

Co., and granting exemption from taxes for 10 years for the elevator now under construction to replace the one recently burned.

Plans have been ordered by the Montreal Harbor Commissioners to be prepared for a complete system of conveyors for the elevator at the harbor. The plans will be prepared by the John S. Metcalfe Co., Chicago, Ill., which is also to have the supervision of construction.

A recent press despatch from London, Eng., stated that the Western Canada Cement and Coal Co., a British company, proposed to erect 300 to 500 elevators throughout the Northwest, and that the company was floating an issue of £225,000 first mortgage bonds, for the purpose of acquiring lands, and erecting a cement manufacturing plant at Kananaski, Alta.

P. Burns & Co. is the title of a company to which incorporation has been given under the Dominion Companies' Act for the purpose of carrying on a general business in grain, farm produce, etc., and in connection therewith to purchase or construct elevators, charter or purchase steam and sailing vessels, or to acquire any similar business. The offices of the company are to be at Calgary, Alta., and the capital is fixed at \$2,000,000.

SHIPPING MATTERS.

The Turbinia-Primrose Collision.

Commander O. G. V. Spain, R.N., Dominion Wreck Commissioner, assisted by Capt. S. Crangle and A. A. Wright, of Toronto, as assessors, held an investigation in Toronto, Aug. 29 and 30, respecting the collision in Toronto harbor Aug. 12, between the S.S. Turbinia, owned by the Turbine Steamship Co., Hamilton, Ont., and the Toronto Ferry Co.'s str. Primrose. Judgment was delivered by Commander Spain, in Toronto, Sept. 22, the assessors concurring. After giving particulars as to the tonnage, crews, and inspection of the two vessels, the judgment says:—

"The Turbinia and the Primrose were lying at their respective wharves in Toronto; the Turbinia stern out and the Primrose bow out. In accordance with her usual custom, the Turbinia backed well out into the bay, somewhere in the vicinity of 1,000 yards, far enough as the captain considered to make his turn and proceed through the western channel. The Primrose left her wharf and ported her helm when she was clear, and proceeded on her course to her destination at the Island. After getting out far enough and just as she started ahead, the Turbinia signalled a steamer, presumably the Kathleen, which vessel got out of her way. The helm of the Turbinia was then put hard a-starboard, and at this time there were some 1,500 yards between the Primrose and the Turbinia. At this point there is very conflicting evidence in regard to some small boats in the vicinity of the Turbinia; however, there is no doubt that it did not require much maneuvering on the part of the Turbinia to clear these boats as her helm was kept hard a-starboard the whole time. When within 500 or 600 yards of the Primrose it apparently occurred to Capt. Bongard of the Turbinia that the Primrose might possibly be in his way, and at this distance he signalled with two blasts of his whistle; this signal was taken no notice of by the master of the Primrose, and from the many witnesses examined there appears every reason to believe that the signal was not heard on board the latter ship, more especially when it is taken into consideration that the master of the Primrose was in full view of the master of the Turbinia, and no action was observed on the part of the Primrose after the two blasts were given, and this fact should have been evident to the master of the Turbinia. The

master of the Turbinia did not repeat the signal and still held to his course, giving the danger signal when within about 300 yards of the Primrose and reversing his engines. Captain Murphy, of the Luella, stated that he was about 200 yards to the southward and westward of the two vessels at the time of the collision, and previous to it he thought the Turbinia was going under the stern of the Primrose, and he could not understand when he heard the two whistles why the Turbinia apparently intended to cross the bows of the Primrose, as there was ample room between the Primrose and the shore (with no obstacle in the way) for the Turbinia to pass.

"The court is of opinion that the engines of the Turbinia should have been stopped when the two blasts were given and no notice taken of this signal by the Primrose, which vessel, as already stated, at that time was some 500 to 600 yards distant. The master of the Turbinia seems to have been aware from the time he started to make his turn, after backing out from the dock, of the position of the Primrose, that is to say when she was some 1,500 yards away, and secondly, when she was 500 or 600 yards distant from him. There is no doubt that both vessels were in fault in regard to speed, as laid down by the regulations of the Toronto Harbor Board—the Primrose slightly in fault, and the Turbinia considerably so.

"Taking all the facts into consideration, the court considers that it ought to have been brought to the mind of the master of the Turbinia that the courses upon which the vessels were approaching, and attending circumstances, involved risk of collision, and as the Turbinia was the overtaking vessel, with the Primrose on her starboard side, the onus is thrown on the master of the Turbinia in not doing that which the rule prescribes, that is, to keep clear of the overtaken vessel.

