Marine (1898) Department.

G.O., No. 538 Mar

DATED 21st June 98

Shore Proof

Ward

[Despatch Abstract.]

Sinking of the barque "Bravanatha Rohona" in Collision with the P.S. "Nawab".

Reviewing the Proc: the Report of the Court of Enquiry held at Calcutta by Lt. Keigan for investigation into the Cause of the —— on the Malabar Coast on the 29th Nov'97.

27/6/98

BACK PAPERS.

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Government {1898} of Madras.

MARINE.

Recd. } 1898. *Enclosures*

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G.O., No. 538, 24th June 1898.

JUNE.

Sinking of the Barque "Amanath Rahiman" in Collision with the S.S. "Nawab"

Reviewing the Proceedings and the Report of the Court of Enquiry held at Calcutta for making an inv stigation into the cause of the — on the Malabar coast on the 29th November 1897.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following papers :—

G.O., No. 988, Marine, dated 6th December 1897.
" " 1005, " " 9th " "
" Nos. 1019–20–21, " " 11th " "
" No. 1024–25, " " 13th " "
" " 1045, " " 18th " "
" " 14, " " 8th January 1898.
" " 15, " " 13th " "
No. 29 E., dated 15th January 1898.
" 34 E., " 17th " "
G.O., Nos. 36–37, Marine, dated 18th May 1898.
No. 44 E., dated 21st May 1898.
G.O., No. 71, Marine, dated 25th January 1898.
" " 72, " " 25th " "
" " 76, " " 27th " "
" " 81, " " 28th " "
No. 294 E., dated 27th May 1898.
Letter from the Government of Bengal, No. 770, Marine, dated 7th April 1898.

ENCLOSURES.

Proceedings of a Court of Enquiry held, under section 7 of Act V of 1883 (The Indian Merchant Shipping Act) as amended by Act VI of 1891, at the instance of the Government of Bengal, for the purpose of making an investigation into the cause of the sinking of the barque "Amanath Rahiman" in collision with the S.S. "Nawab" on the Malabar Coast on the 29th November 1897.

PORT OFFICE, CALCUTTA.

The 17th January 1898.

PRESENT :

W. A. BONNAUD, Esq., Officiating Chief Presidency Magistrate, Calcutta ... ... *President.*
COMMANDER H. B. HOOPER, R.I.M. ... ... } *Members.*
D. S. LARDNER, Esq., Master Mariner ... ... }

MR. G. LEITH, Deputy Legal Remembrancer, represents the Government.

THE President read the Resolution, dated the 30th of December 1897, from the Government of Bengal, which is put in and marked A.

Mr. Edwards, of the firm of Messrs. Orr, Robertson and Burton, Attorneys-at-law, who represent the owners of the barque *Amanath Rahiman*, at this stage of the proceedings raised the question of jurisdiction to this Court holding the enquiry, on the ground that the Government of Bengal have no power to direct such an inquiry, as the wreck occurred off the West Coast, and the preliminary inquiry was held at Tellicherry without the jurisdiction of this Government.

Mr. Leith, the Deputy Legal Remembrancer, contends that this Court cannot go behind the orders of this Local Government. The Merchant Shipping Act of 1854 has no application to this inquiry, and that, if any doubt originally existed, the amendment of sub-section 1 of section 7 of Act V of 1883 by section 10 of Act VI of 1891 makes the matter perfectly clear that this Local Government has power to order this inquiry.

The Court is of opinion that the inquiry must be proceeded with, as this Court has no power to go behind the orders of Government of Bengal, and furthermore agree with the view of the Deputy Legal Remembrancer that the inquiry is one which the Local Government is, under the present law, fully justified in ordering. If any objection be made with regard to this Court's jurisdiction to hold this inquiry, such objection should be made to the Local Government.

James Mathew Wood, on oath.—I am the 2nd Officer of the *Nawab*. I hold a 2nd Mate's certificate. I have held it for seven years. I have been at sea for ten years. I came on watch at midnight on the 28th of November last. I took over charge from the 3rd Officer, Mr. Maclennan. The orders he gave me were to keep a look-out for Pigeon Island for any vessel that might be sighted. He gave me the course S. 22° E. He gave me no further orders that I recollect. It was fine weather, but slightly cloudy. The sea was smooth, and light airs prevailed; there was no moon; it had not risen; there were a few stars, no thunder. I saw nothing when I took charge of the bridge. I saw our lights burning. A native seacunny, this man Govin Buddia, was the seacunny who took the wheel at two o'clock. No one else except myself and this seacunny were then on the bridge. We had a look-out forward; this is the man, Mukun Bhana. (Witness identifies both these men).

Between 2-30 and 3 A.M. I saw a steamer's light. It was the mast-head light and port side-light. She was directing her course towards the north, and passed about two miles off. The next thing I saw was the sails of a vessel; this was about 3-30 A.M. I saw these sails right ahead, both on the port and starboard bows. I judged them to be about 50 to 100 yards from my bows. The weather then was the same as it had been all along. The height of our bridge from the water was about 30 feet. I shouted to the seacunny of the *Nawab* to port her helm hard-a-port. I rung the telegraph "Stop full speed astern." I ported my helm, because it is the regulation to do so for steamers meeting; this was not a steamer, but not knowing which way the other vessel which was showing the sails was going, I followed the ordinary rule. After porting my helm hard-a-port, I reached her in about two minutes, and we ran into her about midships. The vessel we struck was a barque. I do not know her name. I do not remember it, though I have heard it. We were at right angles to her when we struck her. I saw afterwards that we struck her on the starboard side. The "look-out" gave me intimation of the steamer I sighted about 2-30 or 3 A.M. He gave me no further information of anything being in sight up to the collision. At the moment of collision I was at the "telegraph" a little to the starboard side of amidships. I gave no further orders. The Captain came on the bridge and took charge. He was on the bridge before we actually struck. After the collision the first order I heard was given to me, it was to call the 1st Officer. I met him on the saloon deck below the bridge, and I told him to go to the Captain. I returned to the bridge with the Chief Mate, and the Captain told him to lower away the boats. Afterwards he sent me to help. I helped to get away the port quarter boat; she went away. I then helped to clear away the gig; she went away also. I then started to clear away the star-board quarter boat. The order for her was countermanded. I then returned to the bridge. About two minutes after we struck the barque, she sank. I heard confused shouting on board the barque about one and-a-half minutes before we struck her. The port helm I had given my vessel did not appear to me to have altered her course. I remained on the bridge till I was relieved between half past 4 or 5 A.M. In the ordinary course I would have been relieved at 4 A.M. I saw no lights on board the barque. Immediately before I saw the sails of the barque, I had been looking out for Pigeon Island. My attention was directed from right ahead to the port beam. I think the barque was under full sail when we struck her. I would not have expected to have seen the barque further than I did, having regard to the weather, if she had no lights. When I first went on watch at midnight, I saw a steamer's stern light little on the starboard bow; it was in sight the whole of the watch up to the time of collision.

To the President.—The hull or the sails of any sailing vessel would not have shown up at a greater distance than about 50 to 100 yards, and, therefore, I would not have expected to sight this barque, as it was a dark night.

The light I saw was the stern light of a steamer, because it had been in sight the whole of the night at about the distance about three miles. If it had not been a steamer, she would not have kept in that position. I saw the steamer during the 28th of November. It belonged to the British India Steam Navigation Company; it was the *Kangra*. The steering gear of the *Nawab* was working properly. She has a right-handed propeller. There were occasional puffs of wind. The draft of the *Nawab* that night was 11 feet 6 inches forward and 17 feet 3 inches aft. We took no cargo to alter that trim. The forecastle awning was not spread that night. The bridge I stood on was above the saloon deck.

To Mr. Edwards through the Court.—When the bells were rung from the bridge, they were answered every half hour by the forecastle head "look-out" man.

To Captain Lardner.—The vessel's side-lights were situated on a level with the bridge that I was keeping watch on, and whilst walking from side to side, I could see if the side-lights of the *Nawab* were burning brightly. The side-lights and mast-head light are electric lights. They are controlled from the deck by the Chief Officer. They never went out at any time during my watch. The seacunny heaves the lead as a rule. The "look-out" man threw the lead from the forecastle head.

To Mr. Edwards.—Before I put my engines to astern, the *Nawab* was going about 8 knots an hour as shown by the patent log. We struck the barque on her starboard side. I, after the collision, found that she was going to the west. If the barque had had lights, I would have been able to have seen them from the bridge when I first saw her. I could not say how far out of the water the barque was.

To Mr. Pugh.—I saw the barque for the first time by a flash of lightning.

To Captain Lardner.—I could not say which tack she was on, or which way she was heading whilst lightened up by the flash of lightning. I saw the men arrive in the boats, but did not count them at the time. I do not know if any wreckage fouled our propeller.

To Mr. Pugh.—The *Kangra* would have seen any lights if the barque had them. The *Kangra* was going in the same direction as the *Nawab* was. She would pass the barque about 20 minutes before we did. The first boat was lowered about 5 minutes after the order was given. The Captain was on the bridge about half a minute before the collision. I asked the Captain of the barque how many men he had on board. He called the serang, and he said that there were 26 men.

To the Court.—During my watch I left the bridge every half hour to heave the lead on the port side of the saloon deck, the deck next to the bridge. My position was directly under the bridge; I was navigating. I was absent from the bridge on each occasion on heaving the lead from a minute to a minute and-a-half. I did not leave the bridge for anything else. When the "look-outs" are relieved, they do not come and report it to the officer on watch. When the collision occurred, life-buoys with lights attached were thrown overboard. I saw these lights burning in the water bright enough to attract anybody. I was continuously engaged in looking out for Pigeon Island, and not otherwise engaged from the time of heaving the lead at 3 A.M. till the collision occurred.

J. M. Wood.

William Skillicorn Corran, on oath.—I am the Master of the S.S. *Nawab*. I hold a Board of Trade certificate of a Master. This is my signature to the rough deck log of the 29th of November. This is the official log of the same day. The rough deck log is put in and marked B, and the official log marked C. The signatures are respectively marked BI. and CI. On the 28th of November last, the *Nawab* was on a voyage from Bombay to Tellicherry, having left Bombay on the afternoon of the 27th of November with a general cargo. The registered tonnage of the *Nawab* is 2,041 tons.

At 3 A.M., on the 29th of November, I was called by the 2nd Officer in pursuance of orders given in the night order book. Mr. Wood called me. He reported that the Pigeon Island was not in sight. He was then in charge on the bridge. He told me the time was 3 A.M. I told him to keep a sharp look-out, and report to me when he saw the Pigeon Island. A few minutes after I was called, I got up, and went on deck from my bed in my room on the saloon deck. I went on the saloon deck and had a look round. The weather was fine, but dark and cloudy. After looking round and seeing that everything was all right, I went to bed again. Shortly afterwards I was roused by hearing the "telegraph" and the steering gear. On hearing this I rushed up on to the upper bridge, and saw the sails of a vessel right ahead, quite close under the bow about 50 yards off. I enquired of the 2nd Officer how the helm was; he said hard-a-port and the engines were full speed astern. For a moment I could not say which way the sailing vessel was going; as my eyes got accustomed to the darkness, I saw that the vessel was heading to the west. The *Nawab* did not appear to pay off at all, one way or the other; she was going straight. I kept the helm to port, hoping that it would cant her head to port, but it did not have its effect, and the barque was struck amidships. I saw the indicator pointing towards port; with the engines going astern, I hoped it would cant her head to port. I heard the noise of the steering gear and the ringing of the "telegraph" both together. I was on deck before the collision about a minute and-a-half. I could see a portion of both ends of the barque when I was on the bridge. The first that I saw was her sails, and when I got accustomed to the darkness I saw her hull. When I saw the collision was imminent, the first order I gave was to clear away the boats. A few seconds after this we struck the vessel at amidships on her starboard side. We struck her at right angles. The barque had no side-lights burning. I looked specially for lights from the bridge. Just as we struck her, I got a momentary glimpse of a faint white light right aft, which I presumed was her binnacle lamp. The first boat which was the port quarter boat was in the water and away about two minutes after we struck her. The 3rd Officer, Mr. Macleon, was in charge of this boat. The gig was the next boat away, and the 4th Officer, Mr. Storey, was in charge of her.

After we struck her, it was about a minute when we came astern of her. I gave the order to stop after we were clear of the barque. The steamer's head then canted to port, bringing the barque on the *Nawab's* starboard bow, and two minutes after that the barque sank. I threw two life-buoys off the bridge myself from the starboard side towards the vessel. I thought it was more prudent to get clear of the barque, lest she might sink under my bow. After we backed out of the barque, I put the engines slow ahead and kept the helm to port with a view of keeping her close to the barque. The first boat on leaving the *Nawab* pulled along our port side towards the bow. I called out to the 3rd Officer, as he was going past, to look out that the men did not rush her and swamp her. I did not notice any of the men from the barque coming over our bow. I remained on the bridge. I threw the ordinary life-buoys with Holme's patent lights attached. They both of them burst into flame on touching the water. There was a lamp put over the *Nawab's* starboard side when the first boat returned. This was to show where the

ladder of the *Nawab* was. The gig pulled across the stern; she was carried very nearly right aft. She went away across the stern to the starboard side. The first boat made two trips, and the gig made one. When the men from the barque came on board, the 2nd Officer counted and they numbered 23. When the first boat returned the second time, I went down on e main deck and interviewed the Captain of the barque, and he told me that there were men missing. After that, as the officer of the first boat after returning from her second reported to me that no one else could be found, I stood by until day-light. There was not n wreckage about, only a few casks of oil, and some planks. At day-light I sent the Chief er away in the gig. He pulled round amongst the wreckage, and found the body of a boy. was brought on board, and afterwards buried according to native custom. At 7-40 A.M. on the h of November, I proceeded full speed for Tellicherry. When we struck the barque, we were ceeding about 2 knots. We sustained no injury. When the 2nd Officer informed me that geon Island was not in sight, he was not more than a second or two with me, when he again nt on the bridge. Apparently, the barque had all square rails set. There were occasional ashes of sheet lightning pretty well up from the horizon. I could not give you any idea as to ow far her sails would be visible on that night, as it was dark. I expected to be abeam of Pigeon Island about 3-30 A.M. I did not expect to see it, as I was steering to pass 10 miles to the westward of it. I should have expected to have struck the Pigeon Island before I saw it, had I been steering for it. Our lights were all right. All had been done that could have been done to have avoided a collision. I was quite satisfied with the way in which the boats went away and the conduct of our officers. When I was called by the 2nd Officer, and went on the deck, I saw the *Kangra's* lights.

To the President.—Pigeon Island is about 300 feet in height. On a clear night I could have seen the "Pigeon Island" about 10 miles off. It was merely a precautionary measure which was to be adopted by the 2nd Officer. On account of the current, it would have been possible to have kept the *Nawab* closer to Pigeon Island than what I wanted, and that is why I gave the order to the 2nd Officer for him not to do so, and when he informed me that the Pigeon Island was not to be seen, I concluded that the *Nawab* had made her course unaffected by the current. The barque was about 12 miles from the Pigeon Island when I struck her. The barque was crossing my bow. I saw her sails for the first time without the assistance of any lightning flash; it was too late then. The *Kangra* was about a mile and-a-half or two miles from the barque at the time. The *Kangra* was going in the same direction. I could not say how long before we struck her that the *Kangra* passed the barque.

To Captain Lardner.—The position of the *Kangra's* bright light was about half a point to a point on our starboard bow. With the barque steering to the westward, the position the *Kangra* was in when I saw her would have crossed the bows of the barque. I did not hear the 2nd Officer heave the lead at 3 A.M. My room was on the same side of the deck, and 15 feet from where the 2nd Officer hove the ordinary deep sea lead. The flashes of lightning were occasional, but not sufficiently frequent to interfere with a good look-out being kept. There were no lights on the navigating bridge to interfere with the look-out of the officer on watch. The forward look-out is usually kept on the forecastle head. They notify to the officer in charge of the watch, when a light is in sight, by ringing once, if the light is sighted on the port side; twice, on the starboard; and three times, right ahead. I have occasionally heard these bells rung when in my cabin. On the morning of the 29th November, I did not hear any bells rung. The Captain of the barque did not give me the names of the three men who were missing. I did not see any spars fall on the barque at the time of collision. No one suggested that these missing men might have been killed by the falling spars. The light and ladder were put over on the starboard side, so that any man swimming in the water would have seen the light. The 2nd Officer told me that he saw no lights shown by the barque.

To Captain Hooper.—I calculated that the engines of the *Nawab* going astern would have reduced her speed to two knots. The officer on the watch was heaving the lead as a precaution against being set in towards the land. He had a chart available to check any soundings that he may have got. I would have got from 12 to 13 fathoms, the ship going about 8 knots. The sea was quite smooth. The same morning after the collision, when I remarked to the Captain that he had no side lights out, he stated that he had lights out. Just as I got out of my door previous to the collision, I heard voices calling out. I could not say what it was, but they appeared to me to proceed from another vessel. I thought a collision inevitable when I got on the bridge.

To Mr. Edwards.—The men were counted when they came on board. Each boat's men were counted as they came on board. The men are supposed to be relieved on the forecastle every two hours. If the engines are going full speed astern with her helm hard-a-port, and the vessel still heaving headway on her, it has a tendency to cant the vessel's head to port. This cannot always be depended upon. I made no entry of the conversation I had with the Captain of the barque in my official log, beyond the statement that three men were drowned.

To Mr. Pugh.—We received no damage, except slight dents on each bow.

W. S. Corran.

On the enquiry being resumed to-day, the 18th of January 1898, Mr. Leith, the Deputy Legal Remembrancer, applied for summonses for those persons on board the barque who are not now in Calcutta, under section 12 of Act V of 1883, and Chapter VI of the Criminal Procedure Code, section 73. He points out that with regard to the evidence already given, it is essential that the master of the barque be brought before the Court.

The Court are of opinion that all the witnesses who gave their evidence at the preliminary enquiry at Tellicherry should be brought before this Court, and in the exercise of its powers under section 73 of the Criminal Procedure Code, it shall summon the witnesses, whose names have been given by the Deputy Legal Remembrancer, the Government undertaking to pay such expenses for their attendance before this Court as are leviable under the Criminal Procedure Code. The enquiry shall be proceeded with in the meantime.

Hector Wallace, on oath.—I was the Chief Officer of the *Nawab* at the time of the collision. I hold a Board of Trades' master's certificate. On the night of the 28th of November I was asleep on the port side of the Saloon deck. I was roused by cries and the sound of the engine room "telegraph" ringing. This I believe was about 3-30 A.M. I rushed to the head of the bridge ladder, and asked what was the matter. Either the master or the second officer said, "we are in collision." The Captain then told me to get the boats away. I ran on to the forecastle head to rouse the crew. I told the serang to get the crew aft and lower away the mail boat which was all ready for lowering away, with a lantern in her. The main yard of the barque was a little above the rail forward of the crane on the forecastle head. I tried to see if I could get the crew of the barque to come on board the *Nawab* by their main yard, but no one would come, and then we backed clear, and I rushed aft to look after the boats. I saw no lights on the barque of any sort or kind. It was very dark. I could not make out the men on the deck, except only those who were on the yard against the skylight. We got the mail boat away in charge of the 3rd Officer. My instructions to him were to pull along the port side and cross our bow as the barque was on our starboard bow, and I thought this would be the quicker route. There were five men on the boat besides the 3rd Officer. The buoys with patent lights were thrown overboard and burnt well. It did not take two minutes after the order was given before the first boat got away. Then I sent away the gig in charge of the 4th Officer. She went round our stern, as the steamer's head had fallen off to port. I was still clearing away the starboard quarter boat when the mail boat returned full of the crew of the barque. I had three ladders over the side with lights. They came up on the starboard side by the ladder just before the bridge. I then went away in her myself in the second trip. We met the gig with more of the crew of the barque. We pulled about for an hour and an half shouting. We found nothing except some wreckage, and so we went on board the *Nawab*, and waited for day-light. At day-light I went aloft and had a look round, and so did others. The 4th Officer and a crew of four had remained in the gig alongside all this time. I then went away in the gig myself, and picked up a couple of chests and the body of a boy. This was about 7 A.M. Seeing that there was nothing to be done, we proceeded on our voyage at 7-40. We buried the boy at 20 minutes past 8 A.M. at sea. These are my signatures in the log. The *Nawab* sustained no damage worth mentioning. I felt no shock at the time of the collision. I do not know at what speed we went into her. Our lights were all right, they were burning brightly. From where I stood on the forecastle head to the deck of the barque would be from 10 to 15 feet. I must have seen her starboard light had she had one. We struck her a little before the main mast, and I saw no lights whatever, white or green, on the barque. I asked the Captain of the barque after I returned from the first trip how many men there were on the barque, and he said 24. We then said there was one man missing, and subsequently some hours afterwards the Captain of the barque informed us that there were two more men missing, making three in all. He talked in Hindustani. The boats went away as promptly as they could possibly have done, and nothing more could have been done. The steamer's draft was 17 feet 3 inches aft and 11 feet 6 inches forward. She always steers well, and she did so that day. There was nothing ahead from the bridge to obstruct the view.

To the President.—We were steering S. 22° E. I cannot swear if that was the course set for the night. That was the true, and not the magnetic course. I first saw the barque when she was right across the bows. I was asleep at the time when the collision took place. When I heard the ring of the "Telegraph" and the noise of the shouting, it must have been after the collision took place. I cannot say how many of the crew of the barque came in any of the two boats. I found no bruises on the dead body of the boy. I saw no marks of any kind on him. I did not notice now far abaft, where we struck the barque, her side light screens were fixed, or whether there were any fitted. I saw no lights at the after part of the barque.

To Captain Lardner.—I could not say what course we steered at 8 P.M. There was three degrees easterly error on our S. 22° E. course. When I was on the forecastle head, I did not hear any of the crew of the barque call our attention to their side-lights. I lift up the life-buoys with lines intact. The men of the barque must have been mustered whilst I was away in the boat. I noticed that all their clothes were wet. If any men had dropped from the barque's main yard on to our forecastle, their clothing could not have become wet. None of the men of

the barque who were saved mentioned having seen the missing men in the water. I think the length of the *Nawab's* forecastle head is about 30 feet. The man on the "look-out" walks from side to side on the fore end of the forecastle.

To Captain Hooper.—I examined the "look-out" man in the presence of the captain of the *Nawab*. This was in the forenoon of the 29th of November last. He said that when he saw the vessel, it was in his opinion too late to avoid the collision. He said that he saw no lights on the barque.

To Captain Lardner.—The "look-out" man said that he struck the bell shortly before the collision when he saw the vessel.

To the President.—I could not say what sort of a night it was or the state of the weather, as I was asleep.

To Mr. Edwards.—When I left the forecastle head, the main yard was sufficiently clear of the forecastle to have prevented any one from leaping off it on to the *Nawab*. There were no slack anchor chains. I cannot say if the force of the collision could have put out the lights of the barque. Some of the men were covered, others had their bodies bare when they came on board. I understand Hindustani sufficiently to have understood what the men were saying.

To Mr. Pugh.—If the shock had been severe, it would have woke me up.

H. Wallace.

Makhun Bhama, on solemn affirmation.—I am a lascar on board the *Nawab*. I recollect the collision. I was on the "look-out" at the time. I was on the look-out at 2-30 A.M. on the 29th of November. I was forward. I was standing quite forward near the anchor on the port side. I rang the bell at 3 A.M. I did not ring the bell at 3-30 A.M., because the collision had then taken place, and as the bell was not rung from the bridge, I did not ring my bell. After I ring the bell, I shout out that I am keeping a good look-out. I never ring the bell, unless I hear the bell on the bridge, except when I see something to report. I did not ring the bell before 3 A.M., as I saw nothing before that. After 3 A.M., I saw a vessel, when I rang the bell. That vessel was on our port side, not right across our bow, but a little to port, not right ahead nor quite on our port bow. I did not see any lights on the vessel; it was a sailing vessel; she had three masts. I cannot say how far she was when I saw her. I cannot say how far after 3 A.M. I saw her. I rang the bell only once when I saw the vessel. She was on our port side. The other vessel came nearer us, but not quite close to us. We were going ahead and she was coming across our bows. I strike the bell three times when I see a vessel right ahead of us. This vessel was not right ahead of us. I saw the vessel up to the time of collision. This was the vessel with which we collided. When I see a vessel on our port side, I strike the bell once; and when I see her ahead of us, I strike three times. When I strike the bell, I get no reply from the bridge. I did not suspect at the time that my vessel would strike her. I cannot say which way she was going. She was heading from the shore towards the sea on our port side: I cannot say if we turned to her or she crossed our bows. This is the only vessel I saw that night. I saw no steamers. I did not notice any steamer going before ours on that day. I cannot say how long after I rang the bell the collision took place. I did not say to the Port officer of Tellicherry that I saw the vessel clearly 10 minutes before the collision. What I told him was that I saw the vessel at about 10 minutes past 3 A.M., and I rang the bell. I did not say that it was 10 minutes before the collision that I saw the vessel, but I did say that it was 10 minutes after I rang the three o'clock bell. No one asked me about the evidence I gave before the Port officer at Tellicherry. My evidence was not read over to me by any one at Tellicherry. I put my mark there to my deposition, but it was never read over and explained to me. I struck the bell at 3 A.M., but not at 3-30 A.M.

To the President.—I said that it was 10 minutes past 3 A.M. when I first sighted the barque; this is as far as I can guess. This is the only fault I have committed. I cannot give any idea at all as to how long after I first sighted the vessel that the collision took place.

To Captain Lardner.—From the time I went on the look-out up to the time of the collision, I saw no light whatever anywhere on the barque.

Makhun Bhama.

His × mark.

Explained by me—

Trailokya Nath Goswami,

Interpreter.

Enquiry was resumed on Wednesday, the 19th of January 1898.

John Norman Roy, on oath.—I am the 3rd Engineer on board the *Nawab*. I was on duty from midnight to 4 A.M. on the morning of the 29th of November last. Prior to the order "stop" before the collision, our engines were going about 10 knots an hour. I remember the order "Stop, full speed astern." I could not tell how soon after this order was given that the collision occurred, as I was by the engines at the time. I felt no shock. The time of the order "stop, full speed astern" was logged at 3-20 on the black board in the engine room. I cannot say if the clock in the engine room differed on that day from the clock on the bridge.

The next order given was at 3-24, "stop," after the order "stop full speed ahead." The ship's lights on the *Nawab* are electric. I look after them below. They were working that night. If they had not been working properly, the lights would have flashed below. I remained in the engine room during my watch.

To Commander Hooper.—I estimated the speed at 10 knots by the number of revolutions only.

To Captain Lardner.—I did not hear the bells struck on deck at the hour and the half-hour.

The 19th January 1898.

J. N. Roy.

Gobind Buddia, on solemn affirmation.—I am a seacunny on the *Nawab*. On the day the accident occurred to the barque, I came to the wheel at 2 A.M., and I was at the wheel till the collision. There was no moon that night; there were stars; it was not quite a clear night. The second officer was on the bridge besides myself. There was another seacunny and a khalasi under the bridge, and the "look-out" man forward.

I could not see ahead from the wheel where I was. I was looking at the compass. My attention was solely directed towards the compass. I did not see ahead. I was on duty from 2 to 4 A.M. I rang the bell at 2-30 A.M., and the "look-out" man rang his bell in reply. I rang a bell at 3 A.M., and the look-out man replied. I did not ring at 3-30, because at that time there was this *golmal*. The ship might have shaken a little when we collided, but I did not notice it. It was about 2 or 4 minutes from the time of my having to ring the 3-30 bell when the collision took place. It was about 2 or 4 minutes to 3-30 A.M., by the bridge clock that the collision occurred. I did not look at the clock when I received orders to port the helm. After the "look-out" man rang his bell after 3 A.M. that I was told to port the helm. The "look-out" man rang his bell after 3 A.M., but not in reply to a bell which was rung from the bridge. He rang the bell because he saw a ship, as it is the practice to ring one bell if anything is seen on the port bow. I knew by this that the look-out man had seen something. The order to port was given to me by the 2nd Officer. I do not remember whether the 2nd Officer was at the time on my port bow or starboard bow. I heard the "telegraph" ring at the same time as I got my orders to port the helm. I did not see any lights or ships when I came on my watch. As soon as I put the helm hard-a-port, I looked up and I only saw sails, and in two minutes the barque broke down. The course we were steering that morning was S. 25° E. The 2nd Officer looked at the compass, whilst I was at the helm before the collision; that was before the order given to me to port. He looked at the compass during my watch two or three times.

He told me to keep straight in my course, which I was doing the whole time.

I heard no noise proceeding from the barque before the collision. The ship broke down, and there was a noise. I did not hear any noise before that. I did not see the Captain come on deck. I do not remember what orders I got after the order to port the helm.

To the President.—During the whole time I was on the watch, I did not see any other vessel before the collision, or the lights of any other vessel. The reason why I cannot see ahead of me is because the compass obstructs my view even to seeing any lights. I cannot see ahead at all, because my attention is solely devoted in seeing that I keep to my course, and also because the lights of the compass dazzle my eyes. I did not see any of the men coming on board. I remained at the helm up to 4 A.M. After the 2nd Officer gave me orders to put the helm hard-a-port, the Captain on the bridge and he asked me if I had put the helm to port. I replied that I had put the helm hard-a-port under orders of the 2nd Officer. This conversation was about a minute or a minute and-a-half before the collision. It was about 3 or 4 minutes before the Captain spoke to me that I put my helm hard-a-port. The Captain was on the bridge up to 4 A.M. after the collision. I did not hear the Captain give any orders from the bridge either before or after the collision. I was very close to him the whole time. I saw no boats lowered that night at all, and I cannot say if anybody came on board the *Nawab* from the barque.

To Captain Lardner.—When the man on the look-out struck one bell shortly before the collision, the 2nd Officer was on the upper bridge. I steer from the upper bridge. I did not look up, when the bell was struck, to see if the 2nd Officer had taken any notice of it. I did not mention to the 2nd Officer that the bell had been struck. The "telegraph" was about this

distance (shows 7 feet) from where I was standing. The 2nd Officer rang the "telegraph." I did not hear any person report to the 2nd Officer that a bell had been struck forward. After putting the helm hard-a-port, I looked up and looked ahead of me, and I only saw the sails of a ship which broke down. From the time of porting the helm up to the time of being relieved at 4 A.M., I looked at the compass. This was after the collision about two or four minutes then. Because of my porting the ship did turn. I saw it from the compass. I do not remember how many points my compass altered; or whether to the east or west. The helm was kept hard-a-port for a short time, and it was altered after the collision. I was told afterwards to keep steady, but I cannot say how long after the collision. I was steering with steam steering gear.

To Mr. Pugh.—After the bell was struck once, I got the order to port my helm. I saw no lights on the vessel. I cannot say whether it was because the look-out man had rung the bell that the 2nd Officer had given me orders to port my helm.

Gobind Buddia.

Explained by me,

Troilokhya Nath Goswami,

Interpreter.

Mr. J. M. Wood, the 2nd Officer, recalled and sworn.—

To Mr. Leith.—This is the rough log of the *Nawab*. These initials "J. M. W.," are mine, and the entries down to "Bar 30th" of the entry marked exhibit B.J. are also mine. I inserted the words "showing no light." I put this in after I had written the log, as an after-thought. I wrote it without consulting any one and after reading what I had already written. I thought it important to write it down. I wrote this about 5 A.M. on the 29th of November after I was relieved. I wrote it in the bridge chart-room. I was then by myself. I do not remember making the erasure of the words under the words "dark and cloudy;" and I do not remember what the words were. I see now with a magnifying glass that the words were "slightly hazy." I made the entries also in the column to the left at the same time. I can see that the paper is scratched where the word "V'ble" in the column dealing with the direction of the wind is. I make it out to be the same letters underneath. Having written the word "variable" once, I think the word must have been smudged. I erased it and re-wrote it. I think from its appearance it must have been done with an ink eraser, but I cannot say for certain. By looking through the log, I find that I did make an erasure on the 11th of December, but of that also, I have no recollection. I altered the words "slightly hazy" to "dark and cloudy" just after I had written it, because it was a better description of the state of the weather that night. The atmosphere that night was clear, but the night was dark with clouds. I do not think it was hazy. If it had been hazy, I could not have seen the steamer's light three miles off.

To Captain Lardner.—The entry in the official log, giving the position of the steamer from Pigeon Island S. 73° E 12 miles, was signed by me on the same day, the 29th November, but I am uncertain of the time. I did read it over before I signed it. The entry in the official log that the barque had no side lights is correct.

To Mr. Edwards.—I do not remember the Captain calling my attention to the erasures in the rough log.

J. M. Wood.

Syed Hussain Bin Sagaff, on solemn affirmation.—I was the Chief Mate of the barque *Amanath Rohoman*. I had a certificate which was lost by the barque going down. The number of my certificate was 897, and this is my signature. Shown a certificate of competency as 1st Mate to a person of the same name issued on the 10th of November 1891 in the records of the Port Office. The *Amanath Rohoman* was a barque. It was formerly registered at Cochin, but it was subsequently registered at Tuticorin. She flies the British ensign. Her tonnage was 306. Her length was about 90 or 100 feet. Her beam was about 22 or 25 feet. Her cargo consisted of cocoanut oil, coir rope and yarn, and she was bound from Colombo *vid* Cochin for Bombay on her last voyage. We left Cochin on the 20th of November for the last time. I sighted Pigeon Island during the day on the 28th of November. At midnight on the 28th of November, I came on watch. There were 26 souls alive on board the barque on that night. The Captain was on duty before me from 6 P.M. to midnight. His name is Isa Bin Oomar. The sky was clear; there was no moon but stars. There was very little wind. The wind was north-north-west. The course that was given to me when I came on watch was west by compass. She had all sails set, 17 of them altogether; there were 10 square sails and seven fore and aft. She was not making more way than half a mile an hour. She had both her lights lit, green as well as red. The lights were situated a little before the mizzenmast, and eight feet above the deck, that is, up to the waist of a man from the poop. The poop deck was about 14 feet from the surface of the water. This is pure guess. (The witness here describes that the lights had screens.) We had lights as it was customary for barques to carry. I cannot say how far the lights were from the

end of the stern. They were burning well when I came on deck. After I came on watch I ordered the Kessab to put oil in the lamps; he took the lamps down, trimmed them and put oil in them. There were other lights placed in their stead whilst these were being trimmed and lit. We have two sets of side-lights. They did, as I stated above, that night. The lights were changed at 10 minutes past 12 o'clock. I was walking along the poop and looking round to see if there were any ships and steamers, and about 2-30 A.M, I saw a mast head light. At about quarter to 3 A.M. or 3. A.M. I saw both a masted light and a port side red light; my vessel was heading towards the west and the other vessel was heading south-south-east. I made this out from the port side red light of the vessel. I could not see her red light if she was going west. I saw her hull very indistinctly. I saw the steamer about 10 minutes past 3 A.M. when she came close to us; the collision took place at about 15 minutes past 3 A.M. I first saw the steamer's light about three quarters of an hour before she struck us. When I first noticed the masted light of the steamer, she might have been five or six miles off, if she was going at the rate of 10 knots an hour. When I saw the red light, I sent down for the Captain to be woke up, as a steamer was coming and there was no wind. The Captain came within two or three minutes. We were steering close, hauled on the starboard tack, and so remained until we were struck. I sent for the Captain because there was no wind. About 10 minutes or quarter of an hour before the collision I thought there would be a collision. We all shouted out, and we rang a bell. I cannot say if the steamer altered her course when she was at a distance; but when she came near us, she did not alter her course, but came straight at us. The steamers could see our green lights distinctly for 2½ miles. There were no obstructions between the steamer and our green lights. As soon as the steamer struck us, I ordered the boats to be lowered. I had no time to do anything else. The collision took place, the steamer moved astern, and the barque went down. I fell into the water, and I had only one cloth on. I was in the water for about 25 minutes before I was picked up by the steamer's boat. I was picked up by the first boat, and was one of the first rescued. I saw the Captain of the *Nawab* afterwards. Next morning I asked the Captain why he had run into us; the Captain said that the mate had told that there were no lights on the barque. The steamer could also see our central lamp at the time of the collision. It is a round lamp; it could not be seen before the collision.

Enquiry resumed this Thursday, the 20th of January 1898.

Syed Hussain Bin Sagaff, recalled.

To Mr. Leith.—I was on the barque for nearly two months before the accident. The lamps and side-lights were new. When I came on board the barque, they were new. There were the same sort of lights as are used on ordinary sailing ships. I know all the rules relating to lights. Ever since the last thirty years, I have seen the same sort of lights that are used.

The lights used on the barque burned for six hours continuously. These lights had been used for six hours, when they were changed. The lights which had been trimmed were more satisfactory than those put in temporarily. These temporary lights were exhibited for two or three minutes. They were of the same pattern, but did not give as good light as the ones that were trimmed. I ordered the helm starboard when I saw the steamer, but she did not answer the helm. When the Captain came and saw the light of the *Nawab*, he also ordered the helm to be starboarded, when I told him that I had already given the order.

The sea was rolling slightly from the north-north-west; in consequence of that the barque both rolled and pitched slightly. We have neither fog horn nor speaking trumpet on board, and no drum. The seacunny, Ali Kooty, Kader Haji Lascar, and a boy, Muhammad, were drowned; the latter was not on the articles, but he was a lascar's boy. One of the persons saved was not on the articles, but he was the owner's servant, who was shipped at Cochin for Bombay. Twenty-two of the men on the articles were saved. Three on the articles were drowned, and one passenger, the servant, was saved. The three men who were lost were shipped at Cochin with me. None of the crew on board at Colombo were discharged at Cochin. I signed articles at Cochin; so did the others. No alterations took place of the ship's Company after we shipped at Cochin. We all signed articles on the 29th of September last, and we went on board on the 1st of October.

We got away from Cochin on the 8th of October for the first time; it was the 20th of November we left Cochin for the second and last time. In about 45 minutes all the men who were saved from the barque were on board the *Nawab*. The steamer stood by until daylight. I went up aloft in the morning at daylight to look for the missing men. The people belonging to the steamer brought the dead body of the boy. I could not see the dead body of the boy in the water from the steamer. When I fell into the water, I saw heads of men in the water, but I never saw any of the three men in the water who were lost. I put a piece of plank under my left arm, and I was swimming with my right arm. I did not see any life-buoys with lights attached to them in the water. When I came on deck at 12 o'clock, I did not see the seacunny Ali Kooty; he was on the Captain's watch before I came on deck. I saw him that day at 6 P.M. at prayer. When I came on deck at midnight, I saw the Lascar Kadar Haji. He was also on the Captain's watch. I did not see Muhammad, the boy, during the night, as he was on the watch. I last saw him at 5 P.M. All these three men were in good health. About 5 to 8 minutes before the actual collision took place, the Captain gave orders to clear away the boats,

as the steamer was coming near, and as the shock was felt, he ordered them to be lowered. They were ready to be lowered. The Captain had no time to give any further orders, but as soon as the boats, which he had ordered to be cleared, had been cleared, the collision took place. I was aft on the poop on the starboard when the collision took place. Four of the men went on board the steamer by themselves as soon as the collision occurred. They caught hold of the rigging and they jumped into the steamer. They told me this afterwards. I think they did so from the forerigging. I remember two or three men who jumped into the steamer. Ebrahim is one of them, but I cannot recollect the names of the other three men. Whatever I have told the Court here, I remember now as having occurred. The steamer ran into us right in the middle. Our barque tilted a little, and the bows dipped into the water. We were then in about 28 or 30 fathoms of water.

To Captain Lardner.—Bells were rung on the barque about five or eight minutes previous to the collision. The bell in the barque is situated aft. I saw it rung after half an hour. Four bells were rung at 2 o'clock. When four bells were rung, I did not see the light of the steamer. The side-lights were situated nearer the mizzenmast than the mainmast. The poop extends one-third forward of the mizzenmast of the distance between the main and the mizzen-mast. I was keeping my watch on the poop on that night. There is a skylight on the poop. I could see the side-lights of the barque from the poop. If I were standing at the fore-end of the poop, the lights would be abaft me. I asked the man on the look-out if the lights were burning brightly; there was one man forward and one man aft on the look-out. I asked the man aft, whose name was Kadir, if the lights were burning properly. He said they were burning well. The man who was on the look-out on the forecastle head was Ebrahim. It was not necessary for me to tell Ebrahim to look at the lights, as the lights were nearer the main aft. The Captain's son, Muhammad Isa, was at the wheel at the time of the collision. I saw him for the first time in this voyage. I do not know how long he was at sea. The lights were not taken into trim between 3 and 3-30 A.M. on the morning of the collision. We burn cocoanut oil. The wicks were round wicks in the lamps, the lamps have screws, the wicks are straight and flat. The wicks were not round, and there was one wick in each lamp. The least quantity of oil which the lamp would hold would be three quarters of a seer; when full, it would hold one seer. Our boats were abreast of the mizzenmast between the rigging and the masts; they were on iron davits hanging on the side. We only had one boat in the davits on the port side. There are davits on the starboard side, but no boat was there. We had two boats altogether. One boat was placed upside down on two pieces of wood on the starboard side of the poop. I cannot give you the length of that boat. The forward davits on the starboard side was abreast of the mizzenmast. There was no time to get the starboard boat out before the collision. If I were sailing in my vessel at two knots an hour, I would ring my bell in a fog, if I heard another vessel's fog horn. Our barque steers with chains and a wheel. I looked into the compass before the helm was put hard-a-port. Soon after I looked at the compass, I put the helm hard-a-port. There was only one compass on board our deck. I looked at the compass after the helm had been put hard up, from two to five minutes. She was then steering west-½-north. When I saw the steamer coming, I put my helm hard-a-port, and let go all the cross-head sails forward. I hauled all the head sails down, and waited for 2 or 3 minutes for my ship to turn, but she did not. The khalasis hauled the head sails down from my orders.

To Commander Hooper.—Three minutes after I hauled them down I hauled them up again, every one of them, quickly. I saw the compass after that, she was heading west. She had come from west-½-north to west in 3 minutes. Then I hauled down the mizzen top sails. The helm then was hard-a-starboard. As my vessel did not turn to starboard. I tried to see if she would turn to port. I hauled the main sail up and checked in the main yard. As I kept the helm on the port side, the steamer was then about half or three-quarters of a mile: we did nothing more after that to the sails except tell the men to shout out: I was calling out and looking at the compass too. I said by guess yesterday that the steamer was steering south 22° ½ east. No one told me this. I made this guess by looking at my compass and at the position of the steamer then. At the time that the Captain turned the vessel from off Pigeon Island, the Captain said that he had got 25 fathoms. We were about 10 miles off the Pigeon Island when the collision took place.

To the President.—I know the rule of the road for avoiding collisions at sea. It is not the correct rule for a sailing vessel to attempt to alter her course when three-fourths of a mile off a steamer, so as to avoid a collision.

The Captain or the mate of the other steamer might have been drunk or asleep at the time, and I did so only to save myself. This was before the bells were rung. I rang the bell about 8 or 10 minutes after I altered my course. I altered my course to avoid a collision; about 8 or 10 minutes after I rang the bell. The Captain was on deck when I was giving all these orders. He gave these orders to me direct.

To Mr. Edwards.—While I was on duty I was walking up and down. There was plenty of time for us to light the side lights after we had first seen the steamer's mast head light, and to have drawn the attention of the steamer to our lights. At the time when I first saw the steamer's hull, there was sufficient time for the steamer then to have got out of my way.

To Mr. Leith.—On that night, considering the weather, I could not have seen a vessel without lights more than quarter of a mile off.

After the collision the people on board the steamer did everything that was required to save and assist us.

To Mr. Pugh.—I hauled down the head sails before I cleared the boats. It took me altogether 5 minutes.

The enquiry is adjourned to this day four weeks to enable the witnesses belonging to the barque to be subpœnaed from Cochin.

20*th January* 1898. W. A. Bonnaud.

Enquiry re-opened this 26th day of February 1898 at noon.

Trailokhya Nath Goswami, on solemn affirmation.—I am the Chief Clerk and Interpreter in the Court of the Chief Presidency Magistrate, Calcutta, Southern Division. In pursuance of orders issued by the Chief Presidency Magistrate, I prepared summonses for Esar Oomar, Master of the *Amanath Rohoman*, Kunhi Marakar, the serang, and Amuna Esna Haji, seacunny, Ebrahim, lascar, and Bara Kadir, aft "look-out" man. These summonses were signed by the Chief Presidency Magistrate and despatched per registered post to the address of the Assistant Resident at Cochin. The post office receipt is filed in the Magistrate's office, and there has been no return of service of summonses; and no communication has been sent by the Assistant Resident.

26*th February* 1898. Trailokhya Nath Goswami.

Esar Oomar, on solemn affirmation.—I was the Captain of the barque *Amanath Rohoman*. I remember the collision which occurred between the two vessels at quarter and half-past three on the 29th of November 1897. I was relieved at 12 o'clock at night. I was on watch from 6 P.M. to midnight that night. The Chief Officer, namely, the witness Syed Hossein Bin Sagaff, relieved me. The side-lights of my vessel were all right. They were lit at 6 P.M. There were two lights, one green and one red; they were newly bought. They were bought before I went on board. I joined the vessel on the 26th September at Cochin. I hold a Captain's certificate which was granted to me at Bombay; that was lost when my vessel went down. It was a certificate of competency as a Captain. It was an Indian Home Trade Certificate. When I was relieved, I went to sleep in my cabin on deck under the poop. The weather was clear; there was very little wind, and the sea was calm. The current was very slight towards the south. I gave the Chief mate the west course before I turned in. The next thing that I heard was a noise that a vessel was coming close to us, and I woke up and I saw a vessel (a steamer) about a mile off which coming straight on to us. I saw a red light as well as a white light on top, but I did not see the green light. We were heading towards the west, and the other vessel was coming straight on to us. If the vessel came right on to us, I could see all its three lights; but if she came at an angle, I could not see all the three lights. I then ordered the serang to wake up all the men. I also gave orders to shout out and to ring the bell and to clear the boats. I further gave orders to the mate to keep the vessel steady: there was no wind, and the vessel did not answer her helm. I gave orders to the mate to steer with the wind, but there was no wind, and the vessel did not move. The yards were turned to port as the wind was north-north-west: all the sails were set. We were close hauled on the starboard tack. The steamer could see only one of our lights, the green light on the starboard side. The green light was situated exactly between the mizzen and mainmast, outside the rail between stanchions about three or four feet above the deck, and above 15 or 16 feet above the water. On that night our green light would be visible about 4 or 5 miles as it was a clear night. When I gave orders to the men to shout out and ring the bells, they did so. There were no torches ready, and I could not find any fog horns or any other means of attracting the attention, as they were all in the store-room. The steamer struck us between the fore and the main mast. About 5 minutes after I saw the steamer she struck us. I did not see her alter her course; she kept on her course. The steamer was then proceeding about 8 or 9 knots an hour by guess. I could not say if she was going at 12 knots.

I said by guess only that the steamer was a mile off when I first saw. I did not buy the lamps. I only joined the vessel in September 1897. I was examined at Tellicherry, and the Port Officer made a mistake when he put down that I had bought the side-lights three months ago. I stated that I had only joined the vessel for three months. I had no trouble with these lights. They were changed by the Chief Officer after my watch was over, but before I went below. After the steamer struck us, I was thrown into the water, and I remained in the water for about 40 or 45 minutes. Our vessel sank three minutes after she was struck. I did not see any of our men climb up the steamer, but when I went on board the steamer, I saw them. All our men were shouting out from the rigging before the steamer struck us. I did not hear anything that we had no lights. I had no talk with the Captain of the steamer or with anyone else. I was on board the steamer for three or four days, but I had no talk with the Captain or with

any of the officers. I had only one cloth on me, and therefore I could not go before them. I did not hear at all that there was any suggestion that we had no lights. Nobody told me up to the present moment that there were no lights on our vessel. I have never heard it suggested that the collision occurred on account of the absence of our lights. I cannot offer any suggestion as to why the accident occurred, as these collisions very often occur; they even occur between steamers. I had no time to lower the boats. I told the men to lower them; but before this could be done, the vessel sank. There were 26 men altogether on board our boat; 23 of them were saved, and 3 were drowned, namely, seacunny Ali Kooty, Kadir Kooty, and a boy. I was picked by a boat from the steamer; so were all the others. I never heard that any of our men climbed from our vessel on to the steamer after the collision. Everything that could be done by the Captain and Officers of the steamer to save our lives was done. One of the boats came first, and I asked to be picked up, but was told that the boat was too full. I did hear afterwards that two or three men climbed from our vessel on to the steamer.

To Captain Lardner.—The fog-horn we had on board was a mouth fog-horn. I cannot say if the Chief Mate knew if this fog-horn was on board, but we were all new to the vessel. The fog-horn was kept in the Cassub's charge. The side-lights were three feet from the side rail; the vessel had a poop deck and a main deck. It would be about 7 or 8 steps by guess from the poop deck to the main deck; the side-lights were situated a little abaft the steps, but they were on the rails and not on the poop. The rail is fitted on the deck; the rails on which the lights were situated were on a different deck, I mean the main deck on which the men work. If I am close up to the fore-end of the poop, I cannot see our side-lights unless I peep over. I can see the lights from the poop deck, but I often go on the main deck to look at them. The order to lower our boats was given within one or two minutes before the collision. I had two boats on board when I left Cochin. One of them was in the davits, the port one; the starboard one was on skids on the main deck, abaft the main mast. There was no purdah on the starboard side on the night of the collision, nor any clothes which would hide the green light from view. There are two men placed on the forecastle head to keep a look-out, and one man remains at the bell, and the seacunny. There are only two men placed specially to keep a look-out and they are the men on the forecastle head. The ship was steering by the wind up to the time of collision. Just before the collision, I ordered the helm to be put hard-up. This was about two minutes before the collision. The helm was put hard-up, but she would not answer it; and just before the collision, nothing was done with the yards. The main yards were not hauled round previous to the collision. I did not see any head sails hauled down. As there was no wind, and there was no use to do so. I do not know whether the Chief Mate hauled them down, but I gave no orders to do so. When I came up, I gave orders to put the helm hard-up and looked at the lights, and saw that they were all right. We burn cocoanut oil in the side-lights. They are big lights; I cannot say how much oil they burn; the wicks are flat and thick. When we want to trim the wicks, we prick them up, but do not turn them up with a screw. I can only talk of one pair of side-lights, as I have not seen the others. I cannot say if the pair of lamps, about the wicks of which I spoke of just now, were the ones which were fitted on the sides at the time of the collision. There was only one pair of new lamps, but I cannot say which pair were burning when the vessel sank. I also saw the lamps being changed from a distance, but I cannot say whether the old or the new pair were burning when the collision occurred. I told the Port Officer at Tellicherry that the lamps we had when the collision occurred, were good ones and not new ones. I cannot say whether the wicks I have spoken about belong to the new or to the other side-lights. The old side-lights would be a little smaller than the big ones; but I cannot say if they gave less lights. The lamp-lighter would be able to answer this question. I see the lights burning at night time. I am quite sure I cannot say which pair of side-lights the wicks I have spoken of belong to. I sometimes see the wicks with the lamp-lighter and, therefore, I have described those I have seen. The owners generally buy these wicks, but I have never bought them. The new pair of side-lights are usually put out to burn the whole night; when these lights are taken in to be trimmed, no other lights are substituted; why should be? The spare pair is never in proper order; they are not used, and the lamps which are put on the sides are removed for the purpose of trimming their wicks or putting oil in them; and they are put back in their places as soon as they are trimmed and lit.

To Commander Hooper.—I have seen the four lamps at the same time when the Cassub took them out to clean. I may have seen them within a month before the collision. I saw them after leaving Colombo, which was less than a month. When I went below at 12 o'clock that night, the vessel was not keeping on her course, as the wind was blowing north-north-west, and she was going west. She was not always on the west course; she was breaking occasionally to starboard or port at a time. She was going at the most half a knot an hour. When there is no wind, and the ship does not at all steer, she would go round to the extent of two points, but not three. The Captain asked me once or twice if I had enough food and drink, and I said I had.

After I left Cochin, I had five or six big dubbers or casks of cocoanut oil.

I know the boxes in which our side-lights are carried; they were fitted to the vessel; they were stationary.

To Mr. Pugh.—I saw two or four other steamers that night to and from Bombay. I signed no papers at Colombo. I landed some cargo there. I did sign a paper in Colombo, in which the number of men I had on board was mentioned. I do not remember before whom I signed it.

F. E. Umur.

W. A. Bonnaud.

Explained by me,
Trailokhya Nath Goswami,
Interpreter.

The 26th February 1898.

Adjourned to Tuesday next, the 1st March 1898.

The 26th February 1898. W. A. Bonnaud.

Enquiry resumed this 1st day of March 1898 at noon.

Amunji Isaji, on solemn affirmation.—I was the seacunny of the barque *Amanath Rohoman*. I am 20 years of age. My father's name is Esa Oomur, he was the Captain of the barque and the last witness. At 2 A.M. on the morning that the barque went down, I went to the wheel. I relieved Ali Kooty, who was drowned. My instructions were to steer west. The weather was clear that morning; the sea was calm; there was a very slight wind blowing from north-north-west. All the sails were set, and the vessel was moving very slowly, about half a knot an hour. When I had been 7 or 8 minutes at the wheel, the forward look-out man shouted out loud that he had seen a light on our starboard bow. Thereupon the Chief Officer called out to the man on the watch, whose duty it was to ring the bell (I do not know this man's name), and said that the forward "look-out" man had reported having seen a light, and he told the man on the watch (he was a lascar) to examine the lights on our side. The Mate at the time was walking up and down near the wheel, where I was steering. After the man on the watch said that the lights were burning well, the Chief Officer also went and saw the lights. I was working on the barque for two months. The forward "look-out" man on former occasions had reported vessels that he had seen. On those occasions, also, the Chief Officer used to order the man on the watch to examine our lights. He would be doubtful as to whether the lights were good or not. They would burn well, but still it was his practice to ask the man to look at the lights. After 2-30 A.M., the Chief Officer gave me orders to put the helm hard-up. This was about a little less than half an hour after the lights of the vessel were observed. I was ordered to put the helm hard-a-starboard. The wind was blowing slightly north-north-west when I starboarded. We waited for 8 or 10 minutes, as the ship would not answer her helm. I got orders to put the helm to port. For three or four minutes the vessel would not answer her helm. I then got orders to starboard her helm. In the meantime the other vessel came close to us; then the Chief Officer shouted out aloud to wake up the Captain and all hands on board who were asleep. These lights we saw were a steamer's lights. The steamer was about a mile or a mile and-a-half off when the Chief Officer gave orders to wake up the Captain. I did not see the Captain come on deck, but I saw him standing on the starboard side and shouting out aloud to the Chief Officer to say that our lights were burning well, and how it was the people on board the steamer did not see our lights. The Captain then told the Chief Officer to keep the helm hard-a-starboard where it then was. The Chief Officer was standing near me; he was looking at the compass and at the wheel; the vessel would not even then answer her helm. Then the steamer came much nearer us: she was keeping on her course. The Captain then called out to the Serang directing all hands on board to shout out, and also to ring the bell. All the men were shouting out and the bell was being rung when the steamer collided with us. I do not know if the Captain besides giving these orders did anything himself. I only heard his voice when he was giving these orders. I did not state to the Tellicherry Officer that the Captain let go the spanker sheet; I did not say anything as I was at the wheel. I know what a spanker sheet is, but I did not see it. I did not say to the Port Officer of Tellicherry that the "Captain then let go the spanker sheet but it was of no use as there was no wind." If the Captain did let go the spanker sheet, I would have seen it. I now say that he never touched the spanker sheet. I did not see the Captain. I only heard his voice from the forepart of the vessel near the light. The starboard side-light is situated between the main and the mizzenmasts; it was from there that the voice came. The Captain and the other people on board were shouting out, "This is a vessel, this is a vessel look at the lights." I did not hear any shouts on board the steamer.

When the steamer struck our vessel, I left the helm, and went near the boat of my vessel on the port side. I was going to cut the belly-bands when the stern of our vessel went down, and I was thrown into the water, and I caught hold of a cask till I was picked up. I was about 20 or

25 minutes. I was picked up before my father I did not see Ali Kooty or any one of the men who were drowned. I saw the boy afterwards; he was dead. I did not see Kadir. In my presence the question of our having no lights was never discussed on the steamer. I would see our lights occasionally when the lamp-lighter used to clean them. I never saw the inside of the lights. I do not know positively what oil is burnt in those lamps. I could see our lights, but I did not see them. After 19 of us were picked up and taken by the steamer's boat, I saw four men on board the steamer who said that they had come on board the steamer from the rigging of our vessel. I cannot say how the Port Officer came to put down about the spanker sheet; I never told him anything about it. I have seen the side-lights taken in and others substituted when the lights have gone out. I do not remember how many times the side-lights were substituted when they went out. During the two months I was on the vessel, only occasionally I have seen this. Lamps of the same kind used to be substituted. There were two sets of lamps on board. No substitution took place on the night of the accident from the time I came at the wheel.

To Commander Hooper.—The steering gear was abaft the mizzenmast. I know the mizzen trysail. I could see it all the time I was steering; it was flapping about because there was no wind. I could say if we were too close to the wind by the sail flapping about. I occasionally let her go off two or three degrees to keep the sails full. I was steering partly by the wind and partly by the compass. North-north-west is nine degrees. This is west by south; it is 4½ degrees. West by north is 4½ degrees. I do not know courses in degrees, but it is always given in points. They did not heave the log when I was at the wheel. When I said that my vessel was going one knot an hour, it was by guess. There were two lights in the binnacle of my vessel. I did not see the light of the steamer when it was reported. When she came nearer us about 3½ or 4 miles off, I saw her lights both the red and the white lights. I saw them both at the same time. I did not see our lights at any time. I could not leave the helm to see how fast she was going. There are two men on the look-out of our vessel, but I did not see them. I cannot say whether they were there that night. I saw two or three men near the Port boat after the collision but it was dark for me to recognize who they were. They were also trying to clear away the boats. Some of them were untying the belly-bands and trying to clear the boats; but they could not clear them, as in two or three minutes the vessel went down. It would have taken ten minutes to half an hour to clear the boats. I did not hear any order given to clear the boat away. From the wheel I could see that there were men near the boats, but I could not recognize them. I went there myself afterwards. About three or four minutes before the collision I saw men near the boats.

To Captain Lardner.—There is a house with a passage around it on the after-deck. It is about four feet high; there were three steps leading to it. I can see over the house standing at the wheel steering, but not a long distance. My view would extend the length of the vessel. The spanker was bent to a boom, and the sheet was made fast to the quarter; that would be nearly abreast to where I was steering, so that if any one let the sheet go, I must have seen it. The cassab has charge of the side-lights: when the lights require trimming at night the cassab is woke up to trim them. On the night of the accident I did not see the cassab trim the lights from the time I came on watch at 2 A.M. I was asleep at 12 o'clock. I was not all along on the Chief Officer's watch. The collision took place about 3-15 or 3-30 A.M., and I went at the wheel at 2 A.M., and about 8 minutes past 2 A.M., the steamer's lights were reported by the forward look-out; so that the look-out man and Chief Officer were seeing the lights for one hour and seven minutes. At the time that I put the helm hard-a-port, I did not hear of any sails hoisted or hauled down. The yards at that time were braced up at the starboard tack, and during the whole time I was at the wheel, they were not squared in. I heard six bells struck at 3 A.M. I did not hear seven bells struck. The man who rings the bell examines the lights, and reports to the Chief Officer whether the lights were burning or not. I heard the man report to the Chief Officer at 3 A.M. that the lights were burning brightly. I cannot say whether he had examined them or not. I could not see our side-lights from the wheel. During the day I could see the look-out man occasionally on the forecastle head, but not at night. During the day there is one man on the look-out, but during the night there are two in fine or foggy weather.

To Mr. Pugh.—I do not know the names of the four men who got to the steamer from our riggings.

Amunji Isaji.

Explained by me,

Troilokya Nath Goswami,
Interpreter.

Enquiry closed.

W. A. Bonnaud,
Offg. Chief Presidency Magistrate.

The 1st March 1898.

REPORT.

The finding of the Court as to the cause of the Collision between the S.S "Nawab" and the Barque "Amanath Rohoman," and the subsequent sinking of the latter vessel off the Malabar Coast on the 29th of November 1897.

The S.S. *Nawab* was on a voyage from Bombay to Colombo, calling at certain ports *en route*, and on the 29th of November 1897, she was about 10 miles west of Pigeon Island, steering a course of south 22° east true.

The barque was on a voyage from Colombo to Bombay; and between 3 and 4 A.M. of the 29th of November 1897 was also about 10 miles west of Pigeon Island close hauled on the starboard tack, with all sail set, and making a course to the westward. The collision occurred between 3-20 and 3-25 A.M. on the 29th of November 1897.

The S.S. *Nawab* struck the barque on her starboard side between the fore and main masts; the latter vessel sunk two or three minutes after the collision and three of the men on board of her were drowned.

After a careful consideration of the entire evidence, the Court is of opinion—

(i) That on the night in question, the weather was fine but not clear: the sea fairly smooth, and the wind light from north-north-west.

(ii) That the watch on board the barque were aware of the proximity of the steamer, but up to a short time of the collision did not realize that there was much danger. When they did realize this fact, an attempt was made to alter the course of the barque by manœuvring the sails and putting the helm from one side to the other. Finding the steamer rapidly approaching, the Mate called the Captain, who was asleep in his cabin. When the Captain came on deck, he had all hands turned out, giving them orders to shout and ring the bell with the object of attracting the steamer's attention; these efforts, however, though heard by those on board the *Nawab*, were made too late to prevent a collision.

(iii) That on board the *Nawab*, the 2nd Officer, who was on watch from midnight to 4 A.M., having called the Captain about 3 A.M., was probably well on the alert, and his attention would be specially directed to the port side on account of Pigeon Island, as his orders were to look out for it. That the Captain of the *Nawab* was on deck between 3 and 3-30 A.M., and had a careful look round. That the "look-out" man forward was awake at 3 A.M., and, as far as can be ascertained, was keeping a good look-out up to the time of the collision. That when the officer on watch did see the barque, he acted promptly in porting his helm and reversing his engines. That the Captain came on the bridge the moment he heard the telegraph bell ring, and the steering engine in rapid motion; and finding a collision inevitable gave such further orders as the occasion demanded. The principal points on this enquiry are:—

(1) How was it that the light of the barque was not seen by those on board the steamer?
(2) Were the lights of the barque and the position from which they were shown such as are required by the Board of Trade Regulations?
(3) Was everything done to avoid a collision by both vessels?
(4) Was everything done after the collision to save life?

As regards the last of these points, the evidence on both sides shows that proper steps were taken by the crew of the *Nawab*; but that the danger was realized too late by those on board the barque to enable them to clear away their boats before the vessel sank.

On the 3rd point.—As regards the *Nawab*: assuming that the lights of the barque were not visible, the evidence shows that the night was not one on which the hull or sails of a vessel could be seen very far. That when the barque was seen she was almost right ahead of the *Nawab*, and that the officer on watch not being able to see which way she was steering, was justified, under the circumstances, in putting his helm to port and the engines "full speed astern."

As regards the barque: finding that the vessel was approaching a steamer's track and that the steamer was not aware of the barque's position, a flare up might have been burnt, or the fog-horn sounded to attract attention.

On the 2nd point the evidence is most conflicting. The Mate says that when he came on deck at midnight, although he found that the lamps were burning brightly, he ordered them to be taken in at 10 minutes past 12 o'clock to be trimmed and filled with oil, and others substituted while this was being done. The Captain says that though were there two pairs of side-lights, there was never any subtitution, because the second pair were not in proper order. Both the Master and Mate say that cocoanut oil was burnt in the lamps, but the former maintains that the wicks were picked up with a pair of scissors, while the latter asserts that the wicks were adjusted with a screw. The seacunny in his evidence says that the lamps were only taken in to be trimmed if they went out.

The Court doubts if the lamps were fitted for burning cocoanut oil, but in any case, they know from experience that cocoanut oil does not give a good light, and that the smoke often causes the glass to be dimmed.

Again, the position given by the witnesses of the barque for the side-lights does not appear to have been a good one; it was high up above the rail, and situated between the main and mizzenmast, and must therefore have been more or less shut out by the mainsail and foresail.

On the 1st point: it is possible that the green light of the barque, supposing it to have been burning brightly, was from its position in regard to the mainsail, shut out from the view of those on board the *Nawab*, as the last order given by the Mate of the barque was to check in the main yard.

It is also possible that the green light of the barque may have been so bad a light that on the night in question, which was not a clear one, it could only be seen for a very short distance.

In conclusion, the Court is of opinion that the *Nawab* was being navigated with all due care; that her lights were burning brightly, and that the officer on watch did all that could be done to avoid a collision. That the boats were promptly despatched after the collision, and that everything was done for the purpose of saving life.

As to the causes of collision, the Court is of opinion that they were due to the lights of the barque not being placed in a good position; to their being defective as to their illuminating powers; and furthermore to their being obstructed to the view of the *Nawab* by the manœuvring of the barque.

W. A. Bonnaud,
Offg. Chief Presidency Magistrate.

H. B. Hooper,
Commander, R.I.M.

The 16th March 1898.

D. S. Lardner,
Master Mariner.

From the Presidency Port Officer, dated 25th May 1898, No. 1261/189 G.
" " " " 1st June " " 1261/195 G.
" " " " 11th " " " 1261/206 G.

Order.—No. 538, Marine, dated 24th June 1898.

In his letter, No. 1261/427 G., dated 1st December 1897, the Presidency Port Officer reported that the barque *Amanath Rahiman* of Cochin, while on a voyage from Colombo to Bombay, was run down and sunk, on the morning of the 29th November 1897, by the Asiatic Steam Navigation Company's steamer *Nawab*, in the vicinity of Pigeon Island on the Malabar coast. A preliminary enquiry was held at Tellicherry by the Port officer, whose report disclosed the necessity for a formal enquiry under section 7 of Act V of 1883 as amended by section 10 of Act VI of 1891; and, at the request of Messrs. Wilson & Co., the agents for the *Nawab*, the Bengal Government was asked to summon a court at Calcutta whither the vessel was proceeding.

2. The Court of Enquiry consisting of the Officiating Presidency Magistrate as President, and two Marine officers, as members, was formed accordingly, and assembled for the examination of witnesses on the 17th January 1898. It brought its proceedings to a close on the 1st March 1898.

3. The result of the enquiry is embodied in the report forwarded with letter from the Government of Bengal, No. 770, Marine, dated 7th April 1898.

4. The Court arrived at the conclusion that the collision was due to the lights of the native barque not being placed in a good position, to their defective illuminating power, and to their view being possibly obstructed by the manœuvring of the barque while endeavouring to escape the impact of the *Nawab*.

5. It would appear that the watch on board the barque were aware of the proximity of the steamer, but up to a short time before the collision, did not realize the danger. When this became apparent, an attempt was made to alter the course of the barque and to attract the attention of the *Nawab* by shouts and the ringing of the ship's bell; but too late to prevent the collision.

6. The watch on board the *Nawab* was efficient. When the barque was sighted all possible measures were taken by the officers of the steamer to prevent the collision; and after its occurrence everything possible was done to save life. The barque sunk

two or three minutes after she was struck, and three of the men on board of her were drowned. The survivors, picked up by the *Nawab's* boats and otherwise, numbered 23. One dead body also was recovered.

7. As to the defective illuminating power of the barque's lights, the Presidency Port Officer reports, on the information of the Port officer, Cochin, that the lamps were fitted to burn cocoanut oil, a point on which the Court expresses some doubt, but that it is quite possible that the trimming of the lights was neglected by the crew. As regards the position of the lights, the Presidency Port Officer reports, on the same authority, that the wooden screens were in a proper position and points out that Inspectors of lights are guided in such matters by the Regulations for preventing collisions at sea, in which the exact position of side lights is not prescribed. The Board of Trade, however, in a circular dated September 1896, recommend their surveyors to see that the side lights of all vessels of 200 tons and over are "carried well forward of the midship section of the ship." Inspectors of lights appointed under section 81 of Act VII of 1880 will be similarly instructed, as recommended by the Presidency Port Officer.

8. The Presidency Port Officer considers that the finding of the Court on the position and defective illuminating power of the side lights was based on very meagre evidence. The finding with regard to the former was based on the Captain's evidence, who states that "the green light was situated exactly between the mizzen and main mast," and on the Chief Mate's, who says, "the side lights were situated nearer the mizzen mast than the main mast." This seems to show that the lights were *not* in the best position, and the instruction above proposed is evidently needed.

(True Extract.)

(Signed) W. B. deWINTON,
Secretary to Government.

To the Presidency Port Officer, with Instructions to Surveyors.
" Messrs. Wilson & Co.
" Messrs. Orr, Robertson & Burton, Solicitors to the owners of the barque *Amanath Rahiman*, Calcutta.

Exd. T. K. Narayana Aiyangar.

Marine Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following again

G.O. No. 988 Marine dated 6th December 1897.
" 1005 Marine " 9th December 1897.
" 1019-20-21 Marine " 11th December 1897.
" 1024-25 Marine " 13th December 1897.
" 1045 Marine " 18th December 1897.
" 14 Marine " 8th January 1898.
" 15 Marine " 13th January 1898.
No. 29 M dated 15th January 1898.
" 34 M dated 17th January 1898.
G.O. Nos. 36-37 Marine dated 18th May 1898.
No. 44 M dated 21st May 1898.
G.O. No. 71 Marine dated 25th January 1898.
" 72 Marine dated 25th January 1898.
" 76 Marine dated 27th January 1898.
" 81 Marine dated 28th January 1898.
No. 294 M dated 27th May 1898.

Letter from the Government of Bengal, No. 770 Marine dated 7.4.98.

Current Nos. 696, 722 & 780.

1. In his letter No. 1261/427 G dated 1st December 1897, the Presidency Port Officer reported that the barque "Amanath Rahiman" of Cochin, while on a voyage from Colombo to Bombay, was run down and sunk on the morning of the 29th November 1897 by the Asiatic Steam Navigation Company's steamer "Nawab", in the vicinity of Pigeon Island on the Malabar coast. A preliminary enquiry was held at Tellicherry by

[P. W. 40. 1,000—28-2-97.]

by the Port Officer, whose report disclosed the necessity for a formal enquiry under Section 7 of Act V of 1883 as amended by Section 10 of Act VI of 1891, and at the request of Messrs. Wilson & Co, the Agents for the "Nawab," the Bengal Government was asked to summon a Court at Calcutta whither the vessel was proceeding.

Flag C

2. The Court of Enquiry was consisting of the Officiating Presidency Magistrate as President, and two Marine officers, as members, was formed accordingly, and assembled for the examination of witnesses on the 17th January 1898. It brought its Proceedings to a close on the 1st March 1898.

3. The result of the enquiry is embodied in the report forwarded with letter from the Government of Bengal No. 770 Marine dated 7th April 1898.

4 The Court arrived at the conclusion that the collision was due to the lights of the native barque not being placed in a good position, to their defective illuminating power, and to their view possibly being obstructed by the manoeuvering of the barque while endeavouring to escape the impact of the "Nawab".

5. It would appear that the watch on board the barque were aware of the proximity of the steamer, but up to a short time before the collision, did not realise the danger. When this became apparent, an attempt was made to alter the course of the barque and to attract the attention of the "Nawab" by shouts and the ringing of the ship's bell, but too late to prevent the collision.

6. The watch on board the "Nawab" was efficient. When the barque was sighted all possible measures were taken by the officers of the steamer to prevent the collision; and -- after its occurrence everything possible was done to save life. The barque sunk two or three minutes after she was struck, and three of the men on board of her were drowned. The survivors picked up by the Nawab's -- boats and otherwise numbered 23. One dead body also was recovered.

7. As to the defective illuminating power of the barque's lights, the Presidency Port officer reports, on the information of the Port officer, Cochin, that the lamps were fitted to -- burn cocoanut oil, a point on which the Court expresses some doubt, but that it is quite possible that the trimming of the lights was neglected by the crew. As regards the position of the side and mast head lights, the Presidency

Nawanita str. should not carry a head light

reports in the same sailing that the wooden screens here in a former position and

Telag G

Presidency Port officer points out that Inspectors of lights are in such matters guided by the Regulations for preventing collisions at sea, in which the exact position of side lights is not prescribed. The Board of Trade however in a Circular dated September 1896 recommend their surveyors to see that the side lights of all vessels of 200 tons and over are "carried well forward of the midship section of the ship". Inspectors of lights appointed under section 81 of Act VII of 1880 will be similarly instructed as recommended by the Presidency Port Officer.

N.B. The C.C.O remarks that the finding of the Court in the position & effective illuminating power of the side light has based in very meagre evidence - the finding in the 4th para in the former has based on the Captains' evidence who state that "the green light was situated exactly between the riggers a mainmast" & on the Chief Mate who says "the side light were situated where the riggers of the mainmast". This seems to show that

the light / screen were not in the proper position, & the instruction above mentioned is evident

22.C.C

The Presidency Port Officer.

with Instructions to Survey

Messrs. Wilson & Co.

Orr, Robertson & Burton,
Solicitors to the Owners
of the barque "Amanath
Rahiman."
Calcutta.

Proceedings of a Court of Enquiry held, under section 7 of Act V of 1883 (The Indian Merchant Shipping Act) as amended by Act VI of 1891, at the instance of the Government of Bengal, for the purpose of making an investigation into the cause of the sinking of the barque "Amanath Rohoman" in collision with the S.S. "Nawab" on the Malabar Coast on the 29th November 1897.

PORT OFFICE, CALCUTTA.

The 17th January 1898.

PRESENT:

W. A. BONNAUD, Esq., Officiating Chief Presidency Magistrate, Calcutta ... ... *President.*
COMMANDER H. B. HOOPER, R.I.M. ... ... } *Members.*
D. S. LARDNER, Esq., Master Mariner ... ... }

MR. G. LEITH, Deputy Legal Remembrancer, represents the Government.

THE President read the Resolution, dated the 30th of December 1897, from the Government of Bengal, which is put in and marked A.

Mr. Edwards, of the firm of Messrs. Orr, Robertson and Burton, Attorneys-at-law, who represent the owners of the barque *Amanath Rohoman*, at this stage of the proceedings raised the question of jurisdiction to this Court holding the enquiry, on the ground that the Government of Bengal have no power to direct such an inquiry, as the wreck occurred off the West Coast, and the preliminary inquiry was held at Tellicherry without the jurisdiction of this Government.

Mr. Leith, the Deputy Legal Remembrancer, contends that this Court cannot go behind the orders of this Local Government. The Merchant Shipping Act of 1854 has no application to this inquiry, and that, if any doubt originally existed, the amendment of sub-section I of section 7 of Act V of 1883 by section 10 of Act VI of 1891 makes the matter perfectly clear that this Local Government has power to order this inquiry.

The Court is of opinion that the inquiry must be proceeded with, as this Court has no power to go behind the orders of Government of Bengal, and furthermore agree with the view of the Deputy Legal Remembrancer that the inquiry is one which the Local Government is, under the present law, fully justified in ordering. If any objection be made with regard to this Court's jurisdiction to hold this inquiry, such objection should be made to the Local Government.

James Mathew Wood, on oath.—I am the 2nd Officer of the *Nawab*. I hold a 2nd Mate's certificate. I have held it for seven years. I have been at sea for 10 years. I came on watch at midnight on the 28th of November last. I took over charge from the 3rd Officer, Mr. Maclennan. The orders he gave me were to keep a look-out for Pigeon Island for any vessel that might be sighted. He gave me the course S. 22° E. He gave me no further orders that I recollect. It was fine weather, but slightly cloudy. The sea was smooth, and light airs prevailed; there was no moon; it had not risen; there were a few stars, no thunder. I saw nothing when I took charge of the bridge. I saw our lights burning. A native seacunny, this man Govin Buddia, was the seacunny who took the wheel at two o'clock. No one else except myself and this seacunny were then on the bridge. We had a look-out forward; this is the man, Mukun Bhana. (Witness identifies both these men.)

Between 2-30 and 3 A.M. I saw a steamer's light. It was the mast-head light and port side-light. She was directing her course towards the north, and passed about two miles off. The next thing I saw was the sails of a vessel; this was about 3-30 A.M. I saw these sails right ahead, both on the port and starboard bows. I judged them to be about 50 to 100 yards from my bows. The weather then was the same as it had been all along. The height of our bridge from the water was about 30 feet. I shouted to the seacunny of the *Nawab* to port her helm hard-a-port. I rung the telegraph "Stop full speed astern." I ported my helm, because it is the regulation to do so for steamers meeting; this was not a steamer, but not knowing which way the other vessel which was showing the sails was going, I followed the ordinary rule. After porting my helm hard-a-port, I reached her in about two minutes, and we ran into her about midships The vessel we struck was a barque. I do not know her name. I do not remember it, though I have heard it. We were at right angles to her when we struck her. I saw afterwards that we struck her on the starboard side. The "look-out" gave me intimation of the steamer I sighted about 2-30 or 3 A.M. He gave me no further information of anything being in sight up to the collision. At the moment of collision I was at the "telegraph" a little to the starboard side of amidships. I gave no further orders. The Captain came on the bridge and took charge. He was on the bridge before we actually struck. After the collision the first order I heard was given to me it was to call the 1st Officer. I met him on the saloon deck below the bridge, and I told him to go to the Captain. I returned to the bridge with the Chief Mate, and the Captain told him to lower away the boats. Afterwards he sent me to help. I helped to get away the port quarter boat; she went away. I then

helped to clear away the gig; she went away also. I then started to clear away the starboard quarter boat. The order for her was countermanded. I then returned to the bridge. About two minutes after we struck the barque, she sank. I heard confused shouting on board the barque about one and-a-half minutes before we struck her. The port helm I had given my vessel did not appear to me to have altered her course. I remained on the bridge till I was relieved between half past 4 or 5 A.M. In the ordinary course I would have been relieved at 4 A.M. I saw no lights on board the barque. Immediately before I saw the sails of the barque, I had been looking out for Pigeon Island. My attention was directed from right ahead to the port beam. I think the barque was under full sail when we struck her. I would not have expected to have seen the barque further than I did, having regard to the weather, if she had no lights. When I first went on watch at midnight, I saw a steamer's stern light little on the starboard bow ; it was in sight the whole of the watch up to the time of collision.

To the President.—The hull or the sails of any sailing vessel would not have shown up at a greater distance than about 50 to 100 yards, and, therefore, I would not have expected to sight this barque, as it was a dark night.

The light I saw was the stern light of a steamer, because it had been in sight the whole of the night at about the distance about three miles. If it had not been a steamer, she would not have kept in that position. I saw the steamer during the 28th of November. It belonged to the British India Steam Navigation Company ; it was the *Kangra*. The steering gear of the *Nawab* was working properly. She has a right-handed propeller. There were occasional puffs of wind. The draft of the *Nawab* that night was 11 feet 6 inches forward and 17 feet 3 inches aft. We took no cargo to alter that trim. The forecastle awning was not spread that night. The bridge I stood on was above the saloon deck.

To Mr. Edwards through the Court.—When the bells were rung from the bridge, they were answered every half hour by the forecastle head "look-out" man.

To Captain Lardner.—The vessel's side-lights were situated on a level with the bridge that I was keeping watch on, and whilst walking from side to side, I could see if the side-lights of the *Nawab* were burning brightly. The side-lights and mast-head light are electric lights. They are controlled from the deck by the Chief Officer. They never went out at any time during my watch. The seacunny heaves the lead as a rule. The "look-out" man threw the lead from the forecastle head.

To Mr. Edwards.—Before I put my engines to astern, the *Nawab* was going about 8 knots an hour as shown by the patent log. We struck the barque on her starboard side. I, after the collision, found that she was going to the west. If the barque had had lights, I would have been able to have seen them from the bridge when I first saw her. I could not say how far out of the water the barque was.

To Mr. Pugh.—I saw the barque for the first time by a flash of lightning.

To Captain Lardner.—I could not say which tack she was on, or which way she was heading whilst lightened up by the flash of lightning. I saw the men arrive in the boats, but did not count them at the time. I do not know if any wreckage fouled our propeller.

To Mr. Pugh.—The *Kangra* would have seen any lights if the barque had them. The *Kangra* was going in the same direction as the *Nawab* was. She would pass the barque about 20 minutes before we did. The first boat was lowered about 5 minutes after the order was given. The Captain was on the bridge about half a minute before the collision. I asked the Captain of the barque how many men he had on board. He called the serang, and he said that there were 26 men.

To the Court.—During my watch I left the bridge every half hour to heave the lead on the port side of the Saloon deck, the deck next to the bridge. My position was directly under the bridge; I was navigating. I was absent from the bridge on each occasion on heaving the lead from a minute to a minute and-a-half. I did not leave the bridge for anything else. When the "look-outs" are relieved, they do not come and report it to the officer on watch. When the collision occurred, life-buoys with lights attached were thrown overboard. I saw these lights burning in the water bright enough to attract anybody. I was continuously engaged in looking out for Pigeon Island, and not otherwise engaged from the time of heaving the lead at 3 A.M. till the collision occurred.

J. M. WOOD.

William Skillicorn Corran, on oath.—I am the Master of the S.S. *Nawab*. I hold a Board of Trade certificate of a Master. This is my signature to the rough deck log of the 29th of November. This is the official log of the same day. The rough deck log is put in and marked B, and the official log marked C. The signatures are respectively marked B1 and C1. On the 28th of November last, the *Nawab* was on a voyage from Bombay to Tellicherry, having left Bombay on the afternoon of the 27th of November with a general cargo. The registered tonnage of the *Nawab* is 2,041 tons.

At 3 A.M., on the 29th of November, I was called by the 2nd Officer in pursuance of orders given in the night order book. Mr. Wood called me. He reported that the Pigeon Island was not in sight. He was then in charge on the bridge. He told me the time was 3 A.M. I told him to keep a sharp look-out, and report to me when he saw the Pigeon Island. A few minutes after I was called, I got up, and went on deck from my bed in my room on the saloon deck. I went on the saloon deck and had a look round. The weather was fine,

but dark and cloudy. After looking round and seeing that everything was all right, I went to bed again. Shortly afterwards I was roused by hearing the "telegraph" and the steering gear. On hearing this I rushed up on to the upper bridge, and saw the sails of a vessel right ahead, quite close under the bow about 50 yards off. I enquired of the 2nd Officer how the helm was; he said hard-a-port and the engines were full speed astern. For a moment I could not say which way the sailing vessel was going ; as my eyes got accustomed to the darkness, I saw that the vessel was heading to the west. The *Nawab* did not appear to pay off at all, one way or the other ; she was going straight. I kept the helm to port, hoping that it would cant her head to port, but it did not have its effect, and the barque was struck amidships. I saw the indicator pointing towards port; with the engines going astern, I hoped it would cant her head to port. I heard the noise of the steering gear and the ringing of the "telegraph" both together. I was on deck before the collision about a minute and-a-half. I could see a portion of both ends of the barque when I was on the bridge. The first that I saw was her sails, and when I got accustomed to the darkness I saw her hull. When I saw the collision was imminent, the first order I gave was to clear away the boats. A few seconds after this we struck the vessel at amidships on her starboard side. We struck her at right angles. The Barque had no side lights burning. I looked specially for lights from the bridge. Just as we struck her, I got a momentary glimpse of a faint white light right aft, which I presumed was her binnacle lamp. The first boat which was the port quarter boat was in the water and away about two minutes after we struck her. The 3rd Officer, Mr. Macleon, was in charge of this boat. The gig was the next boat away, and the 4th Officer, Mr. Storey, was in charge of her.

After we struck her, it was about a minute when we came astern of her. I gave the order to stop after we were clear of the barque. The steamer's head then canted to port, bringing the barque on the *Nawab's* starboard bow, and two minutes after that the barque sank. I threw two life-buoys off the bridge myself from the starboard side towards the vessel. I thought it was more prudent to get clear of the barque, lest she might sink under my bow. After we backed out of the barque, I put the engines slow ahead and kept the helm to port with a view of keeping her close to the barque. The first boat on leaving the *Nawab* pulled along our port side towards the bow. I called out to the 3rd Officer, as he was going past, to look out that the men did not rush her and swamp her. I did not notice any of the men from the barque coming over our bow. I remained on the bridge. I threw the ordinary life-buoys with Holme's patent lights attached. They both of them burst into flame on touching the water. There was a lamp put over the *Nawab's* starboard side when the first boat returned. This was to show where the ladder of the *Nawab* was. The gig pulled across the stern; she was carried very nearly right aft. She went away across the stern to the starboard side. The first boat made two trips, and the gig made one. When the men from the barque came on board, the 2nd Officer counted them, and they numbered 23. When the first boat returned the second time, I went down on to the main deck and interviewed the Captain of the barque, and he told me that there were three men missing. After that, as the officer of the first boat after returning from her second trip, reported to me that no one else could be found, I stood by until day-light. There was not much wreckage about, only a few casks of oil, and some planks. At day-light I sent the Chief Officer away in the gig. He pulled round amongst the wreckage, and found the body of a boy. He was brought on board, and afterwards buried according to native custom. At 7-40 A.M. on the 29th of November, I proceeded full speed for Tellicherry. When we struck the barque, we were proceeding about 2 knots. We sustained no injury. When the 2nd Officer informed me that Pigeon Island was not in sight, he was not more than a second or two with me, when he again went on the bridge. Apparently, the barque had all square sails set. There were occasional flashes of sheet lightning pretty well up from the horizon. I could not give you any idea as to how far her sails would be visible on that night, as it was dark. I expected to be abeam of Pigeon Island about 3-30 A.M. I did not expect to see it, as I was steering to pass 10 miles to the westward of it. I should have expected to have struck the Pigeon Island before I saw it, had I been steering for it. Our lights were all right. All had been done that could have been done to have avoided a collision. I was quite satisfied with the way in which the boats went away and the conduct of our officers. When I was called by the 2nd Officer, and went on the deck, I saw the *Kangra's* lights.

To the President.—Pigeon Island is about 300 feet in height. On a clear night I could have seen the "Pigeon Island" about 10 miles off. It was merely a precautionary measure which was to be adopted by the 2nd Officer. On account of the current, it would have been possible to have kept the *Nawab* closer to Pigeon Island than what I wanted, and that is why I gave the order to the 2nd Officer for him not to do so, and when he informed me that the Pigeon Island was not to be seen, I concluded that the *Nawab* had made her course unaffected by the current. The barque was about 12 miles from the Pigeon Island when I struck her. The barque was crossing my bow. I saw her sails for the first time without the assistance of any lightning flash; it was too late then. The *Kangra* was about a mile and-a-half or two miles from the barque at the time. The *Kangra* was going in the same direction. I could not say how long before we struck her that the *Kangra* passed the barque.

To Captain Lardner.—The position of the *Kangra's* bright light was about half a point to a point on our starboard bow. With the barque steering to the westward, the position the *Kangra* was in when I saw her would have crossed the bows of the barque. I did not hear

the 2nd Officer heave the lead at 3 A.M. My room was on the same side of the deck, and 15 feet from where the 2nd Officer hove the ordinary deep sea lead. The flashes of lightning were occasional, but not sufficiently frequent to interfere with a good look-out being kept. There were no lights on the navigating bridge to interfere with the look-out of the officer on watch. The forward look-out is usually kept on the forecastle head. They notify to the officer in charge of the watch, when a light is in sight, by ringing once, if the light is sighted on the port side; twice, on the starboard; and three times, right ahead. I have occasionally heard these bells rung when in my cabin. On the morning of the 29th November, I did not hear any bells rung. The Captain of the barque did not give me the names of the three men who were missing. I did not see any spars fall on the barque at the time of collision. No one suggested that these missing men might have been killed by the falling spars. The light and ladder were put over on the starboard side, so that any man swimming in the water would have seen the light. The 2nd Officer told me that he saw no lights shown by the barque.

To Captain Hooper.—I calculated that the engines of the *Nawab* going astern would have reduced her speed to two knots. The officer on the watch was heaving the lead as a precaution against being set in towards the land. He had a chart available to check any soundings that he may have got. I would have got from 12 to 13 fathoms, the ship going about 8 knots. The sea was quite smooth. The same morning after the collision, when I remarked to the Captain that he had no side lights out, he stated that he had lights out. Just as I got out of my door previous to the collision, I heard voices calling out. I could not say what it was, but they appeared to me to proceed from another vessel. I thought a collision inevitable when I got on the bridge.

To Mr. Edwards.—The men were counted when they came on board. Each boat's men were counted as they came on board. The men are supposed to be relieved on the forecastle every two hours. If the engines are going full speed astern with her helm hard-a-port, and the vessel still having headway on her, it has a tendency to cant the vessel's head to port. This cannot always be depended upon. I made no entry of the conversation I had with the Captain of the barque in my official log, beyond the statement that three men were drowned.

To Mr. Pugh.—We received no damage, except slight dents on each bow.

W. S. CORRAN.

ON the enquiry being resumed to-day, the 18th of January 1898, Mr. Leith, the Deputy Legal Remembrancer, applied for summonses for those persons on board the barque who are not now in Calcutta, under section 12 of Act V of 1883, and Chapter VI of the Criminal Procedure Code, section 73. He points out that with regard to the evidence already given, it is essential that the Master of the barque be brought before the Court.

The Court are of opinion that all the witnesses who gave their evidence at the preliminary enquiry at Tellicherry should be brought before this Court, and in the exercise of its powers under section 73 of the Criminal Procedure Code, it shall summon the witnesses, whose names have been given by the Deputy Legal Remembrancer, the Government undertaking to pay such expenses for their attendance before this Court as are leviable under the Criminal Procedure Code. The enquiry shall be proceeded with in the meantime.

Hector Wallace, on oath.—I was the Chief Officer of the *Nawab* at the time of the collision. I hold a Board of Trades' Master's certificate. On the night of the 28th of November I was asleep on the port side of the Saloon deck. I was roused by cries and the sound of the engine room "telegraph" ringing. This Ibe lieve was about 3-30 A.M. I rushed to the head of the bridge ladder, and asked what was the matter. Either the master or the second officer said, "we are in collision." The Captain then told me to get the boats away. I ran on to the forecastle head to rouse the crew. I told the serang to get the crew aft and lower away the mail boat which was all ready for lowering away, with a lantern in her. The main yard of the barque was a little above the rail forward of the crane on the forecastle head. I tried to see if I could get the crew of the barque to come on board the *Nawab* by their main yard, but no one would come, and then we backed clear, and I rushed aft to look after the boats. I saw no lights on the barque of any sort or kind. It was very dark. I could not make out the men on the deck, except only those who were on the yard against the skylight. We got the mail boat away in charge of the 3rd Officer. My instructions to him were to pull along the port side and cross our bow as the barque was on our starboard bow, and I thought this would be the quicker route. There were five men on the boat besides the 3rd Officer. The buoys with patent lights were thrown overboard and burnt well. It did not take two minutes after the order was given before the first boat got away. Then I sent away the gig in charge of the 4th Officer. She went round our stern, as the steamer's head had fallen off to port. I was still clearing away the starboard quarter boat when the mail boat returned full of the crew of the barque. I had three ladders over the side with lights. They came up on the starboard side by the ladder just before the bridge. I then went away in her myself in the second trip. We met the gig with more of the crew of the barque. We pulled about for an hour and an half shouting. We found nothing except some wreckage, and so we went on board the *Nawab*, and waited for day-light. At day-light I went aloft and had a look round, and so did others. The 4th Officer and a crew of four had remained in the gig alongside all this time. I then went away in the gig myself, and picked up a couple of chests and the body of a boy. This was about 7 A.M.

Seeing that there was nothing to be done, we proceeded on our voyage at 7-40. We buried the boy at 20 minutes past 8 A.M. at sea. These are my signatures in the log. The *Nawab* sustained no damage worth mentioning. I felt no shock at the time of the collision. I do ot know at what speed we went into her. Our lights were all right, they were burning brightly. From where I stood on the forecastle head to the deck of the barque would be from 10 to 15 feet. I must have seen her starboard light had she had one. We struck her a little before the main mast, and I saw no lights whatever, white or green, on the barque. I asked the Captain of the barque after I returned from the first trip how many men were were on the barque, and he said 24. We then said there was one man missing, and subsequently some hours afterwards the Captain of the barque informed us that there were two more men missing, making three in all. He talked in Hindustani The boats went away as promptly as they could possibly have done, and nothing more could have been done. The steamer's draft was 17 feet 3 inches aft and 11 feet 6 inches forward. She always steers well, and she did so that day. There was nothing ahead from the bridge to obstruct the view.

To the President.—We were steering S. 22° E. I cannot swear if that was the course set for the night. That was the true, and not the magnetic course. I first saw the barque when she was right across the bows. I was asleep at the time when the collision took place. When I heard the ring of the "Telegraph" and the noise of the shouting, it must have been after the collision took place. I cannot say how many of the crew of the barque came in any of the two boats. I found no bruises on the dead body of the boy. I saw no marks of any kind on him. I did not notice how far abaft, where we struck the barque, her side light screens were fixed, or whether there were any fitted. I saw no lights at the after part of the barque.

To Captain Lardner.—I could not say what course we steered at 8 P.M. There was three degrees easterly error on our S. 22° E. course. When I was on the forecastle head, I did not hear any of the crew of the barque call our attention to their side-lights. I lift up the life-buoys with lines intact. The men of the barque must have been mustered whilst I was away in the boat. I noticed that all their clothes were wet. If any men had dropped from the barque's main yard on to our forecastle, their clothing could not have become wet. None of the men of the barque who were saved mentioned having seen the missing men in the water. I think the length of the *Nawab's* forecastle head is about 30 feet. The man on the "look-out" walks from side to side on the fore end of the forecastle.

To Captain Hooper.—I examined the "look-out" man in the presence of the Captain of the *Nawab*. This was in the forenoon of the 29th of November last. He said that when he saw the vessel, it was in his opinion too late to avoid the collision. He said that he saw no lights on the barque.

To Captain Lardner.—The "look-out" man said that he struck the bell shortly before the collision when he saw the vessel.

To the President.—I could not say what sort of a night it was or the state of the weather, as I was asleep.

To Mr. Edwards.—When I left the forecastle head, the main yard was sufficiently clear of the forecastle to have prevented any one from leaping off it on to the *Nawab*. There were no slack anchor chains. I cannot say if the force of the collision could have put out the lights of the barque. Some of the men were covered, others had their bodies bare when they came on board. I understand Hindustani sufficiently to have undersood what the men were saying.

To Mr. Pugh.—If the shock had been severe, it would have woke me up.

H. WALLACE.

Makhun Bhama, on solemn affirmation.—I am a lascar on board the *Nawab*. I recollect the collision. I was on the "look-out" at the time. I was on the look-out at 2-30 A.M. on the 29th of November. I was forward. I was standing quite forward near the anchor on the port side. I rang the bell at 3 A.M. I did not ring the bell at 3-30 A.M., because the collision had then taken place, and as the bell was not rung from the bridge, I did not ring my bell. After I ring the bell, I shout out that I am keeping a good look-out. I never ring the bell, unless I hear the bell on the bridge, except when I see something to report. I did not ring the bell before 3 A.M., as I saw nothing before that. After 3 A.M., I saw a vessel, when I rang the bell. That vessel was on our port side, not right across our bow, but a little to port, not right ahead nor quite on our port bow. I did not see any lights on the vessel; it was a sailing vessel; she had three masts. I cannot say how far she was when I saw her. I cannot say how far after 3 A.M. I saw her. I rang the bell only once when I saw the vessel. She was on our port side. The other vessel came nearer us, but not quite close to us. We were going ahead and she was coming across our bows. I strike the bell three times when I see a vessel right ahead of us. This vessel was not right ahead of us. I saw the vessel up to the time of collision. This was the vessel with which we collided. When I see a vessel on our port side, I strike the bell once; and when I see her ahead of us, I strike three times. When I strike the bell, I get no reply from the bridge. I did not suspect at the time that my vessel would strike her. I cannot say which way she was going. She was heading from the shore towards the sea on our port side: I cannot say if we turned to her or she crossed our bows. This is the only vessel I saw that night. I saw no

steamers. I did not notice any steamer going before ours on that day. I cannot say how long after I rang the bell the collision took place. I did say not to the Port Officer of Tellicherry that I saw the vessel clearly 10 minutes before the collision. What I told him was that I saw the vessel at about 10 minutes past 3 A.M., and I rang the bell. I did not say that it was 10 minutes before the collison that I saw the vessel, but I did say that it was 10 minutes after I rang the three o'clock bell. No one asked me about the evidence I gave before the Port Officer at Tellicherry. My evidence was not read over to me by anyone at Tellicherry. I put my mark there to my deposition, but it was never read over and explained to me. I struck the bell at 3 A.M., but not at 3-30 A.M.

To the President.—I said that it was 10 minutes past 3 A.M. when I first sighted the barque; this is as far as I can guess. This is the only fault I have committed. I cannot give any idea at all as to how long after I first sighted the vessel that the collision took place.

To Captain Lardner.—From the time I went on the look-out up to the time of the collision. I saw no light whatever anywhere on the barque.

MAKHUN BHAMA.

His × mark.

Explained by me—

TRAILOKYA NATH GOSWAMI,

Interpreter.

ENQUIRY was resumed on Wednesday, the 19th of January 1898.

John Norman Roy, on oath.—I am the 3rd Engineer on board the *Nawab*. I was on duty from midnight to 4 A.M. on the morning of the 29th of November last. Prior to the order "stop" before the collision, our engines were going about 10 knots an hour. I remember the order "Stop, full speed astern." I could not tell how soon after this order was given that the collision occurred, as I was by the engines at the time. I felt no shock. The time of the order "stop, full speed astern" was logged at 3-20 on the black board in the engine room. I cannot say if the clock in the engine room differed on that day from the clock on the bridge.

The next order given was at 3-24, "stop," after the order "stop full speed ahead." The ship's lights on the *Nawab* are electric. I look after them below. They were working that night If they had not been working properly, the lights would have flashed below. I remained in the engine room during my watch.

To Commander Hooper.—I estimated the speed at 10 knots by the number of revolutions only.

To Captain Lardner.—I did not hear the bells struck on deck at the hour and the half-hour.

J. N. ROY.

The 19th January 1898.

Gobind Buddia, on solemn affirmation.—I am a seacunny on the *Nawab*. On the day the accident occurred to the barque, I came to the wheel at 2 A.M., and I was at the wheel till the collision. There was no moon that night; there were stars; it was not quite a clear night. The 2nd officer was on the bridge besides myself. There was another seacunny and a khalasi under the bridge, and the "look-out" man forward.

I could not see ahead from the wheel where I was. I was looking at the compass. My attention was solely directed towards the compass. I did not see ahead. I was on duty from 2 to 4 A.M. I rang the bell at 2-30 A.M., and the "look-out" man rang his bell in reply. I rang a bell at 3 A.M., and the look-out man replied. I did not ring at 3-30, because at that time there was this *golmal*. The ship might have shaken a little when we collided, but I did not notice it. It was about 2 or 4 minutes from the time of my having to ring the 3-30 bell when the collision took place. It was about 2 or 4 minutes to 3-30 A.M., by the bridge clock that the collision occurred. I did not look at the clock when I received orders to port the helm. After the "look-out" man rang his bell after 3 A.M., that I was told to port the helm. The "look-out" man rang his bell after 3 A.M., but not in reply to a bell which was rung from the bridge. He rang the bell because he saw a ship, as it is the practice to ring one bell if anything is seen on the port bow. I knew by this that the look-out man had seen something. The order to port was given to me by the 2nd Officer. I do not remember whether the 2nd Officer was at the time on my port bow or starboard bow. I heard the "telegraph" ring at the same time as I got my orders to port the helm. I did not see any lights or ships when I came on my watch. As soon as I put the helm hard-a-port, I looked up and I only saw sails, and in two minutes the barque broke down. The course we were steering that morning was S. 25° E. The 2nd Officer looked at the compass, whilst I was at the helm before the collision; that was before the order given to me to port. He looked at the compass during my watch two or three times.

He told me to keep straight in my course, which I was doing the whole time.

I heard no noise proceeding from the barque before the collision. The ship broke down, and there was a noise. I did not hear any noise before that. I did not see the Captain come on deck. I do not remember what orders I got after the order to port the helm.

To the President.—During the whole time I was on the watch, I did not see any other vessel before the collision, or the lights of any other vessel. The reason why I cannot see ahead of me is because the compass obstructs my view even to seeing any lights. I cannot see ahead at all, because my attention is solely devoted in seeing that I keep to my course, and also because the lights of the compass dazzle my eyes. I did not see any of the men coming on board. I remained at the helm up to 4 A.M. After the 2nd Officer gave me orders to put the helm hard-a-port, the Captain on the bridge and he asked me if I had put the helm to port. I replied that I had put the helm hard-a-port under orders of the 2nd Officer. This conversation was about a minute or a minute and-a-half before the collision. It was about 3 or 4 minutes before the Captain spoke to me that I put my helm hard-a-port. The Captain was on the bridge up to 4 A.M. after the collision. I did not hear the Captain give any orders from the bridge either before or after the collision. I was very close to him the whole time. I saw no boats lowered that night at all, and I cannot say if any body came on board the *Nawab* from the barque.

To Captain Lardner.—When the man on the look-out struck one bell shortly before the collision, the 2nd Officer was on the upper bridge. I steer from the upper bridge. I did not look up, when the bell was struck, to see if the 2nd Officer had taken any notice of it. I did not mention to the 2nd Officer that the bell had been struck. The "telegraph" was about this distance (shows 7 feet) from where I was standing. The 2nd Officer rang the "telegraph." I did not hear any person report to the 2nd Officer that a bell had been struck forward. After putting the helm hard-a-port, I looked up and looked ahead of me, and I only saw the sails of a ship which broke down. From the time of porting the helm up to the time of being relieved at 4 A.M., I looked at the compass. This was after the collision about two or four minutes then. Because of my porting the ship did turn. I saw it from the compass. I do not remember how many points my compass altered; or whether to the east or west. The helm was kept hard-a-port for a short time, and it was altered after the collision. I was told afterwards to keep steady, but I cannot say how long after the collision. I was steering with steam steering gear.

To Mr. Pugh.—After the bell was struck once, I got the order to port my helm. I saw no lights on the vessel. I cannot say whether it was because the look-out man had rung the bell that the 2nd Officer had given me orders to port my helm.

GOBIND BUDDIA.

Explained by me,

TROILOKHYA NATH GOSWAMI,

Interpreter.

Mr. J. M. Wood, the 2nd Officer, recalled and sworn.—

To Mr. Leith.—This is the rough log of the *Nawab*. These initials "J. M. W.," are mine, and the entries down to "Bar 30th" of the entry marked exhibit BI are also mine. I inserted the words "showing no light." I put this in after I had written the lot, as an after-thought. I wrote it without consulting any one and after reading what I had already written. I thought it important to write it down. I wrote this about 5 A.M. on the 29th of November after I was relieved. I wrote it in the bridge chart-room. I was then by myself. I do not remember making the erasure of the words under the words "dark and cloudy;" and I do not remember what the words were. I see now with a magnifying glass that the words were "slightly hazy." I made the entries also in the column to the left at the same time. I can see that the paper is scratched where the word "V'ble" in the column dealing with the direction of the wind is. I make it out to be the same letters underneath. Having written the word "variable" once, I think the word must have been smudged. I erased it and re-wrote it. I think from its appearance it must have been done with an ink eraser, but I cannot say for certain. By looking through the log, I find that I did make an erasure on the 11th of December, but of that also, I have no recollection. I altered the words "slightly hazy" to "dark and cloudy" just after I had written it, because it was a better description of the state of the weather that night. The atmosphere that night was clear, but the night was dark with clouds. I do not think it was hazy. If it had been hazy, I could not have seen the steamer's light three miles off.

To Captain Lardner.—The entry in the official log, giving the position of the steamer from Pigeon Island S.73° E 12 miles, was signed by me on the same day, the 29th November, but I am uncertain of the time. I did read it over before I signed it. The entry in the official log that the barque had no side lights is correct.

To Mr. Edwards.—I do not remember the Captain calling my attention to the erasures in the rough long.

J. M. WOOD.

Syed Hussain Bin Sagaff, on solemn affirmation.—I was the Chief Mate of the barque *Amanath Rohoman*. I had a certificate which was lost by the barque going down. The number of my certificate was 897, and this is my signature. Shown a certificate of competency as 1st Mate to a person of the same name issued on the 10th of November 1891 in the records of the Port Office. The *Amanath Rohoman* was a barque. It was formerly registered at Cochin, but it was subsequently registered at Tuticorin. She flies the British ensign. Her tonnage was 306. Her length was about 90 or 100 feet. Her beam was about 22 or 25 feet. Her cargo consisted of cocoanut oil, coir rope and yarn, and she was bound from Colombo *vid* Cochin for Bombay on her last voyage. We left Cochin on the 20th of November for the last time. I sighted Pigeon Island during the day on the 28th of November. At midnight on the 28th of November, I came on watch. There were 26 souls alive on board the barque on that night. The Captain was on duty before me from 6 P.M. to midnight. His name is Isa Bin Oomar. The sky was clear; there was no moon, but stars. There was very little wind. The wind was north-north-west. The course that was given to me when I came on watch was west by compass. She had all sails set, 17 of them altogether; there were 10 square sails and seven fore and aft. She was not making more way than half-a-mile an hour. She had both her lights lit, green as well as red. The lights were situated a little before the mizenmast, and eight feet above the deck, that is, up to the waist of a man from the poop. The poop deck was about 14 feet from the surface of the water. This is pure guess. (The witness here describes that the lights had screens.) We had lights as it was customary for barques to carry. I cannot say how far the lights were from the end of the stern. They were burning well when I came on deck. After I came on watch I ordered the Kessab to put oil in the lamps; he took the lamps down, trimmed them and put oil in them. There were other lights placed in their stead whilst these were being trimmed and lit. We have two sets of side-lights. They did, as I stated above, that night. The lights were changed at 10 minutes past 12 o'clock. I was walking along the poop and looking round to see if there were any ships and steamers, and about 2-30 A.M. I saw a mast head light. At about quarter to 3 A.M. or 3 A.M. I saw both a masted light and a port side red light; my vessel was heading towards the west and the other vessel was heading south-south-east. I made this out from the port side red light of the vessel. I could not see her red light if she was going west. I saw her hull very indistinctly. I saw the steamer about 10 minutes past 3 A.M. when she came close to us; the collision took place at about 15 minutes past 3 A.M. I first saw the steamer's light about three quarters of an hour before she struck us. When I first noticed the masted light of the steamer, she might have been five or six miles off, if she was going at the rate of 10 knots an hour. When I saw the red light I sent down for the Captain to be woke up, as a steamer was coming and there was no wind. The Captain came within two or three minutes. We were steering close, hauled on the starboard tack, and so remained until we were struck. I sent for the Captain because there was no wind. About 10 minutes or quarter of an hour before the collision I thought there would be a collision. We all shouted out, and we rang a bell. I cannot say if the steamer altered her course when she was at a distance; but when she came near us, she did not alter her course, but came straight at us. The steamers could see our green lights distinctly for 2½ miles. There were no obstructions between the steamer and our green lights. As soon as the steamer struck us, I ordered the boats to be lowered. I had no time to do anything else. The collision took place, the steamer moved astern, and the barque went down. I fell into the water, and I had only one cloth on. I was in the water for about 25 minutes before I was picked up by the steamer's boat. I was picked up by the first boat, and was one of the first rescued. I saw the Captain of the *Nawab* afterwards. Next morning I asked the Captain why he had run into us; the Captain said that the Mate had told that there were no lights on the barque. The steamer could also see our central lamp at the time of the collision. It is a round lamp; it could not be seen before the collision.

Enquiry resumed this Thursday, the 20th of January 1898.

Syed Hussain Bin Sagaff, recalled.

To Mr. Leith.—I was on the barque for nearly two months before the accident. The lamps and side-lights were new. When I came on board the barque, they were new. There were the same sort of lights as are used on ordinary sailing ships. I know all the rules relating to lights. Ever since the last 30 years, I have seen the same sort of lights that are used.

The lights used on the barque burn for six hours continuously. These lights had been used for six hours, when they were changed. The lights which had been trimmed were more satisfactory than those put in temporarily. These temporary lights were exhibited for two or three minutes. They were of the same pattern, but did not give as good light as the ones that were trimmed. I ordered the helm starboard when I saw the steamer, but she did not answer the helm. When the Captain came and saw the light of the *Nawab*, he also ordered the helm to be starboarded, when I told him that I had already given the order.

The sea was rolling slightly from the north-north-west; in consequence of that the barque both rolled and pitched slightly. We have neither fog horn nor speaking trumpet on board, and no drum. The seacunny, Ali Kooty, Kader Haji Lascar, and a boy, Mahomad, were drowned; the latter was not on the articles, but he was a lascar's boy. One of the persons saved was not on the articles, but he was the owner's servant, who was shipped at Cochin for Bombay. Twenty-two of the men on the articles were saved. Three on the

..es were drowned, and one passenger, the servant, was saved. The three men who were ..were shipped at Cochin with me. None of the crew on board at Colombo were ..charged at Cochin. I signed articles at Cochin; so did the others. No alterations ..ook place of the ship's Company after we shipped at Cochin. We all signed articles on the 29th of September last, and we went on board on the 1st of October.

We got away from Cochin on the 8th of October for the first time; it was the 20th of November we left Cochin for the second and last time. In about 45 minutes all the men who were saved from the barque were on board the *Nawab*. The steamer stood by until daylight. I went up aloft in the morning at daylight to look for the missing men. The people belonging to the steamer brought the dead body of the boy. I could not see the dead body of the boy in the water from the steamer. When I fell into the water, I saw heads of men in the water, but I never saw any of the three men in the water who were lost. I put a piece of plank under my left arm, and I was swimming with my right arm. I did not see any life-buoys with lights attached to them in the water. When I came on deck at 12 o'clock, I did not see the seacunny Ali Kooty; he was on the Captain's watch before I came on deck. I saw him that day at 6 P.M. at prayer. When I came on deck at midnight, I saw the Lascar Kader Haji. He was also on the Captain's watch. I did not see Muhammad, the boy, during the night, as he was on the watch. I last saw him at 5 P.M. All these three men were in good health. About 5 to 8 minutes before the actual collision took place, the Captain gave orders to clear away the boats, as the steamer was coming near, and as the shock was felt, he ordered them to be lowered. They were ready to be lowered. The Captain had no time to give any further orders, but as soon as the boats, which he had ordered to be cleared, had been cleared, the collision took place. I was aft on the poop on the starboard when the collision took place. Four of the men went on board the steamer by themselves as soon as the collision occurred. They caught hold of the rigging, and they jumped into the steamer. They told me this afterwards. I think they did so from the forerigging. I remember two or three men who jumped into the steamer. Ebrahim is one of them, but I cannot recollect the names of the other three men. Whatever I have told the Court here, I remember now as having occurred. The steamer ran into us right in the middle. Our barque tilted a little, and the bows dipped into the water. We were then in about 28 or 30 fathoms of water.

To Captain Lardner.—Bells were rung on the barque about five or eight minutes previous to the collision. The bell in the barque is situated aft. I saw it rung after half an hour. Four bells were rung at 2 o'clock. When four bells were rung, I did not see the light of the steamer. The side-lights were situated nearer the mizzenmast than the mainmast. The poop extends one-third forward of the mizzenmast of the distance between the main and the mizzenmast. I was keeping my vatch on the poop on that night. There is a skylight on the poop. I could see the side-lights of the barque from the poop. If I were standing at the fore-end of the poop, the lights would be abaft me. I asked the man on the look-out if the lights were burning brightly; there was one man forward and one man aft on the look-out. I asked the man aft whose name was Kadir, if the lights were burning properly. He said they were burning well. The man who was on the look-out on the forecastle head was Ebrahim. It was not necessary for me to tell Ebrahim to look at the lights, as the lights were nearer the main aft. The Captain's son, Mahomed Isa, was at the wheel at the time of the collision. I saw him for the first time in this voyage. I do not know how long he was at sea. The lights were not taken into trim between 3 and 3-30 A.M. on the morning of the collision. We burn cocoanut oil. The wicks were round wicks in the lamps, the lamps have screws, the wicks are straight and flat. The wicks were not round, and there was one wick in each lamp. The least quantity of oil which the lamp would hold would be three quarters of a seer; when full, it would hold one seer. Our boats were abreast of the mizzenmast between the rigging and the masts; they were on iron davits hanging on the side. We only had one boat in the davits on the port side. There are davits on the starboard side, but no boat was there. We had two boats altogether. One boat was placed upside down on two pieces of wood on the starboard side of the poop. I cannot give you the length of that boat. The forward davits on the starboard side was abreast of the mizzenmast. There was no time to get the starboard boat out before the collision. If I were sailing in my vessel at two knots an hour, I would ring my bell in a fog, if I heard another vessel's fog horn. Our barque steers with chains and a wheel. I looked into the compass before the helm was put hard-a-port. Soon after I looked at the compass, I put the helm hard-a-port. There was only one compass on board our deck. I looked at the compass after the helm had been put hard up, from two to five minutes. She was then steering West ½ North. When I saw the steamer coming, I put my helm hard-a-port, and let go all the cross-head sails forward. I hauled all the head sails down, and waited for 2 or 3 minutes for my ship to turn, but she did not. The khalasis hauled the head sails down from my orders.

To Commander Hooper.—Three minutes after I hauled them down I hauled them up again, every one of them, quickly. I saw the compass after that, she was heading west. She had come from West-½-North to West in three minutes. Then I hauled down the mizzen top sails. The helm then was hard-a-starboard. As my vessel did not turn to starboard, I tried to see if she would turn to port. I hauled the main sail up and checked in the main yard. As I kept the helm on the port side, the steamer was then about half or three quarters of a mile; we did nothing more after that to the sails except tell the men to shout out. I was calling out and looking at the compass too. I said by guess yesterday that the steamer was steering South 22° ½ East. No one told me this. I made this guess by looking at my

compass and at the position of the steamer then. At the time that the Captain turned the vessel from off Pigeon Island, the Captain said that he had got 25 fathoms. We were about 10 miles off the Pigeon Island when the collision took place.

To the President.—I know the rule of the road for avoiding collisions at sea. It is not the correct rule for a sailing vessel to attempt to alter her course when three-fourths of a mile off a steamer, so as to avoid a collision.

The Captain or the Mate of the other steamer might have been drunk or asleep at the time, and I did so only to save myself. This was before the bells were rung. I rang the bell about 8 or 10 minutes after I altered my course. I altered my course to avoid a collision; about 8 or 10 minutes after I rang the bell. The Captain was on deck when I was giving all these orders. He gave these orders to me direct.

To Mr. Edwards.—While I was on duty I was walking up and down. There was plenty of time for us to light the side lights after we had first seen the steamer's mast head light, and to have drawn the attention of the steamer to our lights. At the time when I first saw the steamer's hull, there was sufficient time for the steamer then to have got out of my way.

To Mr. Leith.—On that night, considering the weather, I could not have seen a vessel without lights more than quarter of a mile off.

After the collision the people on board the steamer did everything that was required to save and assist us.

To Mr. Pugh.—I hauled down the head sails before I cleared the boats. It took me altogether five minutes.

The enquiry is adjourned to this day four weeks to enable the witnesses belonging to the barque to be subpoenaed from Cochin.

W. A. Bonnaud.

The 20th January 1898.

Enquiry re-opened this 26th day of February 1898 at noon.

Trailokhya Nath Goswami, on solemn affirmation.—I am the Chief Clerk and Interpreter in the Court of the Chief Presidency Magistrate, Calcutta, Southern Division. In pursuance of orders issued by the Chief Presidency Magistrate, I prepared summonses for Esar Oomar, Master of the *Amanath Rohoman*, Kunhi Marakar, the serang, and Amuna Esna Haji, seacunny, Ebrahim, lascar, and Bara Kadir, aft "look-out" man. These summonses were signed by the Chief Presidency Magistrate and despatched per registered post to the address of the Assistant Resident at Cochin. The post office receipt is filed in the Magistrate's office, and there has been no return of service of summonses; and no communication has been sent by the Assistant Resident.

Trailokhya Nath Goswami.

The 26th February 1898.

Esar Oomur, on solemn affirmation.—I was the Captain of the barque *Amanat Rohoman*. I remember the collision which occurred between the two vessels at quarter and half-past three on the 29th of November 1897. I was relieved at 12 o'clock at night. I was on watch from 6 P.M. to midnight that night. The Chief Officer, namely, the witness Syed Hossein Bin Sagaff, relieved me. The side-lights of my vessel were all right. They were lit at 6 P.M. There were two lights, one green and one red; they were newly bought. They were bought before I went on board. I joined the vessel on the 26th September at Cochin. I hold a Captain's certificate which was granted to me at Bombay; that was lost when my vessel went down. It was a certificate of competency as a Captain. It was an Indian Home Trade Certificate. When I was relieved, I went to sleep in my cabin on deck under the poop. The weather was clear; there was very little wind, and the sea was calm. The current was very slight towards the south. I gave the Chief Mate the west course before I turned in. The next thing that I heard was a noise that a vessel was coming close to us, and I woke up and I saw a vessel (a steamer) about a mile off which coming straight on to us. I saw a red light as well as a white light on top, but I did not see the green light. We were heading towards the west, and the other vessel was coming straight on to us. If the vessel came right on to us, I could see all its three lights; but if she came at an angle, I could not see all the three lights. I then ordered the serang to wake up all the men. I also gave orders to shout out and to ring the bell and to clear the boats. I further gave orders to the mate to keep the vessel steady: there was no wind, and the vessel did not answer her helm. I gave orders to the mate to steer with the wind, but there was no wind, and the vessel did not move. The yards were turned to port as the wind was north-north-west: all the sails were set. We were close hauled on the starboard tack. The steamer could see only one of our lights, the green light on the starboard side. The green light was situated exactly between the mizzen and mainmast, outside the rail between stanchions about three or four feet above the deck, and above 15 or 16 feet above the water. On that night our green light would be visible about 4 or 5 miles as it was a clear night. When I gave orders to the men to shout out and ring the bells, they did so. There were no torches ready, and I could not find any fog horns or any other means of attracting the attention, as they were all in the store-room. The steamer struck us between the fore and the main mast. About five minutes after I saw

the steamer she struck us. I did not see her alter her course; she kept on her course. The steamer was then proceeding about 8 or 9 knots an hour by guess. I could not say if she was going at 12 knots.

I said by guess only that the steamer was a mile off when I first saw. I did not buy the lamps. I only joined the vessel in September 1897. I was examined at Tellicherry, and the Port Officer made a mistake when he put down that I had bought the side-lights three months ago. I stated that I had only joined the vessel for three months. I had no trouble with these lights. They were changed by the Chief Officer after my watch was over, but before I went below. After the steamer struck us, I was thrown into the water, and I remained in the water for about 40 or 45 minutes. Our vessel sank three minutes after she was struck. I did not see any of our men climb up the steamer, but when I went on board the steamer, I saw them. All our men were shouting out from the rigging before the steamer struck us. I did not hear anything that we had no lights. I had no talk with the Captain of the steamer or with anyone else. I was on board the steamer for three or four days, but I had no talk with the Captain or with any of the officers. I had only one cloth on me, and therefore I could not go before them. I did not hear at all that there was any suggestion that we had no lights. Nobody told me up to the present moment that there were no lights on our vessel. I have never heard it suggested that the collision occurred on account of the absence of our lights. I cannot offer any suggestion as to why the accident occurred, as these collisions very often occur; they even occur between steamers. I had no time to lower the boats. I told the men to lower them; but before this could be done, the vessel sank. There were 26 men altogether on board our boat; 23 of them were saved, and 3 were drowned, namely, seacunny Ali Kooty, Kadir Kooty, and a boy. I was picked by a boat from the steamer; so were all the others. I never heard that any of our men climbed from our vessel on to the steamer after the collision. Everything that could be done by the Captain and Officers of the steamer to save our lives was done. One of the boats came first, and I asked to be picked up, but was told that the boat was too full. I did hear afterwards that two or three men climbed from our vessel on to the steamer.

To Captain Lardner.—The fog-horn we had on board was a mouth fog-horn. I cannot say if the Chief Mate knew if this fog-horn was on board, but we were all new to the vessel. The fog-horn was kept in the Cassub's charge. The side-lights were three feet from the side rail; the vessel had a poop deck and a main deck. It would be about 7 or 8 steps by guess from the poop deck to the main deck; the side-lights were situated a little abaft the steps, but they were on the rails and not on the poop. The rails is fitted on the deck; the rail on which the lights were situated were on a different deck, I mean the main deck on which the men work. If I am close up to the fore-end of the poop, I cannot see our side-lights unless I peep over. I can see the lights from the poop deck, but I often go on the main deck to look at them. The order to lower our boats was given within one or two minutes before the collision. I had two boats on board when I left Cochin. One of them was in the davits, the port one; the starboard one was on skids on the main deck, abaft the main mast. There was no purdah on the starboard side on the night of the collision, nor any clothes which would hide the green light from view. There are two men placed on the fore-castle head to keep a look-out, and one man remains at the bell, and the seacunny. There are only two men placed specially to keep a look-out and they are the men on the forecastle head. The ship was steering by the wind up to the time of collision. Just before the collision, I ordered the helm to be put hard-up. This was about two minutes before the collision. The helm was put hard-up, but she would not answer it; and just before the collision, nothing was done with the yards. The main yards were not hauled round previous to the collision. I did not see any head sails hauled down, as there was no wind, and there was no use to do so. I do not know whether the Chief Mate hauled them down, but I gave no orders to do so. When I came up, I gave orders to put the helm hard up and looked at the lights, and saw that they were all right. We burn cocoanut oil in the side-lights. They are big lights; I cannot say how much oil they burn; the wicks are flat and thick. When we want to trim the wicks, we prick them up, but do not turn them up with a screw. I can only talk of one pair of side lights, as I have not seen the others I cannot say if the pair of lamps, about the wicks of which I spoke of just now, were the ones which were fitted on the sides at the time of the collision. There was only one pair of new lamps, but I cannot say which pair were burning when the vessel sank. I also saw the lamps being changed from a distance, but I cannot say whether the old or the new pair were burning when the collision occurred. I told the Port Officer at Tellicherry that the lamps we had when the collision occurred, were good ones and not new ones. I cannot say whether the wicks I have spoken about belong to the new or to the other side-lights. The old side-lights would be a little smaller than the big ones; but I cannot say if they gave less lights. The lamp-lighter would be able to answer this question. I see the lights burning at night time. I am quite sure I cannot say which pair of side-lights the wicks I have spoken of belong to. I sometimes see the wicks with the lamp-lighter and, therefore, I have described those I have seen. The owners generally buy these wicks, but I have never bought them. The new pair of side-lights are usually put out to burn the whole night; when these lights are taken in to be trimmed, no other lights are substituted; why should be? The spare pair is never in proper order; they are not used, and the lamps which are put on the sides are removed for the purpose of trimming their wicks or putting oil in them; and they are put back in their places as soon as they are trimmed and lit.

To Commander Hooper.—I have seen the four lamps at the same time when the Cassub took them out to clean. I may have seen them within a month before the collision. I saw them after leaving Colombo, which was less than a month. When I went below at 12 o'clock that night, the vessel was not keeping on her course, as the wind was blowing north-north-west, and she was going west. She was not always on the west course; she was breaking occasionally to starboard or port at a time. She was going at the most half a knot an hour. When there is no wind, and the ship does not at all steer, she would go round to the extent of two points, but not three. The Captain asked me once or twice if I had enough food and drink, and I said I had.

After I left Cochin, I had five or six big dubbers or casks of cocoanut oil.

I know the boxes in which our side-lights are carried; they were fitted to the vessel; they were stationary.

To Mr. Pugh.—I saw two or four other steamers that night to and from Bombay. I signed no papers at Colombo. I landed some cargo there. I did sign a paper in Colombo, in which the number of men I had on board was mentioned. I do not remember before whom I signed it.

F. E. UMUR.
W. A. BONNAUD.

Explained by me,
TRAILOKHYA NATH GOSWAMI,
Interpreter.

The 26th February 1898.

ADJOURNED to Tuesday next, the 1st March 1898.

W. A. BONNAUD.

The 26th February 1898.

ENQUIRY resumed this 1st day of March 1898 *at noon.*

Amunji Isaji, on solemn affirmation.—I was the seacunny of the barque *Amanath Rohoman.* I am 20 years of age. My father's name is Esa Oomur, he was the Captain of the barque and the last witness. At 2 A.M. on the morning that the barque went down, I went to the wheel. I relieved Ali Kooty, who was drowned. My instructions were to steer west. The weather was clear that morning; the sea was calm; there was a very slight wind blowing from north-north-west. All the sails were set, and the vessel was moving very slowly, about half a knot an hour. When I had been 7 or 8 minutes at the wheel, the forward look-out man shouted out loud that he had seen a light on our starboard bow. Thereupon the Chief Officer called out to the man on the watch, whose duty it was to ring the bell (I do not know this man's name), and said that the forward "look-out" man had reported having seen a light, and he told the man on the watch (he was a lascar) to examine the lights on our side. The Mate at the time was walking up and down near the wheel, where I was steering. After the man on the watch said that the lights were burning well, the Chief Officer also went and saw the lights. I was working on the barque for two months. The forward "look-out" man on former occasions had reported vessels that he had seen. On those occasions, also, the Chief Officer used to order the man on the watch to examine our lights. He would be doubtful as to whether the lights were good or not. They would burn well, but still it was his practice to ask the man to look at the lights. After 2-30 A.M., the Chief Officer gave me orders to put the helm hard-up. This was about a little less than half an hour after the lights of the vessel were observed. I was ordered to put the helm hard-a-starboard. The wind was blowing slightly north-north-west when I starboarded. We waited for 8 or 10 minutes, as the ship would not answer her helm. I got orders to put the helm to port. For three or four minutes the vessel would not answer her helm. I then got orders to starboard her helm In the meantime the other vessel came close to us; then the Chief Officer shouted out aloud to wake up the Captain and all hands on board who were asleep. These lights we saw were a steamer's lights. The steamer was about a mile or a mile and-a-half off when the Chief Officer gave orders to wake up the Captain I did not see the Captain come on deck, but I saw him standing on the starboard side and shouting out aloud to the Chief Offier to say that our lights were burning well, and how it was the people on board the steamer did not see our lights. The Captain then told the Chief Officer to keep the helm hard-a-starboard where it then was. The Chief Officer was standing near me; he was looking at the compass and at the wheel; the vessel would not even then answer her helm. Then the steamer came much nearer us: she was keeping on her course. The Captain then called out to the Serang directing all hands on board to shout out, and also to ring the bell. All the men were shouting out and the bell was being rung when the steamer collided with us. I do not know if the Captain besides giving these orders did anything himself. I only heard his voice when he was giving these orders. I did not state to the Tellichery Officer that the Captain let go the spanker sheet; I did not say anything as I was at the wheel. I know what a spanker sheet is, but I did not see it. I did not say to the Port Officer of Tellicherry that the "Captain then let go the spanker sheet but it was of no use as there was no wind." If the Captain did let go the spanker sheet, I would have seen it. I now say that he never touched the spanker sheet. I did not see the Captain. I only heard his voice from the forepart of the vessel near the light. The starboard side-light is situated

between the main and the mizzenmasts; it was from there that the voice came. The Captain and the other people on board were shouting out, "This is a vessel, this is a vessel look at the lights." I did not hear any shouts on board the steamer.

When the steamer struck our vessel, I left the helm, and went near the boat of my vessel on the port side. I was going to cut the belly bands when the stern of our vessel went down, and I was thrown into the water, and I caught hold of a cask till I was picked up. I was about 20 or 25 minutes. I was picked up before my father. I did not see Ali Kooty or any one of the men who were drowned. I saw the boy afterwards; he was dead. I did not see Kadir. In my presence the question of our having no lights was never discussed on the steamer. I would see our lights occasionally when the lamplighter used to clean them. I never saw the inside of the lights. I do not know positively what oil is burnt in those lamps. I could see our lights, but I did not see them. After 19 of us were picked up and taken by the steamer's boat, I saw four men on board the steamer who said that they had come on board the steamer from the rigging of our vessel. I cannot say how the Port Officer came to put down about the spanker sheet; I never told him anything about it. I have seen the side-lights taken in and others substituted when the lights have gone out. I do not remember how many times the side-lights were substituted when they went out. During the two months I was on the vessel, only occasionally I have seen this. Lamps of the same kind used to be substituted. There were two sets of lamps on board. No substitution took place on the night of the accident from the time I came at the wheel.

To Commander Hooper.—The steering gear was abaft the mizzenmast. I know the mizzen trysail. I could see it all the time I was steering; it was flapping about because there was no wind. I could say if we were too close to the wind by the sail flapping about. I occasionally let her go off two or three degrees to keep the sails full. I was steering partly by the wind and partly by the compass. North-north-west is nine degrees. This is west by south; it is 4½ degrees. West by north is 4½ degrees. I do not know courses in degrees, but it is always given in points. They did not heave the log when I was at the wheel. When I said that my vessel was going one knot an hour, it was by guess. There were two lights in the binnacle of my vessel. I did not see the light of the steamer when it was reported. When she came nearer us about 3½ or 4 miles off, I saw her lights both the red and the white lights. I saw them both at the same time. I did not see our lights at any time. I could not leave the helm to see how fast she was going. There are two men on the look-out of our vessel, but I did not see them. I cannot say whether they were there that night. I saw two or three men near the Port boat after the collision, but it was dark for me to recognize who they were. They were also trying to clear away the boats. Some of them were untying the belly-bands and trying to clear the boats; but they could not clear them, as in two or three minutes the vessel went down. It would have taken ten minutes to half an hour to clear the boats. I did not hear any order given to clear the boat away. From the wheel I could see that there were men near the boats, but I could not recognise them. I went there myself aferwards. About three or four minutes before the collision I saw men near the boats.

To Captain Lardner.—There is a house with a passage around it on the after-deck. It is about four feet high; there were three steps leading to it. I can see over the house standing at the wheel steering, but not a long distance. My view would extend the length of the vessel. The spanker was bent to a boom, and the sheet was made fast to the quarter; that would be nearly abreast to where I was steering, so that if any one let the sheet go, I must have seen it. The cassab has charge of the side-lights: when the lights require trimming at night the cassab is woke up to trim them. On the night of the accident I did not see the cassab trim the lights from the time I came on watch at 2 A.M. I was asleep at 12 o'clock. I was not all along on the Chief Officer's watch. The collision took place about 3-15 or 3-30 A.M., and I went at the wheel at 2 A.M., and about 8 minutes past 2 A.M., the steamer's lights were reported by the forward look-out; so that the look-out man and Chief Officer were seeing the lights for one hour and seven minutes. At the time that I put the helm hard-a-port, I did not hear of any sails hoisted or hauled down. The yards at that time were braced up at the starboard tack, and during the whole time I was at the wheel, they were not squared in. I heard six bells struck at 3 A.M. I did not hear seven bells struck. The man who rings the bell examines the lights, and reports to the Chief Officer whether the lights were burning or not. I hard the man report to the Chief Officer at 3 A.M. that the lights were burning brightly. I cannot say whether he had examined them or not. I could not see our side-lights from the wheel. During the day I could see the look-out man occasionally on the forecastle head, but not at night. During the day there is one man on the look-out, but during the night there are two in fine or foggy weather.

To Mr. Pugh.—I do not know the names of the four men who got to the steamer from our riggings.

AMUNJI ISAJI.

Explained by me,
TROILOKYA NATH GOSWAMI,
Interpreter.

Enquiry closed.
W. A. BONNAUD,
Offg. Chief Presidency Magistrate.

The 1st March 1898.

REPORT.

The finding of the Court as to the cause of the collision between the S.S. "Nawab" and the barque "Amanath Rohoman," and the subsequent sinking of the latter vessel off the Malabar Coast on the 29th of November 1897.

THE S.S. *Nawab* was on a voyage from Bombay to Colombo, calling at certain ports *en route*, and on the 29th of November 1897, she was about 10 miles west of Pigeon Island, steering a course of south 22° east true.

The barque was on a voyage from Colombo to Bombay; and between 3 and 4 A.M. of the 29th of November 1897 was also about 10 miles west of Pigeon Island close hauled on the starboard tack, with all sail set, and making a course to the westward. The collision occurred between 3-20 and 3-25 A.M. on the 29th of November 1897.

The S S. *Nawab* struck the barque on her starboard side between the fore and main masts; the latter vessel sunk two or three minutes after the collision and three of the men on board of her were drowned.

After a careful consideration of the entire evidence, the Court is of opinion—

(i) That on the night in question, the weather was fine but not clear: the sea fairly smooth, and the wind light from north-north-west.

(ii) That the watch on board the barque were aware of the proximity of the steamer, but up to a short time of the collision did not realize that there was much danger. When they did realize this fact, an attempt was made to alter the course of the barque by manœuvering the sails and putting the helm from one side to the other. Finding the steamer rapidly approaching, the mate called the Captain, who was asleep in his cabin. When the Captain came on deck, he had all hands turned out, giving them orders to shout and ring the bell with the object of attracting the steamer's attention; these efforts, however, though heard by those on board the *Nawab*, were made too late to prevent a collision.

(iii) That on board the *Nawab*, the 2nd Officer, who was on watch from midnight to 4 A.M., having called the Captain about 3 A.M., was probably well on the alert, and his attention would be specially directed to the port side on account of Pigeon Island, as his orders were to look out for it. That the Captain of the *Nawab* was on deck between 3 and 3-30 A.M., and had a careful look round. That the "look-out" man forward was awake at 3 A.M, and, as far as can be ascertained, was keeping a good look-out up to the time of the collision. That when the officer on watch did see the barque, he acted promptly in porting his helm and reversing his engines. That the Captain came on the bridge the moment he heard the telegraph bell ring, and the steering engine in rapid motion; and finding a collision inevitable gave such further orders as the occasion demanded. The principal points on this enquiry are:—

1 How was it that the light of the barque was not seen by those on board the steamer?
2 Were the lights of the barque and the position from which they were shown such as are required by the Board of Trade Regulations?
3 Was everything done to avoid a collision by both vessels?
4 Was everything done after the collision to save life?

As regards the last of these points, the evidence on both sides shows that proper steps were taken by the crew of the *Nawab;* but that the danger was realized too late by those on board the barque to enable them to clear away their boats before the vessel sank.

On the 3rd point.—As regards the *Nawab*: assuming that the lights of the Barque were not visible, the evidence shows that the night was not one on which the hull or sails of a vessel could be seen very far. That when the barque was seen she was almost right ahead of the *Nawab*, and that the officer on watch not being able to see which way she was steering, was justified, under the circumstances, in putting his helm to port and the engines "Full speed astern."

As regards the barque: finding that the vessel was approaching a steamer's track and that the steamer was not aware of the barque's position, a flare up might have been burnt, or the fog-horn sounded to attract attention.

On the 2nd point the evidence is most conflicting. The Mate says that when he came on deck at midnight, although he found that the lamps were burning brightly, he ordered them to be taken in at 10 minutes past 12 o'clock to be trimmed and filled with oil, and others substituted while this was being done. The Captain says that though were there two pairs of side-lights, there was never any substitution, because the second pair were not in proper order. Both the Master and Mate say that cocoanut oil was burnt in the lamps, but the former maintains that the wicks were pricked up with a pair of scissors, while the latter asserts that the wicks were adjusted with a screw. The seacunny in his evidence says that the lamps were only taken in to be trimmed if they went out.

The Court doubts if the lamps were fitted for burning cocoanut oil, but in any case, they know from experience that cocoanut oil does not give a good light, and that the smoke often causes the glass to be dimmed.

Again, the position given by the witnesses of the barque for the side-lights does not appear to have been a good one; it was high up above the rail, and situated between the main and mizzenmast, and must therefore have been more or less shut out by the mainsail and foresail.

On the 1st point: it is possible that the green light of the barque, supposing it to have been burning brightly, was from its position in regard to the mainsail, shut out from the view of those on board the *Nawab*, as the last order given by the Mate of the barque was to check in the main yard.

It is also possible that the green light of the barque may have been so bad a light that on the night in question, which was not a clear one, it could only be seen for a very short distance.

In conclusion, the Court is of opinion that the *Nawab* was being navigated with all due care; that her lights were burning brightly, and that the officer on watch did all that could be done to avoid a collision. That the boats were promptly despatched after the collision, and that everything was done for the purpose of saving life.

As to the causes of collision, the Court is of opinion that they were due to the lights of the barque not being placed in a good position; to their being defective as to their illuminating powers; and furthermore to their being obstructed to the view of the *Nawab* by the manœuvering of the barque.

W. A. BONNAUD,
Offg. Chief Presidency Magistrate.

H. B. HOOPER,
Commander, R. I. M.

D. S. LARDNER,
Master Mariner.

The 16th March 1898.

T. N. R.—Reg. No. 8741C—111—14.4.98.

No. 770 Mne.

All communications should be addressed to the Secretary of the Department concerned.

Government of Bengal,

MARINE DEPARTMENT.

From

T. H. Clowes, Esquire,
Under-Secretary to the Government of Bengal,

To

The Secretary to the Government of Madras,
Marine Department.

GOVT. OF INDIA MILITARY DEPT. 17 APR 98.

Dated Calcutta, the 7th April 1898.

Sir,

In continuation of the telegram No Mne: 32 of the 24th January 1898 from this Department, I am directed to forward herewith, for any action that might be considered necessary, a copy of the proceedings and report of the Court of Enquiry that was appointed to make an investigation into the cause of the sinking of the Barque "Amanath Rohoman" in collision with the S. S. "Nawab".

I have the honor to be,
Sir,
Your most obedient servant,

T. H. Clowes

Under-Secretary.

Accompt :-
Pro: & Report cited.

H. E. A.—Reg. No. 7022F—1,000—18.2.18.

H.C.G. 6/4/98.

Casualties

Wrecks.

5-356

No. 281

GOVERNMENT OF INDIA.

MARINE DEPARTMENT.

Simla, the 20th April 1898.

To The Secy. to the Govt. of Madras, Marine Depart.

MEMORANDUM.

* Letter No. 770 Marine Dated the 7th April 1898, from the Govt. of Bengal, Marine Department to the Govt. of Madras, Marine Department forwarding copy of the Proceedings of the Court of Enquiry into the cause of the sinking of the Barque "Amanath Rohoman" in collision with the S.S. "Nawab".

* Transferred for disposal.

By order

I. Phibbs

Asst. Secretary to the Government of India.

10/C