did not know any of the crew and had no reason to suspect anyone on board. After anchoring off Partridge Island, for the adjustment of compasses, etc., he again sailed, July 31, but the flood tide carried him back, and on Aug. 2 he was off Brier Island, steering west. On that day, the man at the wheel reported a vessel to the south, but he could not make her out after scanning her with the glass. He knew that there were submarines in the vicinity, but kept on his course. He kept looking at the vessel, but she did not appear to be coming any closer. He had seen submarines before, but could not detect anything strange about the construction of the vessel in sight. He looked occasionally until dinner time, when the vessel had been in sight about an hour and still approaching, and at noon he did not detect anything suspicious, but while at dinner a shot was fired. He then knew that there was a submarine and came on deck and ordered the helm up. Another shot was fired and a piece of shell pierced the spanker. His vessel was then hoisted up, and signals were hoisted on the submarine, which came up fast after the first shot was fired. After the boats were lowered he went below to get the papers which were in a tin box. The letter of instructions had not been opened. He had all his papers in his pocket when clearing at St. John, also his certificate, later placing everything in the box, except his certificate. He did not remember that instructions were given to him to destroy the secret orders in case of meeting with the enemy. He later saw the papers in the hands of the commander of the submarine. About four hours later, the schooner was in flames. He noticed that the submarine had two guns, but did not notice any other matters. The crew were very decent with him. The Dornfontein was burning when they left the submarine to row ashore, where they landed the following morning. There was no special lookout kept on his vessel. He kept his certificate in his pocket, not as a matter of precaution, but merely because he forgot to take it out. This was his second vessel lost through enemy action. He knew the papers given him by the naval authorities were to be destroyed, but he forgot to do so. He had conferred with the transport officer and had read the document in his office, but did not remember signing it. This was later disproved by the production of a copy duly signed by the master and acknowledged by him. When his other vessel, the Sunlight, was torpedoed, he saved his certificate, all other papers being lost.

The mate, C. Olsen, a Dane, stated he had been three years in Canada, and held a Danish certificate, and in general, cor-

roborated the master's evidence.

The judgment was as follows:—The court finds in the master's evidence some contradiction with respect to his knowledge of the contents of the documents containing the sailing orders, he saying at one time that he was not aware that his instructions were to destroy such instructions upon the appearance of an enemy ship, or when capture was imminent, and his subsequent admission of having read such instructions, and signed the form upon which they were printed and written, the original being before the court; thereby giving the impression that he considered those papers of secondary importance. He had placed these instructions in a box which held other ship's papers, but retained in his pocket his certificate, for which, after clearing at St. John, he had no further use until he again reached a British port. His plea is that his certificate was forgotten in his pocket, while he locked away in a box the document of great importance, which the court assumes he was obliged to consult frequently. However, on his own admission, he did not remember what those instructions were, therefore showing that he made light of his duties to his country and his flag, and of his responsibility to his owners, by handing over his orders to the enemy, although he claims that he was cool and collected. An interval of five minutes elapsed from the time he obeyed the submarine's signals to bring his papers, and rowing away from the ship's side. In military and naval circles, during war time, such neglect would bring upon the individual the odium of disloyalty, with a possible verdict advising capital punishment. In civil life, since war has begun, many persons have received long terms of imprisonment, with heavy fines, for utterances made on the spur of the moment, and which did not carry with them the importance of this unheard of neglect, to follow and execute such peremptory orders as Capt. Dagwell had received. He had been torpedoed before, he had heard that submarines were frequenting, and had created havoc, on the coast, and yet in the face of his former experience, and his knowledge of existing conditions, that danger was lurking in the western Atlantic, where many victims had already been sacrificed, he did not even give special orders to his officers or crew to be vigilant in keeping extraordinary lookout. An object was seen by him at 11 a.m. on Aug. 2. With the glasses he watched the object, but could not define it. It was still in sight at noon. He nevertheless went to his lunch, and according to the mate's evidence, did not whilst both were at table, mention what he had seen. A shot was fired which drew his attention, on the hearing of which he came on deck. A second shot was fired, at an interval of a couple of minutes, and yet on hearing and seeing this second shot, no thought was given to the secret orders he possessed. Before the second shot was fired he had ordered the helm up, with the intention of running away; but brought his ship to the wind when the second shot struck the water a few yards from him.

The court is of opinion that the master had ample time to reflect, and to destroy the document had he attached any importance to it, and the only conclusion which can be arrived at is, that he was gravely negligent; but not with criminal intent. Whilst it has been ascertained

that the crew was of mixed nationalities and that two of its members spoke German, the court has failed to connect this disaster with any preconceived, prearranged signals, or notification to the enemy. In view of the fact that no evidence has been obtained pointing to criminal intent on the part of the master, or his crew; but finding only a total disregard of the importance of his instructions, the court feels that in this instance a suspension of certificate will be a fit punishment to meet this neglect. Therefore, it suspends Capt. Charles Ephraim Dagwell, Board of Trade Certificate 99236, for the duration of the war, until such a time when ships will be permitted to sail from any port or ports without special admiralty or governmental restrictions, other than those which regulate the departure of ships in normal times, and trusts that this finding will prove a deterrent to such masters in whose minds may lurk an idea that orders and instructions, issued by established authority, are of no, or little, importance, and that the non fulfillment of such orders cannot be overlooked with impunity.

Navigation Aids on the Great Lakes and St. Lawrence River.

All Canadian lights and fog alarms on Lake Superior will be kept in operation this autumn until the close of navigation, with the exception of Caribou Island, Quebec harbor, Davieaux Island and Michipicoten Island east end, which will be closed Dec. 15, and with the exception of Gargantua, Michipicoten harbor, Corbeil Point and Ile Parisienne, which will be closed Dec. 20; also Slate Island, Battle Island, Lamb Island, Shaganash, Point Porphyry, Thunder Cape, Welcome Island, Pie Island and Victoria Island, which will be closed after the last sailing to or from Port Arthur and Fort William.

All Canadian lights and fog alarms on Lake Huron, Georgian Bay, Lake St. Chair, Lake Erie, Lake Ontario and connecting waters, will be maintained in operation until the close of navigation, excepting the Southeast Shoal lightship, Lake Erie, which may be removed after Dec. 1, and also Lonely Island light, Georgian Bay, which may be closed before the general close of navigation.

All Canadian lights on the River St. Lawrence will be maintained in operation until the close of navigation. All gas buoys and other floating aids to navigation will be maintained in position as long as ice conditions will permit, and in cases where it is necessary to remove gas buoys before the close of navigation, the more important points will be marked by spars.

Engines for War Time Vessels.—The U.S. shipbuilding programme is being interfered with to some extent, owing to the fact that hulls have been launched rather faster than engines can be supplied for them. It is stated that about one-third of the hulls launched since the U.S. Shipping Board took hold of the situation in Aug., 1917, have not been completed owing to the non-delivery of the necessary engines. A similar condition arose in Canada in connection with the vessels being built for Great Britain under Imperial Munitions Board orders, and is one of the effects of an abnormal situation. In the U.S., naval demands on engine production have been dealt with first, and it is announced that with the general increase in production, recently launched vessels will be engined speedily.