"It seems to the court that it showed lack of judgment on the part of the master of the Turbinia, that, having a vessel fitted with every modern appliance under his command, with an experienced wheelman at the helm, and with steam steering gear, with which, as the nautical expert retained by the Turbine Steamship Co. so aptly puts it, she can be steered accurately with one finger, he should have been unable within a distance of 1,500 yards to avoid a collision, which he himself apparently considered a possibility. From the evidence adduced there is no doubt that, had it not been for the action of the master of the Primrose in porting his helm when a collision was imminent, the Turbinia would have struck his vessel stem on, as her helm at the moment of striking was still hard a-starboard.

"The court cannot favorably comment on the action of the master of the Turbinia after the collision occurred. From the evidence, it appears that the Turbinia proceeded on her course after the collision, without making any inquiries as to what damage had been done, or whether the Primrose was in need of assistance. The court can well see that possibly it is not so material in this case to ascertain what damage had been done as it would have been had the casualty occurred on the open lake, but considers that the well-known rule of 'standing by' should have been observed in this case, as it is a recognized fact that a ship should obey this rule, even at some risk to herself, and although the other appears to be in no danger.

"Taking all these facts into consideration, the court considers that Capt. Bongard showed a very grave lack of judgment, thus endangering the lives of hundreds of passengers on both vessels, and therefore suspends his certificate for nine months from Aug. 12, the date of the collision.

"The court wishes to bring to the attention of the Harbor Commissioners of Toronto that the second paragraph of section 8, by-

law 11, of the by-laws and regulations of the harbor, seems to be entirely a dead letter, it being proved by all the witnesses at the investigation who were questioned on the subject, that not only is the law in regard to the speed of four miles an hour not carried out, but that it is impossible to carry it out. This being the case, the court would suggest that this by-law be amended to more fully meet the requirements of the increasing trade of the port of Toronto. It is understood that these by-laws came into operation nearly 20 years ago.

"The court also desires to point out to the Toronto Ferry Co. that the system of not having a proper look-out on board the ferry boats, and the captains more or less enclosed in the pilot house, is not a good one, although the court is fully aware that the same practice is followed elsewhere."

After reading the judgment, Commander Spain read the following statement:—"The master of the Primrose holds a service certificate as master of a passenger steamer in inland waters. The master of the Turbinia holds a certificate of service as master of a fore-and-aft-rigged sailing ship in inland waters, which certificate is endorsed to act as master of steamers also. The certificate of Capt. Bongard did not entitle him to command a passenger steamship, but he is exonerated from any wilful desire to act in a wrong capacity, as he might have misunderstood the limitations of his permit."

Jas. Mann, 1st officer of the Turbinia, and who was last year mate on the Niagara Navigation Co.'s str. Chippewa, is now in command of the Turbinia, in consequence of Captain Bongard's suspension.

Notices to Mariners.

The Department of Marine has issued the following notices:

No. 72. Aug. 8.—British Columbia—178. Ganges harbor, uncharted shoal.

No. 73. Aug. 9.—New Brunswick—180. South coast, Bay of Fundy, southwest Wolf Island, change in character of light.

No. 74. Aug. 10.—Quebec—183. River St. Lawrence, ship channel between Quebec and Montreal, Champlain upper range, front tower moved, lights shown from beacons temporarily. 184. River St. Lawrence, Lake St. Peter, east lightship moved temporarily.

No. 75. Aug. 11.—Ontario—185. River St. Lawrence, Thousand Islands, Gananoque Narrows, gas buoy established. 168. River St. Lawrence, Thousand Islands, Jackstraw shoal, change in color of light.

No. 76. Aug. 12.—New Brunswick—187. South coast, Bay of Fundy, Passamaquoddy bay, St. Andrew's harbor, buoy established. Nova Scotia—188. West Coast, Tusket river, buoys established.

No. 77. Aug. 14.—British Columbia—189. Vancouver Island, Albert head, telegraph cable, caution.

No. 78. Aug. 22.—Nova Scotia—192. 192. Bay of Fundy, Lurcher shoal, lightship to be removed from her station temporarily for repairs.

No. 79. Aug. 22.—Ontario—195. St. Joseph channel, Wilson channel, range lights established.

No. 80. Aug. 31.—Quebec—196. Chaleur Bay, Macquereau Point, lighthouse burnt down, temporary light.

No. 81. Sept. 1.—Quebec—197. Submarine telephone laid across the River St. Lawrence between Doucet's Landing and Three Rivers.

Mo. 82. Sept. 2.—Ontario—198. Lake Huron, Goderich, new range light.

The following have been issued by the U.S. Hydrographic office: