

"You were perfectly right in saying that she (the 'Dorothy') remained absolutely parallel to the bank all the time? A. Yes, I think so." He had previously stated Q. 247. "What was your position to the bank at the time of the collision? A. Our bow was inclined towards the bank." Q. 249. "Prior to the striking? A. Yes." Q. 250. "About how far from the bank? A. When I started to back she was 30 or 35 feet from the bank, but in backing she would naturally swing a little, her stern would go out, and that would throw our bow towards the bank. I should say our bow was possibly 25 feet from the bank when the 'Plummer' hit us." Q. 251. "And her stern? A. Her stern was probably a little towards the middle of the canal."

This evidence shews that instead of being "absolutely parallel to the bank all the time," the "Dorothy" was diagonally or angle-wise across the canal at the time of the collision. And it would seem a reasonable deduction from the backing movement described, that the swinging of the "Dorothy's" stern outwards towards the middle of the canal would make her bow follow the track of the stern and move towards that outward course, provided her helm was kept amidships, or so moved as to counteract the outward swing of the stern from the bank,—for it could not be presumed that the continuous moving backward would operate so as to cause the "Dorothy" to swing as on a fixed pivot.

This diagonal or angle-wise position of the "Dorothy" is more fully described by the captain of the "Plummer." Q. 33. "What action did you observe the 'Dorothy' to take after the one-whistle agreement? A. The 'Dorothy' was making very bad steering; she was first on one bank and then on the other." Q. 54. "What was the first deviation, if any, that you observed after that? (her being on the 'Plummer's' starboard side). A. She started out for the middle of the canal." Q. 55. "How far did she get? A. She got out across our bow, past the middle of the canal with her bow." Q. 73. "Where was the 'Dorothy's' stern? A. Up against the bank or close against the bank." Q. 74. "Close to which bank was the stern of the 'Dorothy'?" A. The north bank, and her head heading to the south bank." Q. 89. "Out of her own water? A. Yes. "And further on he said in answer to Q. 429: "She had come over to the north side, and when she got to the north side she started out for the south side, and when she started for the south side, I blew two whistles."