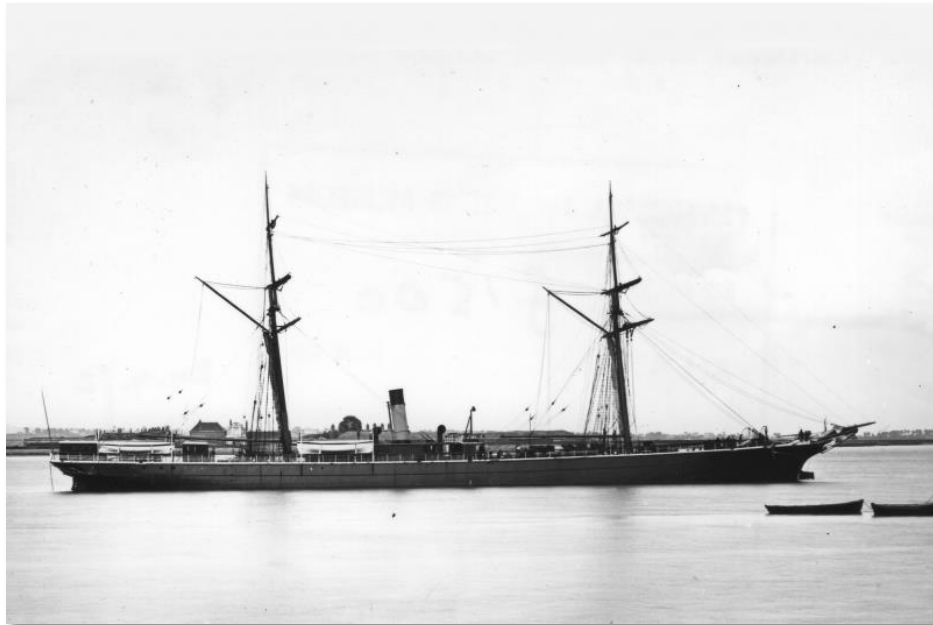


**Welsh Wreck Web Research Project
(North Cardigan Bay)**

**On-line research into the wreck of the:
*SS Glendarroch***



SS Glendarroch

Report compiled by:

Nigel Cossons

Report Title:

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(North Cardigan Bay)
On-line research into the wreck of the:
*SS Glendarroch***

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1.0 Abstract

This report discusses the loss of the *SS Glendarroch* in 1893. The vessel was built on the Clyde in 1870 and initially appears to have sailed between London and Penang, Singapore, Hong Kong and Shanghai. In or around 1874 she was sold to a British company that provided services between the islands of the Dutch East Indies (now Indonesia) and by 1886 she was registered in Batavia (now Jakarta). Later she was taken over by a Dutch company but continued to provide the same service. During this process, probably in 1886, she was renamed the *SS Atjeh*.

In 1891 she returned to the UK and was registered in London, taking her former name once again. She was in very poor condition, her first owner in the UK was apparently driven into bankruptcy by the costs of the repairs and she passed into the ownership of the main creditor, a Mr G C Stewart of Liverpool. After various attempts to either sell her or get her repaired in London he contracted with a Liverpool firm to bring her round to the city for repairs. However, on the 15th March 1893, whilst on passage, she was wrecked on St Patrick's Causeway, Cardigan Bay. She was considered a total loss and the underwriters were informed, however, within a few days the *Glendarroch* was salvaged and brought into Liverpool.

At the Inquiry that followed it was found that the captain and chief engineer had 'connived' to deliberately cast the vessel away on the reef, the chief engineer had gone into the engine room and shortly thereafter a leak appeared in the condenser. The captain claimed to have been running for St Tudwal's Roads to effect repairs when she ran aground on the reef. Even whilst in Liverpool there was an attempt to scuttle her when 'persons unknown' opened the valves in the engine room. She was insured for considerably more than her value.

Both the captain and the chief engineer were arrested on criminal charges of having conspired to cast the vessel away, however, before the trial could take place the captain died of consumption. At the end of 1893 the chief engineer was brought to trial but acquitted, shortly after he successfully applied to have his certificate reinstated.

The *Glendarroch* herself was broken up in Liverpool in 1894.

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2.3 Contributors

Key contributors: Nigel Cossons, Chris Holden, Ian Cundy

2.4 Abbreviations

CD	Chart Datum
GRT	Gross registered tons
KPM	Koninklijke Paketvaart Maatschappij

MADU	Malvern Archaeological Diving Unit
NAS	Nautical Archaeology Society
nm	Nautical miles
NOAA	National Oceanic and Atmospheric Administration
NRT	Net registered tons
NSIM	Nederlandsch Indische Stoomboot Maatschappij
SS	Steamship

3.0 Introduction

In 2020 Malvern Archaeological Diving Unit (MADU) in conjunction with the Nautical Archaeology Society (NAS) commenced a project to research ship wrecks in Cardigan Bay. The project was based on a list of known wrecks in the area and individuals were asked to select a vessel, or vessels, as subjects for research. The project took place during the COVID pandemic and therefore the focus of the research was intended to be on web-based sources.

The SS *Glendarroch* was selected from the MADU list as a research topic as part of a group of steamships identified in the list of vessels wrecked in Cardigan Bay provided by MADU, along with the SS *Duncan* and the SS *Aberdeen*.

The objectives of the research were to establish:

- The vessels specification and details;
- The history of the vessel, including if possible how and why she was in Cardigan Bay;
- The circumstances of the loss, including if possible where this took place and details of what caused the ship to be lost;
- Any subsequent history following the loss of the vessel, including whether there was any salvage work undertaken; and
- Any information on the wreck, including the location and the current state of the wreck.

4.0 Background

The SS *Glendaroch* was wrecked in the northern part of Cardigan Bay on St Patrick's Causeway (also known as Sarn Badrig), a reef that extends into the bay for some 15 miles from Barmouth. The reef dries at low water.

Key locations discussed in this report are shown on Figure 4.1 below.

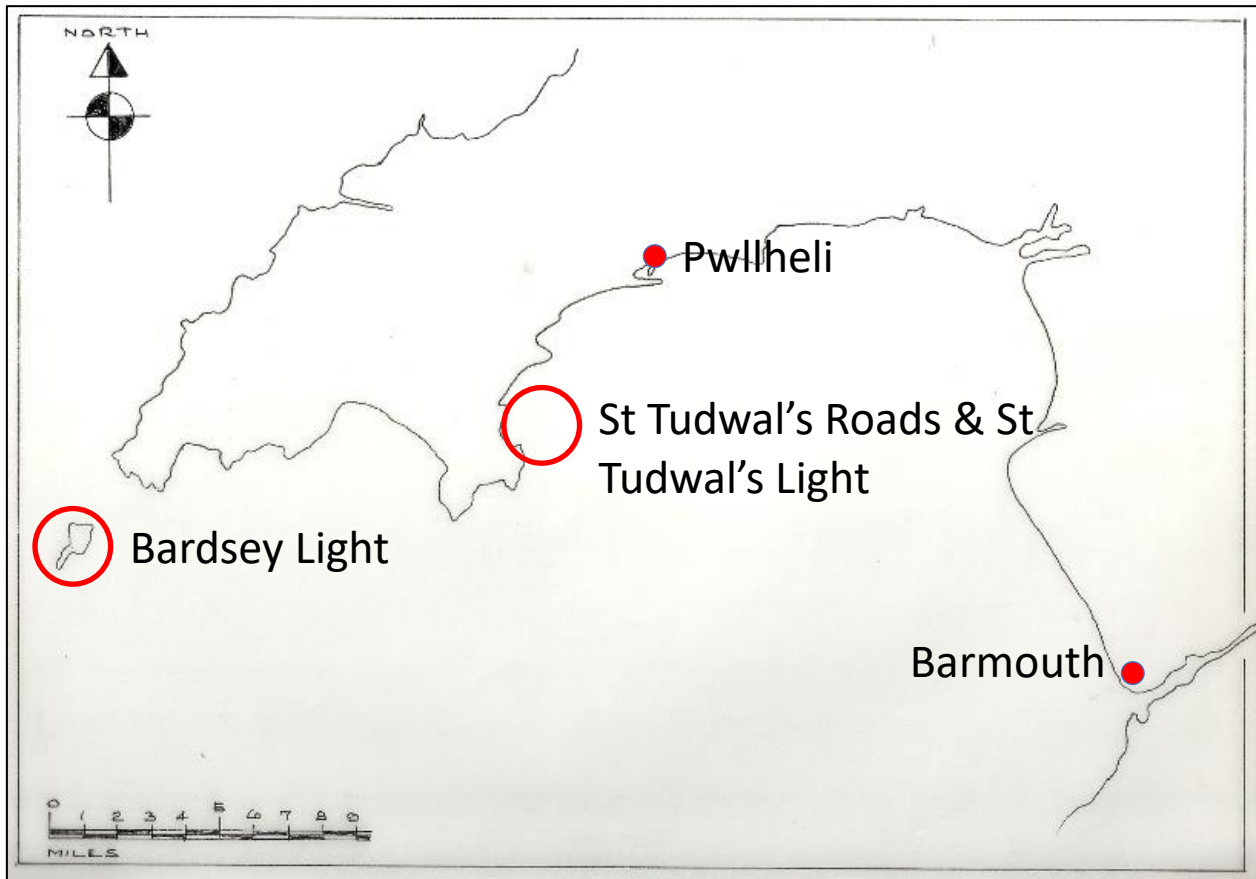


Figure 4.1 Plan of Key Locations Referred to in the Report © MADU.

For the purposes of this report the reef is referred to as St Patrick's Causeway consistent with the terminology used in contemporary reports.

St Tudwal's Light is located on the St Tudwal islands that are too small to be shown at the scale of the map above. In contemporary newspaper reports from the time of the sinking St Tudwal's is spelt St Tudwall's. The current usage had been adopted in the main text of the report but the spelling in newspapers reports is as they are printed.

5.0 Research Methodology

Research was limited to web based sources. No archives were visited or consulted. A laptop computer was used for research principally using the Google website with the information recorded and collated in MS Word.

Searches around the following terms were used:

- Glendarroch;
 - SS Glendarroch;
 - Glendarroch inquiry;
 - Glendarroch trial;
 - Glendarroch case;
- Captain O'Leary;
- Wimshurst;
- A Stephens and Sons;
- Atjeh; and
- Nederlandsch Indische Stoomboot Maatschappij,

In addition sites already known to the author were also used comprising:

- www.britishnewspaperarchive.co.uk - for historic newspapers;
- www.library.wales - for historic newspapers;
- www.hec.lrinformation.org.uk - for Lloyds Register information;
- www.crewlist.org - for the Mercantile Navy List and appropriation books;
- www.gracesguide.co.uk - for information on industrial history;
- www.theshiplist.com - for information on shipping lines;
- www.clydeships.co.uk - for information on Clyde built vessels;
- www.nationalarchives.gov.uk - registration information; and
- www.coflein.gov.uk - information on Welsh heritage sites.

In some cases records of information were found, for example, from the National Archive but this has not been requested. Where possible a record of the information that is held has been included. No enquiries to the Admiralty Hydrographic office or local archives were made.

The word 'Glendarroch' formed the basis of the search strategy but this rapidly led to a large amount of information, particularly from newspaper articles (www.britishnewspaperarchive.co.uk) as the stranding of the *Glendarroch* proved to have generated considerable public interest. Articles were sorted by date that enabled key events to be tracked. Articles from The Shipping Gazette and Lloyds List were prioritised as a potentially more reliable source of maritime information, but those from other newspapers were also reviewed where considered to be relevant. It was notable that many articles used the same text and therefore only key articles, or ones of particular interest were referenced. Although the National Library of Wales resource was used this did not include The Shipping Gazette and Lloyds List and the articles were generally the same as those in newspapers on the British Newspaper Archive, which proved easier to search on. Several Welsh language newspaper articles were found on the National Library of Wales resource but were not translated. Key newspaper articles were either transcribed by hand or by dictation into MS Word (no optical character reader was available).

Lloyds Register entries for the vessel were reviewed, these appeared to cease in 1886 but the vessel was relocated in 1893, when it was noted that she had been renamed. Once it was established that she had been renamed it was possible to track the whole of her career.

Limited print publications were available to the author, however, reference was made to the Shipwreck Index of the British Isles West Coast and Wales (Larn 2000), Shipwrecks of North Wales (Jones 2001) and Wreck and Rescue on the Coast of Wales (Parry 1969).

6.0 Results

HISTORY

The *Glendarroch* was built by Alexander Stephens and Sons, Govan in 1870. She was the first vessel launched from their Linthouse Yard. The history of Alexander Stephens and Sons can be traced to 1750 when there was a yard at Burghhead on the Moray Firth before the company expanded to yards in Aberdeen, Arbroath and Dundee. In 1851 a move was made to a site at Kelvinhaugh on the Clyde and then in 1869 to the Linthouse Yard, a 20 acre site where over 500 ships were built (Mitchell & Sawyer 1990 pg. 381). *Glendarroch* was the first ship built at the Linthouse Yard, and was Yard No. 148.

She was launched on 24th November 1870 and was an iron hulled screw steamer. Her official number was 63805 and she was 1,509 GRT, 954 NRT. J & J Thomson of Glasgow built her engines.

She was built for William Ross & Co, Glasgow and first registered on 10th January 1871¹, her port of registry being Glasgow.

Graces Guide² records that:

The first vessel launched at Linthouse in 1870 was the steamer *Glendarroch*, 1,509 tons gross, for Messrs. William Ross and Company. A large party attended the launch, which was followed by a luncheon. In the evening over a thousand employees and their wives were invited to a concert and dance in the Queen's Rooms. The celebrations lasted until daybreak, and it is recorded that no work was done on the following day!

The *Glendarroch* was an iron screw steamer of dimensions 265 ft. length by 33 ft. beam by 24 ft. n ins.³ from spar deck to top of floors, with a gross tonnage of 1,509. She was flush decked fore and aft with a clipper bow and was fully rigged with two masts, yards and sails.

Her accommodation was on the lines of the sailing-ships, with her captain and passengers below the spar deck aft, and in cabins on each side of a central saloon. The engineers and officers were berthed amidships, and the crew in the forecabin below the spar deck forward.

She had three cargo holds served by steam winches working the wooden booms, and her machinery was amidships, with one compound engine and two double-ended cylindrical boilers, and a small donkey boiler, all built by John and James Thomson of the Finnieston Engine Works, Glasgow.

Graces Guide also included profile of the ship, included as Figure 6.1 below.

¹ <https://www.crewlist.org.uk/data/appropriation/63805> accessed 19/02/21

² [https://www.gracesguide.co.uk/A_Shipbuilding_History_1750-1932_\(Alexander_Stephen_and_Sons\):_Chapter_4](https://www.gracesguide.co.uk/A_Shipbuilding_History_1750-1932_(Alexander_Stephen_and_Sons):_Chapter_4) accessed 19/02/21

³ "n ins." is as reported in Grace's Guide

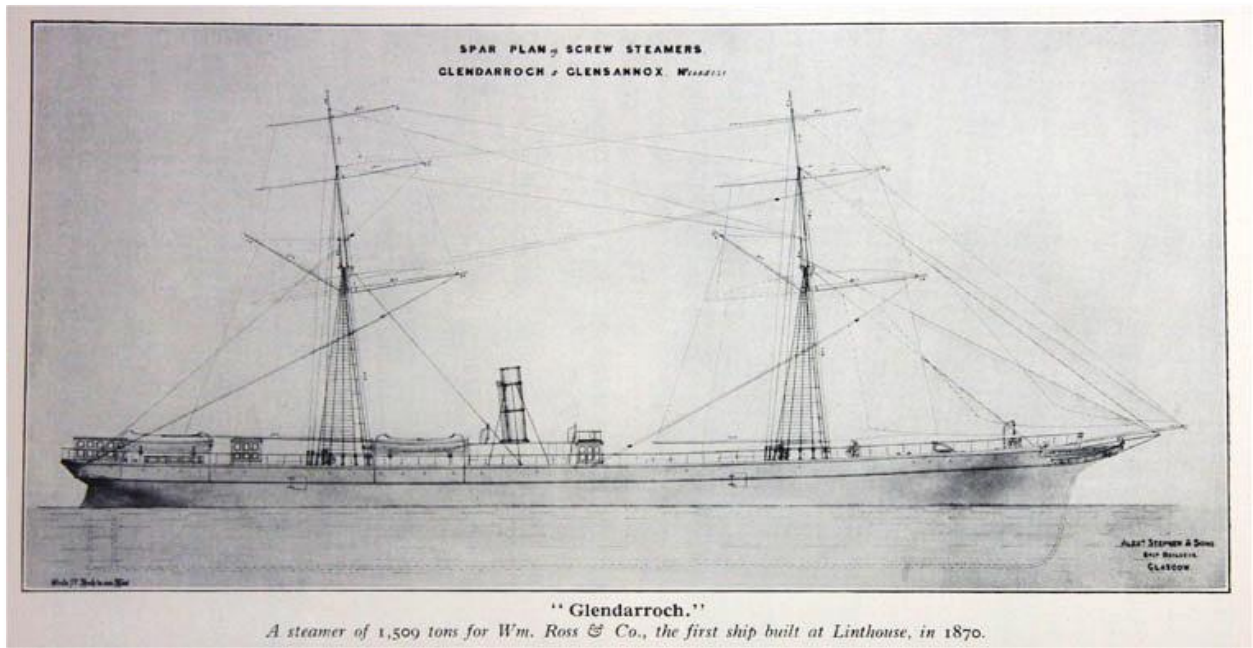


Figure 6.1 - SS *Glendarroch* 1870⁴

A newspaper report from December 6th 1870⁵ reports that an engineer in the employment of Messrs J & J Thompson of Finnieston was found lying in the hold, having fallen from the deck and was taken to the Infirmary. Thompsons were the engine manufacturer so this presumably dates from the time at which the *Glendarroch* was fitting out.

On 12th January 1871⁶ a Notice to Shippers was posted, noting that the *Glendarroch* was proceeding to Gairloch to adjust compasses and undertake a short trial trip before proceeding to London. It notes that she would then sail for Penang, Singapore, Hong Kong and Shanghai.

Lloyds Register for 1871 records the following details for the ship:

- *Glendarroch*;
- Screw;
- Iron;
- Cem.70 MC.70 AP. 160H;
- Master: E Berryman;
- 1,509 GRT;
- 954 NRT;
- 3 decks;
- Length: 272.3 feet;
- Breadth: 33.1 feet;
- Draft: 24.2 feet;
- Built: Stephen, Glasgow, November 1870;
- Owner: W Ross and Co, Glasgow (also noted is J. Lacy, Liverpool);
- 4 bulkheads;
- Voyage: Clyde – China (A. & C.P.); and
- Class: 100A1.

⁴ [https://www.gracesguide.co.uk/A_Shipbuilding_History._1750-1932_\(Alexander_Stephen_and_Sons\):_Chapter_4](https://www.gracesguide.co.uk/A_Shipbuilding_History._1750-1932_(Alexander_Stephen_and_Sons):_Chapter_4) accessed 26/02/21

⁵ The Evening Citizen 6th December 1870

⁶ Glasgow Herald 12th January 1871

Extracts of the Lloyds Register entries for the vessel are included in Appendix A

The register for 1872 adds her official number, 63805 and notes the Masters name as J T Fowler. The owner is still reported as W Ross and Co, Glasgow but under this is now added the name C W Kelloch. By 1873 the name W Ross and Co has been removed and the owner is just reported as C W Kelloch though still of Glasgow.

In 1874 some further details of the engine are included in the Register, noting it was a 2 cylinder compound engine with cylinders of 34" and 60" diameter, a stroke of 36" and developing 160 HP. It is also noted that the vessel was 'Bg', presumably relating to her rig. However, no owner is reported and there is no classification included. In 1876 a note that the boiler pressure was 60 psi was added but still no owner is reported.

The Mercantile Navy List⁷ records the owner of the *Glendarroch* in 1872 as John Lacy, Redcross Chambers, Liverpool and in 1874 as Charles Walford Kellock, Liverpool. She does not appear in the 1875 list.

SS Atjeh

From 1874 the details in Lloyds Register remain essentially the same until 1886 when the *Glendarroch* was renamed the *Atjeh* and was reported to be Dutch registered, in Batavia. At this time her ownership is reported to be the Nederlandsch Indische Stoomboot Maatschappij (NSIM). In the 1886 register she is reported to have 2 decks though still to be of 954 NRT. In the 1890 register she is reported to be 625 NRT and 1,312 GRT, with the Master named as Bowbijes. It is not clear whether changes in the number of decks and tonnage reflect a change in the ship, or a difference in classification since when she returned to the UK register (see below) the tonnage was very similar to that reported earlier in her life. In addition, her dimensions remain the same throughout. After 1887 the vessel only appears in Lloyds Register intermittently.

In 1892 the register records her ownership as Koninklijke Paketvaart-Maatschappij (KPM) and it appears that she was acquired when the NSIM was taken over by the KPM (see below), her Master is recorded as H Sexauer.

The NSIM⁸ appears to have been a British company founded by William Mackinnon (British India Steam Nav. Co.) which in 1863 won a tender for subsidised shipping routes in the Dutch East Indies (now Indonesia), although through its British links many routes seem to have been centred on Singapore. In the 1880's the minister of colonial affairs Jacobus Sprenger van Evk and businessmen Jan Boissevain (1836-1904), Willem Ruys and P E Tegelberg developed a plan for a new 'national' shipping line. In 1888 a new public company, the KPM, was created to bring shipping activities in the colony under Dutch influence, with Government subsidies and a requirement for half of the necessary ships to be built in the Netherlands. The KPM took over the ships and lines of the NISM and started service with 29 ships, 13 Dutch new builds and the 16 existing ships of the NISM⁹. Given the above it is possible that early in her career in the Far East, perhaps until 1886, the *Glendarroch* was based in Singapore, and may have even retained her name and the Glasgow registry. However, it also appears that her Lloyds classification was not maintained. Figure 6.2 below shows the *Atjeh*, in Dutch ownership.

⁷ www.crewlist.org.uk accessed 27th February 2020

⁸ https://en.wikipedia.org/wiki/Koninklijke_Paketvaart-Maatschappij accessed 19.02.21

⁹ <https://www.theshipslist.com/ships/lines/kpm.shtml> accessed 19.02.21

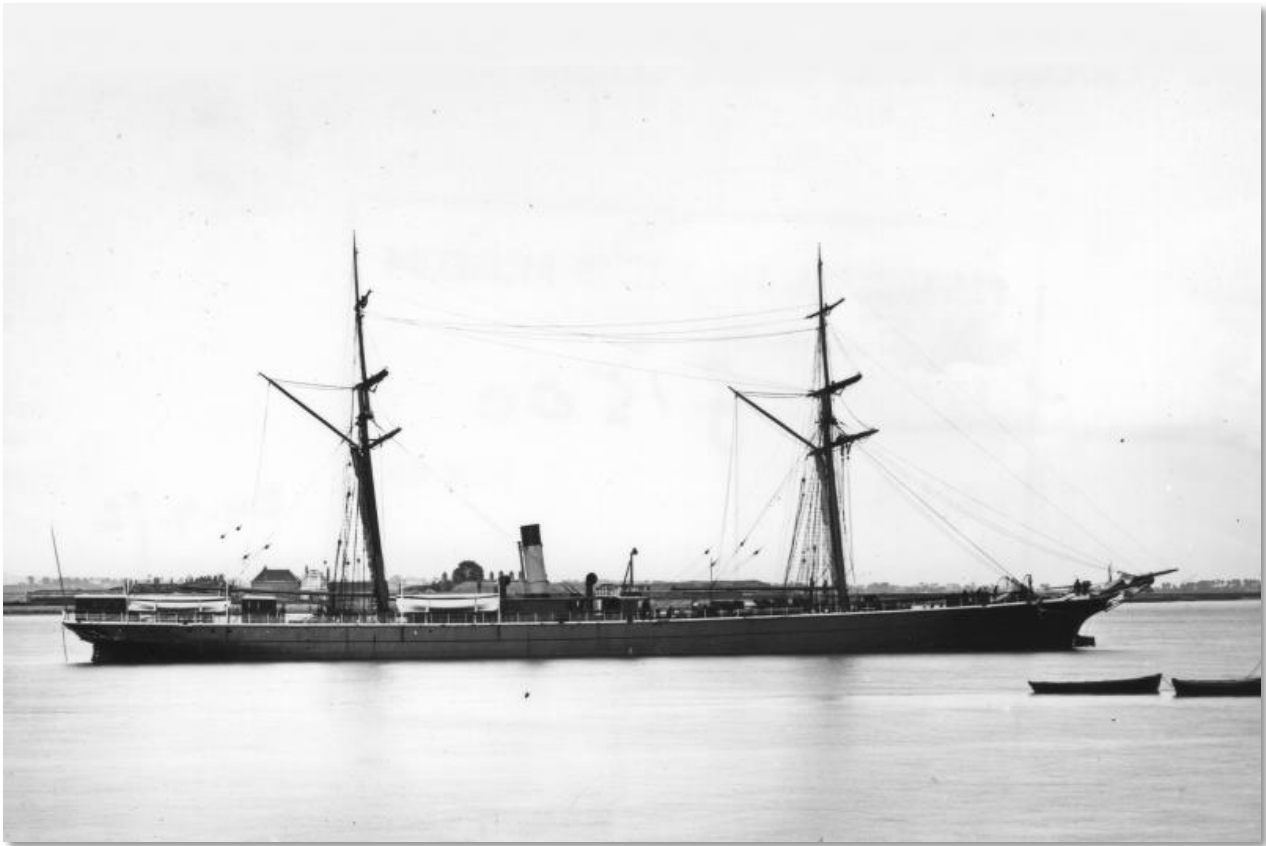


Figure 6.2 - SS *Glendarroch* / *Atjeh* (date unknown but believed to be during Far Eastern service)¹⁰

SS Glendarroch ex Atjeh ex Glendarroch

The 1892 Lloyds register shows the *Glendarroch* once again in the UK after what appears to have been about 16 years in the Far East. She was registered in London in the ownership of C Sayer & Co and reverted to her original name. Her tonnage is reported as 1,538 GRT and she has 2 decks – as noted above on this basis it appears the difference in the number of decks in some Lloyds Register entries may relate to tonnage definitions rather than any physical change.

The final entry in the register is in 1893 where the ownership is reported to have been R Martin, then W King and finally G C Stewart. It is notable given subsequent events that Lloyds never classed the *Glendarroch* again.

The *Glendarroch* is included in the 1892 Mercantile Navy List¹¹ when her owner is recorded as Charles Sayer, Redcross St, Liverpool and she is also reported to be registered in London, from 1891, presumably reflecting the time of her return to British waters. In 1893 the owner is reported as Robert Martin, 156 Fenchurch Street, London¹².

VOYAGES

Lloyds List and The Homeward Mail record regular sailings of the *Glendarroch* from 1871 to May 1874, principally from London to Penang, Singapore, Hong Kong and Shanghai via the Suez Canal. In one case her destination was recorded as Foo Chow Foo (modern day Fuzhou). She appears to have sailed from London but there is mention Gravesend, though the latter may have

¹⁰ <https://www.marhisdata.nl/image.php?code=38537&hash=e19514b7aa2c4b0821de8467c25a43b3717e1b3b&opt=5> accessed 19.02.21

¹¹ www.crewlist.org.uk accessed 27th February 2020

¹² A Robert Martin, solicitor, from London, appeared at the Inquiry in May 1893, it is not known whether this is the same individual.

been where she was reported rather than her destination. The final substantive mentions of the ship in the Lloyds List that could be located online are between March and May 1874. On 30th March 1874¹³ she was reported to have departed from Sunderland bound for Batavia (now Jakarta) via the Suez Canal under a Master named Horner. On 15th April 1874¹⁴ she was reported in the Suez Canal passing into the Red Sea and then on April 22nd 1874¹⁵ she was reported at Aden. It is notable that this voyage originated from Sunderland rather than London, though it has not been possible to establish why. A final record of the ships movements was located for July 1876, which reported her leaving Calcutta bound for London¹⁶.

Her destination of Batavia and the date in 1874 would coincide with lack of an identified owner in the 1874 register and presumably represents the point at which she was sold to NSIM. It could also explain why records of her voyages ceased in the British press (although as noted above she does appear to have returned to London in 1876). It is not clear whether she was renamed *Atjeh* in 1874, when she left the UK, or in 1886 when the Lloyds Register name changes but the history of the NSIM suggests it may have been the latter date.

Masters noted to have commanded the *Glendarroch* during her time on the British register include Berryman, Edwin, Fowler, Garland, Hall and Horner.

One other item relevant to the period of the ships life between 1870 and 1874 has been located on line. This is a memorial to James Anderson, aged 37 years, who is buried in Hong Kong Cemetery in Happy Valley, Hong Kong – the gravestone is reported to read 'Sacred to the memory of James ANDERSON, late chief engineer, *SS Glendarroch* who departed this life on the 14th July 1873 aged 37 years. This stone is erected by the Captain, Officers and Crew¹⁷.

A timeline of the history of the *Glendarroch* is included as Appendix B.

RETURN TO THE UK, STRANDING AND CRIMINAL PROSECUTION

The story of the *Glendarroch ex Atjeh ex Glendarroch* after returning to the UK is a tortuous one culminating in a criminal prosecution. A lot of information has been obtained from newspaper articles discussing the Board of Trade Inquiry and subsequent court cases; however, it has not been possible to locate a copy of the Board of Trade Inquiry report itself on line. The story of her loss is summarised below, full transcripts of the newspaper articles are included in Appendix C.

In late 1891 the vessel was reported to have been sold to William Ward Tamplin¹⁸ and was registered in London, she resumed her original name but it appears she was in very poor condition. A newspaper report from her loss quotes Mr R H Penney, Board of Trade surveyor, who noted that in October 1891 he measured and inspected her for re registry. He noted that he found her hull in very defective condition, particularly the side scuttle, with a number of her frames in a wasted condition, her rudder trunk eaten through, the spar deck in a rotten condition and the boats, gear and so on all in a more or less bad way. He stated that portions of the outside plating were so wasted he could 'burst it with a blow of the hand'. He considered that she had been neglected while serving under the Dutch flag.

Sometime shortly after this the ship appears in the ownership of a Mr C Sayer of Liverpool, said to have been acquired from a Dutch firm. The role of Tamplin (see above) has not been located in the newspaper articles. Sayer was provided with investment money by a Mr G C Stewart, shipowner, also of Liverpool in the form of several loans. Stewart's son was reported to have inspected the vessel in London and recommended that the money be loaned. Repairs were started on several occasions by different yards but not completed, and the costs mounted up.

¹³ The Homeward Mail 30th March 1874

¹⁴ Shipping and Mercantile Gazette 15th April 1874

¹⁵ Indian Statesman 7th May 1874

¹⁶ Lloyds List 27th July 1876

¹⁷ <https://memorials.rmg.co.uk/author/dedwards/page/46/> accessed 20th August 2020

¹⁸ <https://www.theshipslist.com/ships/lines/kpm.shtml> access 19.02.21

Sometime in 1892 Sayer went bankrupt apparently due to the cost of the repairs, and the ownership of the vessel passed to Stewart in lieu of the debt. Lloyds Register notes a Mr R. Martin as owner at one point but it is not clear how he was involved, perhaps in some administrative role as part of the bankruptcy.

From September 1892 to November 1892 the vessel was advertised for sale but was not sold. In November 1892, Stewart put the vessel in the hands of Mr H G Kellock, a shipbroker, for auction with no reserve. She was sold at auction, to a Mr William King for £1,500. However, King was a son in law of Stewart and may have been involved with a view to either driving up the bids, or to provide a reserve bid – in any event before long the vessel seems to have been back in Stewart's ownership. At this time a considerable sum of money had been expended trying to make the vessel seaworthy and to enable her to obtain a class certificate.

Stewart then sought quotes from a number of yards to repair the vessel, this included several London yards, but they all declined to tender. Presumably by this time the *Glendarroch* was becoming well known and there are reports of parties not being paid for work done on the ship. Stewart eventually engaged Wainwright Brothers of Liverpool to take the vessel there to complete the repairs. Wainwright obtained a cargo of 2,100 bags of concrete, which also served as ballast. He engaged a Master, Arthur O'Leary (aged 50), for the voyage and a Mr Wimshurst (aged 28) as Chief Engineer. Wimshurst was also a son in law of Stewart. O'Leary had previously been employed by Stewart but had been dismissed over a dispute about expenses on previous voyages. Later Stewart claimed that Wainwright had employed O'Leary, and he was unaware that either O'Leary was Master, or that Wimshurst was the Chief Engineer. It is unclear, but there are some suggestions that Wainwright's were owners of the vessel as well but this is not reflected in either Lloyds Register or the Mercantile Navy List.

The *Glendarroch* sailed for Liverpool on March 11th 1893, she had her compasses swung at Greenhithe and deviation cards were made up for the both the standard and bridge compasses. However, she was steered from the after steering position because there were said to be problems with the gear on the bridge, however, the compass at the after steering position was not provided with a deviation card. She was insured for £6,500 – said to be considerably more than her market value. Later evidence put her market value before she stranded at £2,750, but Stewart noted that with the repairs already done he 'had about £4,000 in her' and this seemed to be the rationale in his mind for her worth, rather than the market value.

When in Cardigan Bay the engineer reported a serious leak in the condenser and course was altered to take the vessel to St Tudwal's Road to allow the engines to be repaired. O'Leary claimed the weather was thick but other crew members noted that it was clear and they had seen the lights on both Bardsey Island and the St Tudwal's Islands, in fact several crew members noticed that the ship was in the red sector of the light from St Tudwal's and even pointed it out to the Captain. However, his response was only that they were 'all right' - shortly after the Captain ordered a course change to starboard and the vessel ran onto St Patrick's Causeway about eight miles 'SE by ½ S' from the St Tudwal's Light and about 18 miles from the Bardsey Light.

Subsequently, reports of witnesses were that the leak only happened after Wimshurst went behind the condenser. Expert evidence as the Inquiry suggested it would be possible to cause the appearance of a leak quite easily.

The *Glendarroch* ran aground on 15th March in clear weather although the RNLI report¹⁹ noted the weather as a strong breeze from the WSW with a heavy sea. At 9am on the 15th the Barmouth lifeboat came out to the ship and stood by but the Master noted that he did not require assistance. However, the lifeboat remained with the ship and by 7pm that night there was seven feet of water in the hold and the fires had been extinguished. It seemed likely the ship would become a total wreck but the Master and most of the crew still remained aboard, however, the

¹⁹ Lifeboat Journal 1894

lifeboat took six firemen ashore who did not want to stay with the vessel. A close watch was kept overnight by the lifeboat men and at daybreak a signal was seen on the *Glendarroch*, the Pwllheli lifeboat stood out to the ship and the Master asked that the lifeboat stand by until low water when he and the rest of the crew left the vessel. They were landed in Pwllheli at 5pm on the 16th. The owner Stewart informed the insurance company of her total loss.

However, the Liverpool Salvage Association vessel *Hyena* then attended the wreck and by March 23rd the crew had been able to raise the *Glendarroch*. She was brought into St Tudwal's Road, though still making water due to her damage before being towed round to Liverpool. An inquiry was called into her loss.

In April Captain O'Leary came on board the vessel at the Queen's Dock and invited the ship keeper and one of the firemen to come to the pub with him, however, one person remained on board. Later he heard footsteps on deck and noticed somebody he was unable to identify in the dark leaving the ship. The ship then began to fill with water.

It does not appear that the vessel sank but she took on board a considerable amount of water. The Salvage Association pumped her out again and two valves in the engine room were found to have been opened. It was noted at the Inquiry that these valves were in unusual locations and could only have been found in the dark by somebody familiar with the vessel. One valve was of unusual construction and could only have been easily operated by someone familiar with the ship. Only two people were considered to have knowledge of these valves, the Chief Engineer Wimshurst and the second engineer Carr. However, Carr had already left Liverpool.

The Board of Trade Inquiry was held in May 1893 and found that O'Leary had deliberately cast the *Glendarroch* away onto the Causeway, with the connivance of Wimshurst. O'Leary and Wimshurst both had their certificates cancelled. Following the Inquiry O'Leary and Wimshurst were arrested, O'Leary in Liverpool and Wimshurst in Llandudno. They were remanded for having conspired to deliberately run the ship aground. The trial was scheduled for July 1893 but O'Leary was taken ill and so the case was set for later in the year. However, before the trial could take place O'Leary (now aged 51) died of consumption²⁰, on 23rd August 1893, and only Wimshurst was actually tried in November. Various witnesses and experts were called, including technical experts who noted that the leak in the condenser could in fact have happened without any interference. There was no evidence of conspiracy and without O'Leary this could not be tested, Wimshurst was acquitted of the charges and released.

As noted in the closing remarks at the Board of Trade inquiry, 'the case was an extraordinary one – it was full of mystery, and the *Glendarroch* has been one of the most unfortunate vessels to everyone concerned with her of late years'.

Subsequently in 1894 there were a series of a further court cases linked to the loss of the ship:

- The owner of the cement cargo sought to recover their losses from Wainwright. In this case Wainwright claimed that the navigation of the vessel was not his responsibility, however, the Court found that the vessel was lost through the negligence of the Master and damages were awarded. The 'Glendarroch Case' was until very recently still being quoted as case law regarding damage to cargoes;
- A court case over a claim for commission in assisting Stewart to try and come to a settlement with the underwriters; and
- A further court case of somebody fraudulently using the vessels name to claim seaman's advance notes.

²⁰ Tuberculosis

The *Glendarroch* was offered for sale in late 1893 but this was cancelled, and although no direct evidence has been found, the newspaper article on the fraudulent claim for seaman's advance notes states she was in the process of being broken up in 1894.

Other Information Searches

The *Glendarroch* could not be located in Larn (2000).

Jones (2001 pg. 20) references the *Glendarroch* on a plan, showing the vessel on a map of the St Patrick's Causeway but provides no further information.

Parry (1969) refers to the *Glendarroch* with reference to lifeboat service, as follows:

- Pg. 21: March 15th 1893 – service to the steamer *Glendarroch* of London, which had gone aground on Sarn Badrig when they took off six firemen who were not prepared to stay on board the flooding steamer. Next day in response to signals from the casualty, both the Pwllheli and Barmouth lifeboats were launched. The first named was the first to arrive and took the remaining eleven men;
- Pg. 26: Service record – 1893, Mar, 15 Steamship *Glendarroch*, of London, saved six;
- Pg. 36: The steamer *Glendarroch*, of London, was wrecked in Cardigan Bay on March 15th 1893. The lifeboat was launched again but not required, as those from Pwllheli and Barmouth had already managed to take of the crew (referring to the Criccieth lifeboat); and
- Pg. 43: (Referring to the RNLB *Margaret Platt*) Four months later, she was called out on her first service. Early in the morning of March 16th 1893, a message was received that a vessel was ashore on St Patrick's Causeway. At 6.30 the lifeboat was launched and on reaching the position given found the steamer *Glendarroch* deeply laden with 800 tons of cement destined for Liverpool, aground. Her master requested the lifeboat to stand by until low water, when it became obvious to all that the vessel was doomed. The coxswain then brought the *Margaret Platt*²¹ alongside and took eleven of her crew off, the Barmouth lifeboat having already taken another six off.

The National Archive holds information on the registry of the *Glendarroch* in file BT 110/35/85. The catalogue entry notes that the ships official number was 63805 and that the registry was opened in 1870 and closed in 1894.

Searches on the Coflein website for the term *Glendarroch* did not reveal any information.

No searches have been undertaken for builder's plans and the like on the basis that the vessel was not wrecked.

²¹ Pwllheli Lifeboat

7.0 Analysis

The research has established an outline of the history of the *Glendarroch*. Although not wrecked the unusual circumstances of the stranding of this vessel were such that it was considered worthwhile documenting it, the case seems to have achieved some notoriety and this meant it was well represented in contemporary newspaper articles. Whilst the stranding did not result in a wreck there is a complex story of a possible deliberate wrecking, and the inquiries and investigations that followed.

Was there a deliberate stranding?

It appears that when the vessel returned from the Far East it was in very poor condition. Mr Stewart provided loans to Mr Sayer to repair the ship, on the basis of inspections carried out by Stewart's son. After Sayer went bankrupt Stewart then ended up owning the ship, having put a lot of money into her. It appears that no yards would undertake to repair her – perhaps because non-payment had already been an issue. The ship was eventually sold, but then apparently to Stewart's son in law. The chief engineer (Wimshurst) was also a son in law of Stewart, and the captain (O'Leary) was an individual dismissed by him in the past. However, Stewart claimed to be unaware either had signed onto the ship.

It is difficult to believe that what happened during the voyage was incompetence rather than a conspiracy. The vessel seems to have been over insured, Stewart claimed the cover reflected the money he had spent in repairs but the market value was considerably lower. She was only insured for total loss.

The problem with the engine only arose shortly after the chief engineer 'went behind the condenser'. Subsequent inspections of the condenser could not find a fault and it was argued at the Inquiry that this was a pretext to allow the vessel to be run ashore, the captain claimed to have been heading for St Tudwal's Roads but the courses he steered were not 'safe or proper'.

The captain claimed the weather was misty whereas other crew members attested to being able to see the lights on Bardsey and at St Tudwal's clearly – in fact the captain stood on into the red sector of the St Tudwal's Light even as crew members pointed this out to him. Shortly after he turned the vessel and she ran onto the reef.

The subsequent attempt to sink the vessel in Queen's Dock, Liverpool appears bizarre – what purpose this could have served is not clear. The vessel was pumped out very quickly but it is possible this was an attempt to hide the fact that there was no fault with the condenser. It was never established who opened the valves but the only person with knowledge of where they were located was said to have been the chief engineer.

At the Board of Trade Inquiry the captain and chief engineer were found to have deliberately cast away the ship. Both were arrested and charged O'Leary died of consumption before the trial could be heard and only Wimshurst was tried. He was acquitted, apparently on the basis of expert evidence that the fault in the condenser could have occurred without any interference, and that it was not possible to show any evidence of conspiracy. Perhaps this provided sufficient doubt for the jury to acquit him. But even then court cases associated with the ship continued after the trial as various parties sued and countered sued each other.

Where did the ship run aground?

A key challenge has been to establish where the stranding took place, although as nothing now remains at the site it is somewhat academic. It is difficult to follow the voyage discussed in the reports that have been obtained – the Court found that the courses steered were not safe or proper and the log did not survive. The fact that both the Barmouth and Pwllheli lifeboats attended the vessel means she could have been on either the northern or southern side of the reef.

The key pieces of information which do refer to her location are the reports from the light keepers:

- The keeper of the St Tudwal Light reported the *Glendarroch* 'on the reef, her bearing being SE ½ S' (interpreted as SSE) at a distance of 'about 8 miles'²²; and.
- The keeper of the Bardsey light was quoted as saying 'about 18 miles'²³ – though he was presumably referring to the position he understood the ship to be at.

If plotted on a chart neither of these distances place the vessel on the reef - SSE (True) puts the reef over 11nm from St Tudwal Light and, on this bearing the ship would have been around two miles east of the Causeway Bell in water depths of around 6m (CD).

If the bearing was magnetic then it is necessary to check the variation (declination) in 1893. The National Oceanic and Atmospheric Administration (NOAA) provide a calculator²⁴, based on a location around 52°N 004°W this gives a declination of 19°W in March 1893. This is consistent with information on from British Geological Survey²⁵ which provides records from Greenwich Observatory and gives a declination of 17°W. If a variation of this magnitude is applied then a magnetic bearing of SSE (157.5°M) would give a true bearing of around 140°T. This would put the *Glendarroch* on an area of the reef which does at least dry, about 12nm from St Tudwal Light (based on the 0m CD contour) in the region of 52°42.2'N 004°20.3'W. This position is almost 6nm into the current red sector for the St Tudwal Light, which at the 8 knots *Glendarroch* was reported to have been making would take around 45 minutes to cover. This is almost exactly midway between the 30 minutes and 'a few minutes' reported by the crew²⁶ and the 57 minutes calculated by Captain Nowell²⁷, as witness to the Court of Inquiry, that the vessel spent in the red sector before running aground²⁸.

One aspect that is difficult to reconcile is whether the vessel stranded on the north, or south, side of the reef as this is not specifically mentioned in any reports. The records say that the captain 'starboarded' the helm and quickly after ran onto the reef. A turn to starboard (ships head to the right) seems odd in the context of steaming north east into St Tudwal's Roads. If the ship was to the north of the reef then a turn to starboard would run it away from St Tudwal's Roads and onto the reef but this would have to be a deliberate act, if the *Glendarroch* was to the south such a turn would tend to carry her clear. However, in the past indirect helm orders would more likely have been used, linked to tiller steering, where to put the tiller to starboard would have resulted in a turn to port (to the left). From a NE course a turn to port would be towards St Tudwal Roads and could perhaps be construed as not being deliberate but if this logic is followed she would have stranded on the south side of the reef. This would perhaps be consistent with Barmouth lifeboat having been the first to reach the casualty.

²² Appendix C Shipping Gazette and Lloyds List 6th June 1893

²³ *ibid*

²⁴ <https://www.ngdc.noaa.gov/geomag/calculators/magcalc/snhtml?useFullSite=true> accessed 28.02.21

²⁵ http://www.geomag.bgs.ac.uk/data_service/data/yearbooks/grw.html accessed 28.02.21

²⁶ Appendix C Shipping Gazette and Lloyds List on 19th May 1893

²⁷ Appendix C Shipping Gazette and Lloyds List 6th June 1893

²⁸ This assumes the red sector is the same now as it was in 1893

8.0 Conclusions & Recommendations

The research met the objectives of establishing the history of the *Glendarroch*, however, this was helped in large part by the extraordinary circumstances of the loss of the vessel that attracted considerable media interest.

This meant that old newspapers provided a considerable amount of information on her loss. It proved harder to establish the details of her life prior to arriving back in the UK in 1891 and in particular during her Dutch ownership when she appears to have been based in Batavia (now Jakarta) sailing between the islands of the Dutch East Indies (now Indonesia).

As noted above the circumstances of the loss of the *Glendarroch ex Atjeh ex Glendarroch* were extraordinary but almost certainly not unique, she was reported to be in poor condition when she returned to the UK and could not be sold, or even repaired, when in London. The Court of Inquiry appeared to be convinced that the vessel had been deliberately cast away but the Captain, O'Leary, passed away before he could be brought to trial and the chief engineer, Wimshurst, a son in law of the owner, was acquitted of criminal charges. The *Glendarroch* was salvaged and broken up in Liverpool in 1894, however, although there is no wreck this is still an interesting story of an aging vessel and the problems that flowed from her poor condition. In the end there was no conclusion as to whether Wimshurst and O'Leary, perhaps with the knowledge of the owner Stewart, had conspired to cast away the vessel. However, from the information it is hard to come to any other conclusion, regardless of the ultimate acquittal of Wimshurst.

Given that there is no wreck further there is no site to be dived on. Further documentary research is unlikely to garner significant new evidence regarding her loss. The newspaper articles that were studied generally provided a consistent story and no significant conflicting accounts were noted. Further research on the life of the vessel may be of interest, perhaps to explain why she was in such poor condition when she arrived in London given that at that stage she was only around 20 years old. However, it would be of academic interest only and unlikely to have any significant bearing on the story of her loss.

A large amount of information was obtained from the British Newspaper Archive, a pay to view site, which proved invaluable in establishing the story of the wreck. The exercise showed the value of historic newspaper accounts and the extent of information that could be found on line using this source, but for the *Glendarroch* this was aided by the notoriety of the case.

9.0 References

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For website references please refer to footnotes.

Appendices:

Appendix A – Lloyd’s Registers entries for the *SS Glendaroch*

1871

✠4	Glendarroch Sew (Iron) Cem.70MC.70	EBerrymn AP.160H.	1509 954 3 <i>decks</i>	272·3 33·1 24·2	Glasgw <i>Stephen</i>	1870 11mo.	W.Ross&Co. J. Lacy	Glasgow 4 <i>Blk Hds</i> Liverpool	Cly. China (A.&C.P.)	—	100 ^A 1 12,70
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1872

✠8	Glendarroch Sew Iron Cem.70MC.70 63805	EBerrymn 160HP. J.T.Fowler	1509 954 3 <i>decks</i>	272·3 33·1 24·2	Glasgw <i>Stephen</i>	1870 11mo.	W.Ross&Co. C.W.Kelloch J. Lacy	Glasgow 4 <i>Blk Hds</i> Liverpool	Cly. China A.&C.P.	—	100 ^A 1 12,70
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1873

✠9	Glendarroch Sew Iron Cem.70MC.70 63805	J.T.Fowler 160HP.	1509 954 3 <i>decks</i>	272·3 33·1 24·2	Glasgw <i>Stephen</i>	1870 11mo.	C.W.Kelloch	Glasgow 4 <i>Blk Hds</i>	Cly. China A.&C.P.	—	100 ^A 1 12,70
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1874

9	✠ Glendarroch Sew 63805 Bg Iron 4 <i>B.Hds</i> J.T.F.L. 340 Cem.70	J.T.Fowler	954 1509 1502	272·3 33·1 24·2	2Comp.160HP. 34&60-36 MC.70 J.&J.Thomson, Glasgw	Glasgw <i>Stephen</i>	1870 11mo.		Cly. A.&C.P.	—	12,70
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1875

8	✠ Glendarroch Sew 63805 Bg Iron 4 <i>B.Hds</i> J.T.F.L. Cem.70	JTFowler	954 1509 1502	272·3 33·1 24·2	2Comp.160HP. 34&60-36 MC.70 J.&J.Thomson, Glasgw	Glasgw <i>Stephen</i>	1870 11mo.		Cly. A.&C.P.	—	12,70
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1890

827	Atjeh (ex Glendarroch) Bouwbyes	1 ScBg 2 Dks	Dutch Batavia	625 1312	272.8 33.1 24.2	Glasgow A.Stephen& Sons	1873		2Cy.34" & 60"-36" 160 HP. J.&J.Thomson,Glasgow	Nederland.-Indi Stoom.-Maatsch
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1892

899	Atjeh H.Sezauer (exGlendarroch)	IronScBg 2 Dks	1507 — 980	...	1878 1870 11mo	A.Stephen & Sons Glasgow	Koninklijke Pakets. Maatschappij	272.8 33.1 24.2	Batavia Dutch	C.2Cy.34" & 60"-36" 160H J.&J.Thomson,Glasgow
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Note named "Glendarroch," See No. 21 of Supplement.

1892 Supplement

21 6398	Glendarroch J.Nicholson (exAtjeh,exGlendarroch)	IronScSr 2 Dks	1538 1502 1028	...	1870 11mo	A.Stephen & Sons Glasgow	C.Sayer&Co.	272.3 33.1 24.2 B24t H11t	London British	C.2Cy.34" & 60"-36" 160HP J.&J.Thomson,Glasgow
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1893

272 63805	Glendarroch J.Nicholson (exAtjeh,exGlendarroch)	IronScSr 2 Dks	1538 1502 1028	...	1870 11mo	A.Stephen & Sons Glasgow	E.Martin W.King G.C.Stewart	272.3 33.1 24.2 B24t H11t	London British	C.2Cy.34" & 60"-36" 160 J.&J.Thomson,Glasgow
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Appendix B – The Timeline for the *Glendarroch*

Date	Activity
24 th November 1870	Launched by A. Stephen and Sons, Govan. The first vessel built in their Linthouse Yard. Yard No. 148. Official number 63805.
10 th January 1871	Registered in Glasgow, owner William Ross and Co Ltd. J Lacey of Liverpool also noted as owner.
12 th January 1871	Notice to Shippers noting that the <i>Glendarroch</i> was proceeding to Gairloch to adjust compasses and undertake a short trial trip before proceeding to London, from where she would sail for Penang, Singapore, Hong Kong and Shanghai.
1871 - 1874	Voyages advertised between London and the Far East.
1872	Owner recorded as John Lacey, Redcross Chambers, Liverpool.
1873	William Ross & Co no longer shown as owner, now reported as C W Kelloch.
1874	Owner shown as Charles Walford Kellock, Liverpool.
1874	Reported to be at the Suez Canal and Aden, bound for Batavia
1876	Reported to be in Calcutta bound for London.
1886	Lloyds Register shows the vessel as SS <i>Atjeh</i> registered in Batavia (now Jakarta) under the Dutch flag. The record of the voyage to Batavia in 1874 is likely to be the point at which ownership changed, as only one voyage to UK waters could be located after that. Nederlandsch Indische Stoomboot Maatschappij shown as owner but subsequently passed into the ownership of Koninklijke Paketvaart-Maatschappij.
September 1891	Reported to have been purchased by C Sayer from a Dutch firm. Believed to be back in UK waters.
1892	Lloyds register shows ownership as Koninklijke Paketvaart-Maatschappij but 1892 supplement shows her to be owned by C Sayer, London. Registered in London. Reverted to her original name of <i>Glendarroch</i> .
1892	C Sayer bankrupt and ownership passed to G C Stewart. Extensive repairs appear to have driven Sayer to bankruptcy - Stewart was the creditor at took ownership. Unable to get any company to repair the vessel in London, advertised for sale for two months before being auctioned.
December 1892	Sold for £1,500 to William King of Liverpool, son-in-law of G C Stewart. However, ownership then appears to have passed back to Stewart. Contracted with Wainwright Bros of Liverpool for the vessel to be brought to Liverpool for repair.
Jan - March 1893	Vessel made seaworthy for coasting voyage to Liverpool but not able to gain certificate of load line due to outstanding repairs. Cargo of cement taken on board as ballast. Captain O'Leary appointed - previously dismissed by Stewart for excessive expenses. H J Wimshurst appointed as Chief Engineer, he was another son-in-law of Stewart. Later Stewart claimed he was unaware either had been appointed.
11 th March 1893	Left London bound for Liverpool.
15 th March 1893	Ran aground St Patrick's Causeway, Cardigan Bay. Captain O'Leary claimed the weather was poor but other crew members stated that navigational lights on Bardsey and St Tudwal were clearly visible. In the evening prior to the stranding the chief engineer entered the engine room and went behind the condenser, shortly after a major leak was reported in the condenser. The captain opted to run for St Tudwal's Roads to allow

	the ship to be anchored. The vessel steered towards the Roads but then passed into the red sector of the St Tudwal's Light where she remained for 30 minutes to an hour before turning and running aground.
16 th March 1893	Barmouth lifeboat attended the vessel and stood by, before leaving at the end of the day with six firemen who did not want to remain on board.
17 th March 1893	Pwllheli lifeboat attended the vessel and removed the rest of the crew, by which time she was full of water and considered likely to become a total loss. Underwriters informed.
23 rd March 1893	Liverpool Salvage Association raised the vessel and brought her into St Tudwal's Road, leaking badly.
March 1893	Vessel brought to Queen's Dock, Liverpool.
4 th April 1893	Attempt to scuttle the vessel in the dock, valves opened in the engine room. Vessel pumped out again by Liverpool Salvage Association.
May 1893	Board of Trade inquiry held in Liverpool.
18 th May 1893	Court found that the stranding of the vessel was due to the deliberate actions of the master who, with the connivance of the chief engineer wilfully put the vessel ashore on St Patrick's Causeway. Certificates of the master and chief engineer cancelled.
23 rd May 1893	Captain and chief engineer charged with wilfully casting away the vessel.
5 th June 1893	Captain and chief engineer committed for trial.
2 nd August 1893	Trial postponed due to illness of Captain O'Leary.
23 rd August 1893	Captain O'Leary died of consumption.
November 1893	Trial of chief engineer H J Wimshurst.
27 th November 1893	Wimshurst acquitted.
3 rd October 1893	Notice that sale of <i>Glendarroch</i> postponed.
9 th December 1893	Court case for claim for damages to the cargo of cement. Became case law as the 'Glendarroch Case'.
17 th January 1894	Application by Wimshurst to have certificate restored, consented.
2 nd March 1894	Court case over the loss of the cement cargo, found in favour of the plaintiffs, owners of the cargo.
22 nd May 1894	Court case over claim for commission, a William Bew claimed Stewart had offered him commission to negotiate with the underwriters to obtain an insurance settlement.
31 st May 1894	Stephen Bailey charged with forging seaman's advance notes and obtaining money under false pretences, stating that crew members were from the vessel SS <i>Glendarroch</i> . The newspaper article discussing the case noted that the <i>Glendarroch</i> was in the process of being dismantled.

Appendix C – Key Newspaper Articles

FALL INTO HOLD 1870***Evening Citizen 6th December 1870***

Yesterday evening, an engineer in the employment of Messrs. J & J. Thomson, Finnieston, was found lying in the hold of the SS *Glendarroch*, now lying at Stobcross Wharf. He was picked up and examined by Dr. Connel, who ordered his removal to the Infirmary. The unfortunate man is supposed to have fallen from the main deck into the hold.

TRIAL TRIP 1871***Glasgow Daily Herald 12th January 1871***

Notice to Shippers

Per *Glendarroch* SS for Penang, Singapore, Hong Kong & Shanghai

Shippers are respectfully requested to Note that this Steamer proceeds to Gairloch to adjust compasses, and thereafter on a short Trial Trip, previous to her departure for London. They are requested to arrange their Insurance Policies accordingly. Thos. Skinner & Co. 12 Gordon Street.

VOYAGES 1871 - 1876***Shipping & Mercantile Gazette 14th January 1871***

Steam from London via Suez Canal. Last shipping day 27th January – For Penang, Singapore, Hong Kong and Shanghai taking goods at through rates for Batavia, Samarang, Sourabaya, Macassar, and Japan, at Shippers risk. The splendid new Clyde built full powered steamship *Glendarroch* 1,500 tons register, 900 h.p. effective, 100 A 1 (highest class) at Lloyd's; E.W. Berryman, Commander; will load in the East India Docks.

The attention of shippers and passengers is particularly directed to this very fine vessel, which has just been built by Messrs. A. Stephen and Sons, of Glasgow, expressly for the China trade, and engined Messrs. J. & J. Thomson, combining every modern improvement both in hull and machinery, and from her fine model it is confidently expected that she will prove a very fast steamer. For freight or passage (having elegant accommodation for a limited number of passengers) apply, in Glasgow, to Thomas Skinner and Co. 12, Gordon Street, or to Messrs. Wm. Ross and Co, Royal Bank place; in London to Thomas Skinner and Co., 17, Gracechurch Street. To be immediately followed by the new SS *Glensannox*.

Lloyds List 27th July 1876

Calcutta, sailed July 21 *Glendarroch*, London

MISAPPROPRIATED SHARES 1871***Shipping and Mercantile Gazette 1st January 1873******Liverpool Police Court***

Charge of Misappropriating Steamship Shares – The *Glendarroch* (s) Messrs J and H Keyworth, agricultural implement makers, Tarlton Street, appeared in answer to a summons taken out under the 76th Section of the Larceny Act 1861 charging them with having appropriated to their own use four shares of the steamship *Glendarroch* which it was alleged had been entrusted to them for safe keeping by Mr Charles Baker, publican, Basnett Street.

Dr Commins, barrister, instructed by Mr Blackhurst, appeared in support of the information; and Mr Kennerley, barrister, instructed by Mr Gill, appeared for the defendants.

Dr Commins said that the *Glendarroch* was first registered at Glasgow in 1871, and the defendants names appeared in the register as the Owners of four 64th shares, remaining so until

May of the present year. These shares were sold by them to Mr. Baker in October 1871 the purchase money being £1,936 10s which complainant paid in instalments, the last payment being in January 1872. Complainant was not acquainted with the management of ships, and thought it better to leave the shares transferred in the name of the defendants on the register. Subsequently, however, Mr. Baker, after having paid his money and having had some of the profits of the vessel discovered that the defendants had sold these identical shares to a gentleman of the name of Taylor, who had got the purchase registered; and, by a provision in the Merchant Shipping Act, complainant found himself deprived of his shares. Dr Commins then proceeded to argue that the complaint was the Owner of the shares when he made the contract, as if they had been registered, and that the defendants were amendable to the Larceny Act in dealing with them as they had done.

Mr Raffles, however, ruled that it was not such as contract as to bring the case under the operation of this act.

Mr Kennedy then stated that the facts of the case had been entirely misrepresented, and had been probably misunderstood. The defendants were not in possession of the shares until September, 1872, when they bought them from Mr. Sutherland, in whose name they were registered until then. There had been a promise or contract to deliver to the complainant at some future time certain shares in the vessel, but no money had ever been received.

The case was dismissed.

SALE 1892

Shipping Gazette and Lloyd's List 2nd September 1892

The iron SS *Glendarroch* by A Stephens and Sons, and engines by A and J Inglis²⁹ of Glasgow, 1,507 tons gross, 980 net register; two decks laid; large measurement capacity; light draught; compound engines; boilers in splendid condition; moderate consumption has very good accommodation for passengers, which can easily be extended if required. Has recently had extensive overhaul and heavy repairs. Now lying in London. For further particulars and order to inspect apply to James Power and Co., 158, Leadenhall Street, London

[Note: The same advert appeared 7th Sept, 17th Sept, 30th Sept, 1st Oct, 7th Oct, 15th Oct, 18th Oct, 22nd Oct, 8th Nov, 9th Nov, 11th Nov and 12th Nov].

²⁹ This is presumed to be an error, no evidence has been found that the *Glendarroch* was re-engined. None the less there were comments in the Inquiry and Trial that the engines were in comparatively good condition, albeit dirty, which might be considered inconsistent with the reports of the very poor condition of the rest of the ship. Perhaps they had been replaced.

SALE 1892***Glasgow Evening News 17th December 1892***

The SS *Glendarroch*, of 1,500 tons, was sold recently for £1,500, or a rate of £1 a ton. Time was when such a vessel could clear the amount in profit on a three months' voyage tramping.

CHANGE OF OWNERSHIP 1893***Shipping Gazette and Lloyds List 28th January 1893***

Change in ownership

Glendarroch (s) (63805) William King, of 9 Rumford Place, Liverpool, Ship Owner.

Shipping Gazette and Lloyds List 18th February 1893

Change in Ownership.

Glendarroch (s) (63805) George C. Stewart, of 58 South John Street, Liverpool, Ship Owner.

LONDON 1893***Shipping Gazette & Lloyds List 24th January 1893***

Glendarroch 640 tons, London Dock. Capt Lambert. Lying Up. Shad Basin.

Shipping Gazette & Lloyds List 7th March 1893

Glendarroch(s) 640 tons. London Dock. Captain Lambert from 'to lie up', Shad Basin.

[This is not clear but given this is close to the date she left London may relate to her coming out of lay up].

WRECK 1893***Shipping Gazette and Lloyds List 16th March 1893***

Glendarroch (s). Barmouth March 16, 8.37 a.m. – Steamer *Glendarroch* on St. Patrick's Causeway. Lifeboat returned with six crew, captain and 10 men declined. Signal distress flying this morning. Lifeboat gone out again.

Morning Post 17th March 1893***Wreck of a Steamer***

The Barmouth lifeboat returned to Aberystwyth yesterday with the crew of the *Glendarroch*. The steamer is of 1,000 tons burthen, and belonged to Liverpool, for which port she left London on Saturday [11th March] in ballast. Her condensers getting out of order the vessel ran aground on St. Patrick's Causeway, in Cardigan Bay. There is a considerable quantity of water in the ship, and it is expected that she will become a total wreck.

Evening Express 17th March 1893**Shipwreck in Cardigan Bay****Gallant Lifeboat Rescue**

The Barmouth and Pwllheli lifeboats on Thursday brought off the entire crew of the steamer *Glendarroch*, which went ashore on Wednesday night on St Patrick's Causeway, on the Caernarvonshire side of Cardigan Bay. The steamer, which was in the command of Captain O'Leary, left London on Saturday last, bound for Liverpool, with a cargo of cement. She ran on the Causeway during a mist, and stuck hard and fast. Signals of distress were sent up, and, in response, the Barmouth lifeboat put off, and, after a struggle succeeded in bringing away six of the crew, and landed them safely. Captain O'Leary declined to leave the vessel, and ten of his crew remained along with him. Subsequently, signals of distress were observed from the *Glendarroch*. The lifeboat again went out, and the remaining hands were taken off the ship and landed at Pwllheli, Caernarvonshire. The noble work of rescue was witnessed by considerable crowds. The vessel is now abandoned, and will, it is feared become a total wreck, as the wind had risen and the seas are making clean sweeps over her.

Belfast Newsletter 18th March 1893

The steamer *Glendarroch*, reported on Thursday ashore on St Patrick's Causeway, Barmouth, lies on the rocks and is badly holed. She covers at half tide and is likely to become a total wreck.

Shipping Gazette and Lloyds List 18th March 1893

Glendarroch. Portmadoc, March 17, 5.42 p.m. *Glendarroch* breaking up. Portmadoc tug will see what can be done. Captain McLellan and Lloyd's agent in charge.

The Northern Whig 18th March 1893

The steamer *Glendarroch*, reported yesterday ashore at St. Patrick's Causeway, Barmouth, lies on the rocks at Buenos Ayres badly holed. She is covered at half tide, and is likely to become a total wreck

[Note: The article above this one in the newspaper refers to the British steamer *Brenda* which foundered in the River Plate and the reference to Buenos Ayres is probably a typographic effort referring to this].

Western Morning News 20th March 1893

The Liverpool Salvage Association report that the SS *Glendarroch*, which went ashore on the rocks a few days ago on the Welsh coast, has been visited by their officer, who reports that the vessel is lying on the rocks badly holed and hogged. Five feet of water is measured alongside at low water, but at high tide the hull is covered. There is every probability of the vessel becoming a total wreck.

The Lifeboat 1893**Barmouth and Pwllheli**

On the 15th of March a vessel was reported ashore on St Patrick's Causeway, while a strong breeze was blowing from the WSW with a heavy sea. The Barmouth lifeboat *Jones Gibb* was launched at 9 am and boarded the vessel, which was the SS *Glendarroch*, of and from London for Liverpool, with cement. In reply to the lifeboat coxswain's enquiries, the master stated that he did not require any assistance; the coxswain, however, considered it his duty to remain by the vessel until high water, as she had four feet of water in her hold, and it did not appear probable that she would float. At about 5 pm the coxswain intimated his intention to return ashore soon, but the master seemed unwilling for the boat to leave, and therefore he remained until 7 pm, the time of

high water. Then the water in the hold had increased to seven feet and all the fires had been extinguished. The coxswain endeavoured to ascertain what the captain intended to do, as it seemed likely the ship would become a total wreck. He replied that he would not leave the ship that night, but that if he required help he would signal. Six firemen, however, did not wish to remain on board and therefore got into the lifeboat and were landed at Barmouth at 9.30. A close lookout was kept on the vessel all night by the lifeboat men. At daybreak a signal was seen on her and the lifeboat again put off to her assistance. The signal was also observed from the Pwllheli Lifeboat station, and the lifeboat *Margaret Platt of Staleybridge* was launched and was first to reach the steamer, the wind and tide being against the other boat. The master requested the lifeboat men to stay by him until low water, when he and the other ten men who were on board got into the lifeboat and were landed at Pwllheli at 5pm.

SALVAGE OF THE *GLENDARROCH* 1873

The Belfast Newsletter 23rd March 1873

The steamer *Glendarroch* which stranded on St Patrick's Causeway has been floated and anchored at St Tudwal. She is making much water. The vessel will be towed to Liverpool.

Shipping Gazette and Lloyds List 23rd March 1893

Glendarroch (s) London March 22 – The following has been received from the Liverpool Salvage Association, date Liverpool March 22, 1.30 p.m.:- "*Glendarroch*: Wrecking steamers arrived wreck 10 yesterday morning; pumps in position; working night and day; tides cutting fast; probably make attempt to float to-day".

BOARD OF TRADE INQUIRY 1893

Shipping Gazette and Lloyds List 3rd May 1893

The Stranding of the Glendarroch

An inquiry, ordered by the Board of Trade, into the circumstances under which the Liverpool steamer *Glendarroch* was stranded near St Patrick's Causeway, Cardigan Bay, on the 15th March last, whilst on a voyage from London to Liverpool, was commenced on Monday and continued yesterday at St George's Hall Liverpool, before Mr W J Stewart, stipendiary magistrate, assisted by nautical and engineering assessor's. Mr Squarey (instructed by Mr Paxton) conducted the inquiry on behalf of the Board of Trade; Mr WF Taylor (instructed by Mr WG Collins) appeared on behalf of Mr G C Stewart, the owner of the vessel; Mr Cameron (Messrs Thornley and Cameron) for Mr Arthur O'Leary, the captain; and other parties interested were represented by Mr J H Hamilton.

Mr Squarey, in stating the case for the inquiry, said that the evidence was very voluminous, and the case was a somewhat peculiar one. The vessel had, it appeared, changed hands no fewer than six times, and ultimately came into Mr Stewart's possession. She was an old Dutch vessel, and had been in the London docks for at least two years when bought by Mr Stewart. He made a contract with Messrs Wainwright Bros, of Liverpool, to do certain repairs, and also to bring the steamer around to Liverpool for a sum of £1,400. She had been purchased in 1891 by Mr Charles Sayer of Liverpool, for £3,400 and Mr Stewart the present owner, had advanced £2,500, at 9%, and £1,000 was provided by Mr Sayer and Captain Lambert. She had been under the foreign flag and Mr Sayer, wishing to transfer to the British flag, certain repairs were required by the Board of Trade, which were estimated to cost about £1,000, but which have been increased to about £1,500. The contracts for the work were entered into. Mr Sayer eventually got into financial difficulties and into the bankruptcy court, and had to relinquish all interest in the ship. Mr Squarey then proceeded to trace the changes in the ownership until she finally came into Mr Stewart's possession in January 1893. Mr Stewart then made a contract with Messrs Wainwright Brothers to carry out the necessary repairs, and to bring her to Liverpool. He also instructed that

firm to take out a policy of insurance for £6,000. The vessel thereupon left London for Liverpool, with cement, on March 11 last, and, according to the evidence of the crew and engineers, the vessel was in good condition. Everything went well until shortly before the stranding. On leaving London she had been passed as fit to come round to Liverpool, but no more. The compasses were adjusted before leaving London, and deviation cards were supplied by Messrs McGregor and Co. When Cardigan Bay Lightship was sighted it bore ESE, distance about 6 miles, and shortly afterwards the chief engineer reported that the condenser was leaking badly, and that it would be necessary come to an anchor for repair. The master accordingly made up his mind that he would run into St Tudwall Roads, and the course was altered. The master found that he had got too far to the East, and starboarded his helm to the North, but he was too late, and the vessel struck. All on board were saved, and the vessel was abandoned to the underwriters. The Liverpool Salvage Association took her in hand, and succeeded in bringing the vessel into Liverpool, where she at present remained in one of the docks. The underwriters had refused to take her over. Mr Squarey said that he would be able to prove that the Cardigan Bay Lightship was visible three hours before the vessel struck, whereas the captain attributed the accident to the thickness of the weather. It appeared that after the vessel struck the captain did make some effort to get her off, at all events he kept the engines moving until 7 o'clock on the night of the 15th. There seemed to be something wanting to be cleared up concerning the engine room at that time, for when the telegraph was standing at full speed astern the engines were working in the opposite direction, so that the effect would be to put the vessel higher on the reef than she otherwise would have gone, and this appeared to have been done so by the order of the second engineer, who told the man at the engines not to mind what order came from the deck. About 8 o'clock the second engineer was relieved by the chief engineer, and the former made the statement that the engines were working perfectly satisfactorily. Immediately after that the chief engineer went round to the back of the engines, came back a few moments afterwards and said the condenser was leaking badly. It were not for him (Mr Squarey) to suggest anything, but he would call skilled witnesses who would give one or two possible explanations as to the way in which the water might have got into the ship without there being anything wrong with the condenser. Witnesses would be called who would suggest that it might have been caused in other ways than the breaking down of the condenser, which the chief engineer said was the reason. For some time the ship did not take much harm. At 7 o'clock in the morning after she struck she was striking pretty heavily, and making water in the engine room, and the Barmouth lifeboat came alongside, and urged the master to abandon the vessel. He, however, refused to do so, and at 3 o'clock he made another attempt to get her off, but the water was gaining, and finally the fires were extinguished, and at a quarter past 7 the Barmouth lifeboat came and the fireman left the ship. The master and the rest of the crew remained on board, and at 6 o'clock on the morning of the 16th the ship was striking very heavily, she was full of water, and the master thought it better to take measures to abandon the vessel. He made signals, which were responded to by the Pwllheli lifeboat, and at 11:30 she was finally abandoned, and the rest of the crew landed in safety. In the statement before the Receiver of Wreck, the master, in describing the cause of the casualty, said: "the lights being obscured, the ebb tide setting the vessel to the South of the coast," and he also said that the accident would have been avoided if the weather had been clear. He (Mr Squarey) would suggest that the account of the casualty was absolutely inconsistent with the facts, and that the accident might have been avoided if the master had taken precautions, and especially if he had used the lead and had taken care to see what the deviations of his compass were. Ultimately the Salvage Association took possession of her, and succeeded in getting her off, and brought her up to Liverpool, where she was placed by them in the Queen's Dock, where she was now held by the Salvage Association for the benefit of whom it might concern. While in the dock she made a small amount of water, and this necessitated fireman being kept on board for the purpose of pumping, and they were able to keep her practically clear of water. A man named W. Bowes, a ship keeper of the Salvage Association, had charge, and had written orders not to let anybody on board except with an order from the secretary of the Association, or Mr Stewart, the owner. On the 4th April at about 3 o'clock in the forenoon, Captain O'Leary came down to the ship and told the keeper that he had to come down to the Queen's Dock later on in order to see some one

belonging to him off to sea. At 10:30 the vessel was pumped out by two firemen who were on board with Bowes, and 11:00 o'clock Captain O'Leary came down and hailed the *Glendarroch* from the quay, the ship keeper went to him, and the captain said something about not being very well, and he invited Bowes and the firemen to come to the public house to have something to drink. Both thought it better to leave someone in charge, but he and one of the firemen accompanied O'Leary to the public house, and about 5 minutes after coming back the man came and told him the ship was making water rapidly. This was reported to the underwriters shed, and on the following afternoon the underwriters pumps were got to work and the ship was left again clear of water. The fireman who was left on board said that shortly after both went for the drink he heard someone walking on the deck, but did not take steps to see who it was. He afterward went to the water closet, and coming out about 2 minutes afterwards he saw the man hurrying up from the engine room and going towards the gangway. He saw the man run across the gangway, across the other vessel, and through the sheds, and this man got away without being identified. It was shortly after that Bowes and the other firemen came back, and then a few minutes afterwards it was found that the ship was making much water. On the vessel being examined by the chief engineer of the Salvage Association it was found that two of the sea cocks had been open. It certainly did seem a very curious story, and one that needed some clearing up. It was difficult to see the motive anybody could have in wishing to sink the *Glendarroch*, but it would have to be taken in conjunction with the other circumstances in this case, and it would be necessary to have the Court's opinion. As far as could be ascertained, Mr Stewart had at risk some £5,000, but that gentleman would perhaps make it rather higher, and would say that the £6,000 insurance was enough to clear him and no more; But it was necessary to look at the circumstances of the case, and the evidence which they would hear as to the kind of vessel this was. She was built in 1870, and had been doing absolutely nothing for some two years, so that she was certainly in very bad condition. The question suggested itself whether it was possible that Mr Stewart should have thought he had made a bad bargain by investing so large a sum of money in the *Glendarroch*. Mr Stewart would probably say that if the vessel had arrived safely in Liverpool he would have had expected to recoup himself on her future voyage, and to get a fair amount of interest for his money. On the other hand, if she was lost he would get £6,000 in hard cash from the underwriters, and it would become a question for the Court to consider whether it would be better for the owner if she was lost than if she'd arrived safely in Liverpool. It would have required a great amount of expenditure of money before she could have got a certificate. In counsel's opinion it was a case shrouded in mystery, and will require the most careful investigation by the Court to clear up what at present seemed to be a very difficult affair. In connection with the breaking down of the condenser, the chief engineer suggested as a cause of the leakage certain rotten planks put in at London. The condenser had never yet been taken to pieces and examined, but if it was necessary to do so no doubt there would be no difficulty raised.

Mr H G Kellock, ship broker, said that he was instructed by Messrs Stewart and Co to sell the *Glendarroch* about the 23rd or 24th November. He advertised in the usual way. She was offered for sale on December 8 absolutely without reserve. There were two or three bidders and she was knocked down to W King and Co for £1,500. He had not seen the vessel since, and could not comment therefore, give the Court any idea of her value.

Mr C Sayer said that he was formerly owner of the *Glendarroch*, having bought her in September, 1891, through Messrs Moss and Co, Liverpool, from a Dutch firm. The price was £3,500. Of this sum Mr Stewart made in advance of £3,500, on mortgage at 9%. She was repaired at a cost of £1,000 to meet the requirements of the Board of Trade.

By Mr Taylor: He did know what amount was due to Mr Stewart for the mortgage.

Mr Walter Reader, examined by Mr Squarey, said he was manager for Messrs J Stewart and Co, engineers. They affected alterations upon the *Glendarroch* at a cost of £317 16s and 8d. It was mostly ironwork. Mr Sayer and Mr Lowe commissioned them to do the work. They had not yet

been paid for the work done; he expected to get paid, however, at least from Mr Lowe. He had had a good deal of experience of ships, and he considered that this steamer was in very poor condition. He met his surveyor on board the steamer once, and he pointed out to him a lot of work that ought to be done. It was the hull that was in very poor condition. He had nothing to do with the engines, or her rigging or masts.

Mr T Lomas G Martin, member of the firm of J McGowan and Co, London, engineers and boiler makers, said that his firm worked on the *Glendarroch* to the amount of £437. They effected repairs to the bunkers, engines, boilers, and different parts of the hull. These repairs were ordered first by Mr Sayer and his chief engineer, afterward by Messrs McDowell and Messrs Wainwright.

Mr Timothy Kelly, manager to Messrs McGowan and Co, London, said he superintended the repairs to the *Glendarroch*. He described the repairs done to the boilers, and said they were generally overhauled and tested. The engines were opened up, but he had nothing to do with that. Witness further described the alterations done to the vessel generally. He knew nothing about the condenser.

By the court: He never saw her in dry dock. He understood that Mr Sayer gave orders regarding the boilers. He was present when the boiler was repaired and tested.

Mr John Stephens, partner in Messrs Stevens, Smith and Co, said that in 1891 they tendered to the owners of the *Glendarroch* for certain repairs which amounted to £480. A further sum was spent on her, which was for the reclassification purposes. After they had finished their work there was still a lot more to do, but he refused to go on with it, because they could not get paid. The vessel was ultimately offered to him, but he declined the offer.

Mr R H Penney, Board of Trade surveyor at London, said he knew the *Glendarroch* quite well. On October 24 and 28, 1891, he measured and inspected her for the purposes of re-registry. She was then afloat. In November and December of the same year he again surveyed her for an approved load line. He did so afloat and in dry dock. He found her hull in a very defective condition, particularly the side scuttle. A number of her frames were in a wasted condition, her rudder trunk was eaten through, and there were several other defects. The spar deck was in a rotten condition. In fact, he found some portions of the outside plating so wasted that he could burst it with a blow from his hand. Witness described generally the condition of the boats, gear, &c., all of which were more or less in a bad way. She was to be surveyed in London, and then repaired there sufficiently to go to Liverpool to undergo all those repairs suggested by the London surveyor. She took 600 tons of cement on board as ballast. Bureau Veritas had to do with the engine and boiler.

By the court: The vessel when under the Dutch flag was almost exclusively engaged in the passenger trade, carrying only light cargoes. He considered that when she was flying the Dutch flag she was in a neglected condition. When he last saw her he considered her seaworthy, and fit for the coasting voyage.

Thomas Swyny, stevedore and ballast contractor, London, said he put into the *Glendarroch* 225 tonnes of cement, about 115 tonnes being put in the after hold. There was some ballast in the main hold which he (witness) pointed out ought to be trimmed. The captain demurred at first, but ultimately the order was given to witness to do it at a contract price, a trifle out of which witness gave to the captain. Witness had a conversation with someone connected with the ship, and he expressed a doubt whether the vessel would reach Liverpool. He had never been paid for his work.

Mr Frederick Wainwright, manager of Messrs Wainwright Brothers, shipwrights, of Liverpool, said he entered into a contract for repairs upon the *Glendarroch* at the sum of £1,400. Before she left London they spent over £900 on her. His firm was to bring her round from London. They engaged to Captain O'Leary to take command - a gentleman who is personally acquainted with

witness. He brought no character, and witness was unaware that he had been in trouble. The captain was to receive £87 odd, out of which he was to pay the crew and victual the boat. He was paid the greater part of this while Captain O'Leary was in London. He had since received the balance.

By the court: He had known the chief engineer for some years, but he did not engage him, Captain O'Leary doing so.

The inquiry was adjourned until today.

Shipping Gazette and Lloyds List 4th May 1893

The Stranding of the Glendarroch.

The inquiry, ordered by the Board of Trade, into the circumstances under which the Liverpool steamer *Glendarroch* was stranded near St Patrick's Causeway, Cardigan Bay, on the 15th March last, whilst on a voyage from London to Liverpool, was commenced on Monday and continued yesterday at St George's Hall Liverpool, before Mr W J Stewart, stipendiary magistrate, assisted by nautical and engineering assessor's. Mr Squarey (instructed by Mr Paxton) conducted the inquiry on behalf of the Board of Trade; Mr WF Taylor (instructed by Mr WG Collins) appeared on behalf of Mr G C Stewart, the owner of the vessel; Mr Cameron (Messrs Thornley and Cameron) for Mr Arthur O'Leary, the captain; and other parties interested were represented by Mr J H Hamilton.

Mr George Charles Stewart said he had been a ship owner for 40 years, owning at the present moment two steamers. In 1891 he heard about the *Glendarroch*, and on his behalf his son examined the vessel. He put money into the vessel upon his son's report, advancing a sum to Mr Charles Sayer. After this advance he made another to the amount of £560 odd; this was also to Mr Sayer, this gentleman representing to witness that it was to obtain a Bureau Veritas certificate and for such like purposes. Witness could not say what Mr Sayer spent upon the vessel for repairs. Mr Sayer becoming bankrupt, witness took possession of the vessel, and later on he instructed the Messrs C W Kellock and Co, to sell her by auction. He placed no reserve upon the vessel; he attended the sale to bid if necessary on his own account if she went out to low a price. About this time he had a sum of about £4,000 against the vessel, made up of loans and ship expenses. At the sale she was sold for £1,500 to Mr King, of Liverpool, but she was afterwards put in the witnesses' name. Mr King was his son in law. After he came into possession of the vessel she was in London. He wanted to get her repaired there, but could not get the repairs done there because such a bad report had been made concerning her that no one would touch her. He ultimately gave the order to Messrs Wainwright, of Liverpool, for the sum of £1,400. Under this contract he was to take all risk on the vessel, and it was also a term of the contract that the Messrs Wainwright were to get insurance policies for £6,000. The vessel would be worth that amount to him if she had arrived safely in Liverpool. He could not say if more money would have had to be spent upon her to make her seaworthy. When he saw the report that she was breaking up he gave notice to the underwriters. As regards Captain O'Leary, he had been in his employ for two years, and as he considered his expenses abroad too much he was dismissed. He was recommended to him by two respectable parties, a nautical surveyor and a well known ship owner. He had nothing to do with the appointment of Captain O'Leary to the command of the ship; in fact he did not know he was in command until after she had left for Liverpool, neither did he know anything about the appointment of the chief engineer, Mr Wimshurst. He knew nothing about the dock incident, and he had never even yet seen the *Glendarroch*.

By Mr Hamilton: he did not discuss with Mr Wainwright as to how she was to be brought round. He left the insurance also to him, which was for a total loss. Mr Wainwright did not tell him that his old captain was bringing her round. He had had no business with Captain O'Leary since the stranding. He had not been informed that his son in law, Mr Wimshurst was also sailing in her.

By Mr Taylor: He certainly never suggested either to the captain or to Messrs Wainwright Brothers that the ship should be stranded, and he had nothing whatever to do with the visit which the captain was stated to have paid to the vessel as she laid in the Queen's Dock.

In reply to the stipendiary magistrate, who asked if witness would look to Messrs Wainwright in the event of the underwriters refusing to takeover the vessel, he said he held policies for £6,500, and he would look to the underwriters.

The stipendiary: Supposing the Court holds that the underwriters are not bound to take the vessel? Then I must try to make them.

If you fail to make them, will you look to Messrs Wainwright? I cannot answer that, and I appeal to my Counsel whether I am bound to answer it. I shall Sue the underwriters if they do not pay me.

The Stipendiary: You made the con to answer the question, and the court may draw its own inference.

Mr Taylor advised the witness that he should decline to answer the question.

The Stipendiary: If you were paid the £6,000 there would be £1,400 profit for you after the transaction, less expenses - Witness: well, the way you put it, I suppose it would be so.

Mr Wainwright, recalled, that he first saw the vessel about a week before the contract. He spent two days in examining her. He heard that another firm of shipbuilders had estimated to the repairs for about £950. It was very serious thing to him that the vessel did not arrive in Liverpool all right. Witness made an objection to Wimshurst sailing in her, but O'Leary insisted that he should go in her.

By the Court: He had some communications with the Bureau Veritas and Board of Trade as to the requirements of the ship, a list of which witness gave. When he made his survey he could not say if any surveyors were on board with him. He spent on her in London £900 odd, which was for plating, riveting, fixing the ceiling, and jobs about the deck &c. Some portions of this work were done by London firms. He could not say what he would have had to spend upon her in Liverpool.

Mr Robert Martin, solicitor, London, who acted on behalf of the Messrs McDowell, gave evidence as to the transaction between his client and the Liverpool owners.

Arthur O'Leary, certificated master mariner, said that he had been to sea about 34 years, serving for many years on steamers. He had known Mr Stewart for many years, and had held command of two of his ships. He left them in June last because Mr Stewart complained of his accounts being too heavy. Early this year he heard about the *Glendarroch* through Mr Wainwright, who said that he was trying to contract with Mr Stewart to repair the vessel. Soon after this he saw Mr Wainwright, who informed him that he had got the contract. Witness then applied for and received the command of the vessel. He was to get £86 for the job, which was to pay for everything wages victuals, &c. If he brought the ship round alright he was also to receive a bonus. He had received the whole amount. He went aboard the steamer in London and engaged the mate and crew, including Wimshurst, whom he previously knew but had not sailed with before. Including witness, there were 17 hands on board when she sailed. He considered that if the deck fittings had been put in order she would have been fit to go all over the world. Three compasses were on board. On March 11 she sailed from London and stopped off Greenhithe to adjust compasses, which was done by Messrs McGregor. After they were adjusted they proceeded, but stopped to affect him repairs to the engines. Next morning they started on the voyage. Both log books were lost in the hurry of leaving the vessel. He had a private log book which he would produce. They went down channel all well, and proceeded up channel until the evening of March 14, when at 7:15 he made Cardigan Bay Lightship. It would be about six or seven miles off. At 7:30 the engineer reported to him that the condenser was leaking badly, and

asked witness to go and see it. He did so, and he found the water streaming out of it as thick as his leg. After consultation he decided to take her to the nearest anchorage for repairs, which he found was St Tudwall Roads. He put the ship round and steered ENE until he saw St Tudwall Light, which would be about midnight. The night was cloudy and misty. When he saw the light he starboarded the helm immediately. He was only about 8 or 9 minutes on a starboard helm when she stranded. He never saw the Bardsey Island Light. He would swear that he took a cast of the lead after leaving the Cardigan Bay Lightship. The last time was between 10:30 and 11:00 when he got no bottom at the 10 fathom mark. Witness and the mate took the casts, which were taken without stopping the vessel, because the engineer said that in the state of the engines it would be risky to stop them, as it might be difficult to get them to go again. The ship was only going slowly. Witness then marked on the chart at the spot where he stranded, but Mr Squarey intimated that he would call evidence to show that such was not the correct spot. Witness tried to get the ship off, but without avail. He did think of throwing the cement overboard, but he gave that idea up. At noon, next day, the Barmouth lifeboat came, and almost insisted upon him leaving. She stuck by them until 6 in the evening, when the fireman left. Next day another lifeboat came to them, and witness and the remainder of their crew left in this boat. No lives were lost. He attributed the accident to the state of the weather and the tide running down stronger than he had anticipated. He had saved the ships register, his certificate, and a little black bag.

On the court reassembling yesterday, Mr Squarey said that before he recalled Captain O'Leary he wished to make an application. He thought the Court had heard evidence upon that crucial point as to the reason which induced him to make for the roads. They would know that the chief engineer reported that the condenser was leaking, and that it would be better to make for an anchorage to repair it, and the captain acted upon that suggestion. From that time nothing had been done with the condenser. He would therefore ask the court to recommend that steam be got up and its state ascertained. This would tend to meet the ends of justice. He put it as much in the interest of Mr Wimshurst and Captain O'Leary, because he would show that if the condenser did leak it would be a strong point in their favour.

Mr Hamilton: I entirely concur in the application. It would be an extremely good thing for the information of the court.

Mr Stewart said that at some time or another the court had fully made up their minds to go and see the vessel. They had better go and see it before anything was done, and he saw no objection to steam being got up. They would see the actual breakdown, and they would like to hear the chief engineer. They would signify the time than when they would go and see the vessel.

Mr Taylor: In this matter I shall neither assent nor dissent.

The examination of Captain O'Leary was then continued. He said that he went and saw the vessel while she was in the Queen's Dock. She was laying outside another vessel. He saw two men on board, who he thought were caretakers. He went on board, remaining about three quarters of an hour. He asked them if they had seen any of his effects on board, but he never went below at all. In the course of the afternoon he and the men went to a public house, but then they explained they were off duty. He then went home. At about 9:30 he again went to the *Glendarroch* for the purpose of seeing Captain McLellan of the Salvage Association. He had some conversation on the quay with the keeper of the *Glendarroch*, which lasted for about 10 minutes. The man asked him to allow him to drink his (witnesses) health. He was sure it was not the other way. The man and a companion then followed witness to a public house, witness paying for them. It was not at his invitation the men came. He left the men in the public house, and did not see the ship again that night, and, in fact, had not seen her since. He saw no strangers about the ship that night, only the police. He was alone when he visited her.

By Mr Hamilton: He did not sign any bill of lading for the cement. It was outside of his duties altogether. When the condenser broke down Mr Wimshurst told him it would be unwise to

proceed in any place of close navigation. He took no sounding after that because he was quite confident of his course. He had the mate on the bridge with him because he considered it prudent in the state of the engines; it certainly was not for the purpose of aiding witness in the navigation of the steamer. He was two nights on board after she struck, the mate leaving the ship at the same time, but he never thought of reminding him to take care of the log, although witness had saved a chart. After he abandoned her he visited her, and, although he inquired about the logs, they had disappeared along with a lot more things belonging to the ship. Some of the articles were found aboard a schooner.

By Mr Cameron: He remained on board the steamer after he had been advised by the lifeboat men to leave, and a night after the firemen actually left. He had nothing to do with the vessel sinking or tending to sink in the Queen's Dock. He knew nothing about the insurance upon the vessel. Of the £86 which he had received he had expended £78 in wages, and had not received another penny since, neither did he expect to receive anything. As regards Mr Wimshurst, no one had suggested that he must be employed. Mr Wimshurst solicited the engagement himself. He wanted a month's pay, but he could not afford to give him that, so gave him £10. He could not have got anyone to have brought her around for less. When he went down to see the condenser he asked the engineer if he could not do something for it, and the engineer replied that he could not under seven or eight hours. He consulted with the engineer, and they decided to get her to a safe anchorage for repair, and so they made for the roads, a place where he had been before for shelter from a gale of wind. He then ordered the mate forward to get the anchor ready. He saw that she was losing speed when making for the roads by the log, but she kept her course. He allowed half a knot for the tide, and he expected to be within two miles from the light. With the engines as they were he did not think it prudent to go too near to the land, for fear of any breakdown. After the stranding he gave an order to reverse the engines, and it was sometime before they actually worked he again ordered it, and the engineers replied that they were doing all they could. He thought it quite possible that the ship was washed inshore.

By Mr Squarey: He had known the mate for some time, and sailed with him before. He was in command of the *Lizzy Stewart*, and in the ice her rudder twisted, and she got ashore.

Mr Cameron objected to this question, and Mr Stewart asked upon what legal grounds, and ultimately he said that it could not be excluded.

Mr Squarey said that he would not press the question, but at a later stage of the inquiry he might have to refer to certain questions.

The captain said it occurred at Copenhagen, and no inquiry was held. He reported the facts, and he presumed that they would be sent to the proper quarter.

By Mr Squarey: The goods were unlawfully taken on board the schooner. The log was not found on board. He was quite clear that two lights were not reported to him, neither did he see two. He was certain that the mate was never below after passing the Cardigan Bay light the second time. He still declared that he and the mate used the lead on several occasions.

By the Court: He did not proceed on his voyage, because if he had got into crowded waters and had to stop the engines or reverse it might have been dangerous. The engineer did not say that it would be impossible to proceed, but that would not be prudent they therefore decided to anchor, so as to repair. The engineer did not say that it would be impossible to repair without anchoring, but that it would occupy a long time - seven to eight hours - a time which at sea often means 24 hours.

William J McCormick Deans, chief officer of the *Glendarroch*, holding a master's certificate, said he had known Captain O'Leary about 17 years. He was appointed to the *Glendarroch* by the captain. He was last employed in the ship *Bengal* as a mate. He was to get £7 for bringing the *Glendarroch* round. The vessel had a good supply of new charts and three compasses. He kept the log, and the last time he saw it, when it was in the drawer, was in the morning of the day

they left, but in the excitement of leaving he forgot all about it. He had packed up some of his clothes and saved them. The captain came to him below and told him that the condenser had broken down. He therefore went on the bridge, and remained on the bridge and about the deck until she stranded. He had made a statement to the Receiver of Wreck which differed from his statement to the Court, and witness said that to the Receiver was not correct.

By the Court: The *Bengal* was lost, and an inquiry was held, with the result that that his ticket was taken away from him.

By Mr Cameron: He maintained that the lead was used by himself and by the master, but in his statement to the Receiver he had said that the lead was not used at all. He did not see Bardsey light owing to fog. He saw St Tudwal's when he went forward to the anchor. He did not hear any report about a light.

By the court: He was standing on the second bridge when he took a cast of the lead. He could not say if the man at the wheel saw him take it. They could not see a ships light very far away that night. The lookout reported the Cardigan Bay Light, and no light was seen after that until they saw the St Tudwal Light.

Alfred Cocker, AB on board *Glendarroch*, said that at 6 o'clock in the evening of March 14 he came on duty, and at 6:30 he went to the wheel. The weather was then fine. He was relieved at 3 o'clock, giving the man the course he had steered. He then went and got an anchor light ready, as the master had told him he was going to an anchorage, explaining to him the reason. He remained about the deck until she stranded. He never saw the lead used after passing the Eddystone.

E G Whitehead, AB, said that on the night of the stranding he went to the wheel at 8 o'clock, and remained until 10. When he had been at the wheel about an hour he was told by the master to starboard the helm, and brought the ship E by S and then steady. This course was steered until 10 o'clock. He was then relieved, and about 11 o'clock he went on the lookout. It was then bright and clear, and he saw two lights, Bardsey and Tudwall. He had no doubt as to their identity. He kept the two lights in sight, and at about 20 minutes to 12 one burned red - this was St Tudwall. He reported this to the master, who replied, "All right". Soon after the helm was starboarded. Soon after 12 he heard the order get the anchor ready, and in about 5 or 10 minutes she struck.

By Mr Cameron: He could see a light about 11 miles off. It was a fine clear night all the time. He first saw Bardsey when he went out on the lookout. He relieved a man named Jones, who also saw the light, and who told him that he had reported it to the master. Jones also saw St Tudwall, and he told witness that he had reported that.

At this stage the inquiry was adjourned until today.

The Liverpool Mercury 6 May 1893

The Stranding of the *Glendarroch*

The Board of Trade inquiry into the stranding of the steamship *Glendarroch* on St Patrick's Causeway, on the 15th March last was resumed yesterday at St George's Hall. Mr W J Stewart, stipendiary magistrate, presided, and was assisted by Mr J Hallett, C K, engineer assessor, and Captain Brooks and Reid, nautical assessors. Mr Squarey [instructed by Mr Paxton] represented the Board of Trade; Mr Hamilton the underwriters, Mr Cameron the master (Captain O'Leary) and officers, and Mr W F Taylor (instructed by instructed by Messrs Collins. Robinson and Co) the owner Mr G C Stewart.

H J Wimshurst, chief engineer of the *Glendarroch* who had been examined on the previous day, was recalled and questioned by Mr Hallett. He said that when he went to London in October, 1891, his instructions were to examine the machinery and see how long it was fit to run. He took

a casual glance at the machinery. He saw the chief engineer, who said that he had done various repairs to it and the boilers.

Did you examine the boilers internally? They were being tested by water at the time.

Did you examine any of the internal parts of the engine? No.

Is that your usual system or manner of making an examination? No, sir, it is not.

But the engineer, who was an experienced man, on the day previously told me the repairs he had done to the machinery. The chief engineer had been there about six weeks or two months. I had known him previously, and he was a sea going engineer.

Do you remember when you first got up steam? About a week after my being in London.

For what purpose did you raise steam? To try the engines. I had two trials before the surveyor after being satisfied myself. The boilers have been tried before that. The revolutions were about 60 on the voyage. The first trouble we had was the day prior to going ashore.

When you found your boilers were making water, what steps did you take to ascertain the cause? I took no steps at all. I could not give any other reason than that they were making water. From the time of leaving London till the condenser gave out we had no trouble.

How long have you of actual sea experienced? Three and half to four years.

During that time have you been chief engineer? No.

When you reported to the captain that the condenser had given out had you made up your mind that it would be possible to do anything to run the ship? I knew I could not run the ship.

Did it occur to you that you had a short distance to go to reach Liverpool? I could have made Liverpool, but I said that I would not be responsible if he wished me to reverse.

The position you held was equal to anyone? Yes.

Yet you told the captain you would not be responsible? Yes.

Don't you think that you were rather hasty in coming to the conclusion that you could do nothing to the engines? I considered it 10 minutes.

Did you consult the second engineer? He was in his berth.

Would it not have been better to have called the attention of the second engineer to it? The second engineer had been working all day.

You said yesterday the reason you would not be answerable for the result was owing to being afraid of the engines not answering? Yes.

What was that owing to? The leak in the condenser would have filled it.

Any person in your position, as consulting engineer, would have been superior to a sea going engineering in an emergency; still you say that you were justified in what you did? If the captain had given me time I would have got the engines to go astern. I suggested to the captain that I would not be responsible for the working of the engines.

The court then proceeded to the Kings dock to view the *Glendarroch*, and the inquiry was adjourned till Monday next at 2 o'clock

The Liverpool Mercury 9 May 1893

The Stranding of the Glendarroch

Yesterday (Monday) the Board of Trade inquiry into the stranding of the steamship *Glendarroch* on St Patrick's Causeway, on the 15th March last was resumed yesterday at St George's Hall. Mr W J Stewart, stipendiary magistrate, presided, and was assisted by Mr J Hallett, C K, engineer assessor, and Captain Brooks and Reid, nautical assessors. Mr Squarey (instructed by Mr Paxton) represented the Board of Trade; Mr Hamilton the underwriters, Mr Cameron the master (Captain O'Leary) and officers, and Mr W F Taylor (instructed by instructed by Messrs Collins. Robinson and Co) the owner Mr G C Stewart.

J A Harrison, master of the Salvage Association steamer *Hyena*, having described the assistance he gave to the *Glendarroch* on the rocks and after she docked.

Mr Squarey mentioned that on Friday Mr Stewart the owner, had telephoned to the Salvage Association that he would not be responsible for any expense in getting up steam on the *Glendarroch*, now in the King's Dock, to let the courts see the amount of the leak in the condenser. Mr Stewart had all along expressed his desire to assist the court, and it was difficult to say why he should do what he (Mr Squarey) mentioned.

Mr Taylor said that he was instructed that the message sent by Mr Stewart was that if the salvage associate got up steam it must be on their own account and at their own risk. The message did not forbid at the getting up of steam. Mr Stewart had taken up the position that the vessel was a total loss, and he would not have anything to do with it, but he did not forbid anything for its. There must be some question of risk, and they only wanted to keep themselves in a right position.

The president presumed the expense would be part of the cost of the board of trade. If the Salvage Association were employed they could not be expected to do it at their own expense.

Mr Squarey said it would take two days to get ready to get up steam.

The Court ordered steam to be got up before the close of the inquiry, the parties interested to be represented.

The President said that he had another inquiry on Wednesday, and he thought that at the end of today's inquiry they would have to adjourn the inquiry to someday next week.

C J Carr, holding a certificate of competency as a first class engineer, stated that he was second engineer on the *Glendarroch*. Before joining he knew neither the ship, the captain, nor the engineer. He worked upon her a fortnight before she sailed assisting in overhauling the engines and condenser. The condenser was found to be leaking and was plugged. When this had been done, he had no fault to find with the condenser. After the engines were repaired they could be started, stopped at, and reversed quickly. They were in first class condition, and considering their age he was astonished with them. He did not come round to Liverpool with the vessel, and had not been on board since she came here. He had known an instance of a condenser giving way after being in use three weeks.

Thomas Spencer and William Fitzpatrick, fireman, were next examined. The latter stated that it was a fine clear night when they struck on the rocks, and he saw two lights, a bright light and a red light.

William Boase, in the employ of the Salvage Association, gave evidence that he took care of the *Glendarroch* in dock in Liverpool. On the day after bank holiday, Captain O'Leary came on board in the afternoon. The witness had some conversation with the captain, but he said nothing about looking for anybody or anything. Captain O'Leary went away, but in the evening again came to the vessel and asked witness to have a drink. The captain asked him to bring his friends with him, but witness replied that he must leave somebody on board. They went to a public house and remained for a few minutes. They all came out together, but Captain O'Leary did not return

to the vessel. Mr Wimshurst also came on board the same day, and said that he had come for some of his clothes, which were in the chartroom.

William Teire, in the same employ, stated that he remembered Captain O'Leary visiting the *Glendarroch* when she was in dock in Liverpool. He went with the last witness to a public house and had a drink with him and the captain. He did not see the captain again after leaving the public house.

William Bell, fireman aboard the *Glendarroch*, in the employ of the Salvage Association, stated that on the day after the bank holiday he saw the captain talking to Boase. The captain left in a few minutes and went with Boase. Witness did not hear what was said between Boase and the captain. Later in the evening, about 10 minutes to 11 o'clock, witness was the only person on board. While below he had a footstep overhead. He thought it was one of his mates would come back.

Subsequently he went on deck and saw a man coming from the engine room, towards the gang way. Witness shouted, "Who's that?" There was no answer. Witness hailed the man again, and then saw the man going ashore over an adjoining vessel. He could not recognise the man, and saw no more of him. He first told Boase about having seen this man the day afterwards.

Thomas Langley, employed as a fireman by the Salvage Association, stated that he remembered the afternoon of Tuesday after bank holiday in April. Witness, his mate, and Boase went to a public house, and had a drink at Captain O'Leary's expense. Captain O'Leary did not return to the ship. The same day Mr Wimshurst came on board, and at witnesses request went into the engine room, as she was making a good deal of water in the fore hold. Mr Wimshurst and witness went together in the engine room, and witness saw Mr Wimshurst leave the ship without doing anything at all.

The court then adjourned to Monday, May 15, to see the getting up of steam, and to Tuesday May 16, to resume the evidence, the presiding magistrate intimating that during the interval he had another board of trade inquiry on hand.

Shipping Gazette and Lloyds List 18 May 1893

The Stranding of the Glendarroch

The Board of Trade Inquiry, adjourned from the 8th inst, into the circumstances attending the stranding of the steamer *Glendarroch* near St Patrick's Causeway, Cardigan Bay, on the 15th March last, whilst on a voyage from London to Liverpool, was resumed at Liverpool on Tuesday, and continued yesterday. Mr W J Stewart, stipendiary magistrate presided, and he was assisted by Mr J H Hallett C E, engineer assessor, and Captains Brooks and Capt. Reid nautical assessors. Mr Squarey (instructed by Mr Paxton) appeared for the Board of Trade; Mr WF Taylor (instructed by Mr WG Collins) for Mr G C Stewart, the owner of the *Glendarroch*; Mr Cameron (Messrs Thornley and Cameron) for the master, officers and engineer; and other parties interested were represented by Mr J H Hamilton, Messrs Quiggin Brothers, and Messrs Forshaw and Hawkins.

Mr Squarey said that he wished to refer to a suggestion that he made some days ago that steam should be got up aboard the vessel. The reason why that had not been done was because it was represented to the Board of Trade by Mr Stewart and Mr Wimshurst that in consequence of the stranding there might have been some straining of the engines, and something might be out of gear, and thus a certain amount of risk might be incurred. The representation was a bona fide one, and consequently the Board of Trade decided to not have steam got up, but to have the condenser examined. In saying this he did not wish to impute anything to Mr Stewart or to Mr Wimshurst.

William Thomas Seaton, Board of Trade surveyor in Liverpool, said he had visited the *Glendarroch* to report as to the condition of the vessel, her machinery and condenser, and as to the cause of

the leak which was discovered in the condenser while she was on the voyage from London to Liverpool. For this reason he saw Mr Wimshurst, who volunteered a description of the condenser, making a rough sketch. Witness, in reply to Mr Squarey, suggested two ways by which, if anyone had so liked, they could have made the condenser leak. Mr Wimshurst had told him that the condenser had been leaking before it finally broke out. When he inspected the condenser it was opened up and filled with water, and he was of the opinion that no serious leak existed in it. He examined the ferrules, and he found a slight leakage which might be described as a sweat, but nothing serious. He did not see anything in the air pump discharge valve to cause a leakage. Even if the leak had existed he would have taken her to Holyhead. Putting into St Tudwal's was an excess of caution.

By Mr Cameron: he would have advised the captain under the circumstances to make for Holyhead, which he would have done even if the condenser had been as bad as the master described. Attest under steam would have been more satisfactory, because without steam he might have overlooked a slightly coarse wet, but he certainly could not have overlooked the serious leak spoken of in this instance. He considered that he had superior opportunities of perceiving the leak each then had the engineer when off the coast of Wales, because the condenser was opened up.

Replying to the court, witness said that his examination had not revealed any defect in the pipes, valves, or condenser, which would account for the symptoms mentioned by the master; and any leak which would have seriously affected the working of the engines must have been shown in the test adopted the previous day. He could reproduce, if the engines were now set going, the precise leak in the precise place described by the master, and he could do this in less than 5 minutes with the engine going full speed. In order to do this he would have to go to the place, which might be described as the back of the condenser. He regarded the possibility of a leak taking place in that locality through unforeseen causes as very improbable.

Mr Stewart: Then a thoroughly competent engineer, especially if a consulting engineer, confronted by such an accident, might readily have discovered the cause and stopped the mischief without putting into St Tudwal's? Witness: yes, assuming it proceeded from this valve. Of course, it is very much easier to be wise after the event. Witness went on to describe the bilge injection valve as of an old fashioned type. The modern type was a non return valve, and in passenger steamers this was required by the Board of Trade. The opening of the main injection and the bilge injection of the *Glendarroch* would flood the ship, and it could be opened in a couple of minutes by anyone who knew that the bilge injection was not a non return valve.

CD Williams, senior engineer surveyor to the board of trade in Liverpool, corroborated the previous witness's evidence.

Mr Charles Sayer, the original owner of the vessel (recalled), said that when he applied to Mr G C Stuart for an advance of £2,500, Mr Stewart sent his son in law (Mr Wimshurst) to examine the steamer. Mr Wimshurst ultimately telegraphed to Mr Stewart saying that the vessel was ample security for the £2,500. With respect to the second advance of £550 from Mr Stewart, witness did not know whether anybody advised Mr Stewart. Mr Wimshurst and Mr Stewart were regularly in communication about shipping matters. When witness's connection with the vessel ceased, the bridge steering gear was all there.

In reply to the court, witness said that there were about seven compasses belonging to the vessel when he parted with her, and they were already to be put on board, and were adjusted.

The case for the board of trade being concluded, Mr Squarey put it in the put in the following questions upon which he said the board of trade desired the opinion of the court:

1. What was the price paid for the Glen Derrick in September, 1891, when she was purchased by Mr Sayer?

2. What money was expended upon the vessel between September, 1891 and the 8th of December, 1892, when she was sold by auction by Messrs Kellock and Co?
3. What, in the opinion of the court, was the condition of the vessel on the 8th of December, 1892?
4. What advances were made by Mr G C Stewart up to the 8th of December 1892? Upon whose recommendation or upon whose report or recommendation were these advances made? What was due to Mr Stewart in respect of the said advances and interest thereon at that date, and what was paid by him in respect of dock rent, ship keeping expenses, and dock insurance is up to the said date?
5. For what price was the vessel sold on December 8th, 1892?
6. Did Mr Stewart expend anymore, and how much more, money up on or in connection with the vessel after that date?
7. Under what circumstances was the contract entered into between Mr Stewart and Wainwright Brothers; and why was the vessel insured against total loss only?
8. What was the amount for which the vessel was insured under the above contract, and in the opinion of the Court was that amount are reasonable and proper, having regard to all the circumstances of the case?
9. In the event of total loss what would Mr G C Stewart have received beyond the sums referred to in questions 4, 5, and 6 above?
10. What sum was expended by Wainwright brothers upon repairs to the vessel between the date of the above contract and the date when the vessel left London? What did they pay for insurance premiums and to Captain O'Leary?
11. Where any other tenders asked for or obtained for the repairs of the vessel, and, if so, from whom and for what amounts? Were there any refusals to tender, and, if so, what was the reason for such refusals?
12. What, in the opinion of the court, was the value of the vessel when she left London?
13. In what condition was the *Glendarroch* so far as regarded hull, machinery, engines, boilers, and steering gear when she left London?
14. Was she properly fitted with charts, compasses, and deviation cards?
15. Was she, in the opinion of the court, in good and seaworthy condition for the voyage from London to Liverpool?
16. Under what circumstances, and by whom, were the captain and chief engineer appointed, and were the appointments made with the knowledge of Mr G C Stewart?
17. What was the cause of the leak from the condenser on the 14th March, and when did it commence?
18. Did the chief engineer do everything in his power to ascertain the cause of and to remedy the leak?
19. What was the state of the weather an atmosphere on the evening and night of the 14th to the time of the stranding?
20. Did the chief engineer advise the master to put into St Tudwall's Roads for repairs, and if so was he justified in giving such advice, and was the master justified in acting upon it? If the Court are of the opinion that the chief engineer did not give such advice, under what circumstances did

the captain decide to run for Saint Tudwall's Roads; and was he justified in so deciding, having regard to the weather, the position of the vessel, and all the circumstances of the case?

21. Would it, under all the circumstances have been a safe and prudent course for the captain to have endeavoured to take the vessel to Holyhead or Liverpool?

22. What were the courses steered after passing the Cardigan Bay Lightship? Were the courses steered safe and proper ones? Was any and sufficient allowance made for the tide? Was the lead used at all or with sufficient frequency; and if not, was the neglect to use the lead justifiable?

23. Who was on the bridge from 8:15 up to the time when the vessel stranded? Why was the vessel steered from aft instead of the bridge?

24. Were the Bardsey Island and St Tudwall Lights, or was either of them, seen and reported at all, and when on the night of 14th of March until the vessels helm was starboarded just before she stranded?

25. Was a good and proper look at kept? Was the vessel navigated with proper and seamanlike care? Was the cause of the standing of the vessel, and whereabouts on St Patrick's Causeway did she take the ground?

26. Was every possible effort made after the stranding by the captain and chief engineer to get the vessel off? And was she prematurely abandoned?

27. Was there any satisfactory reason why the ships log and the chief engineers log should not have been brought ashore, and who is responsible for their not having been so brought?

28. What injuries did the vessel sustain in consequence of the stranding?

29. What were the circumstances under which the influx of water took place into the vessel while she was lying in the Queens dock on the 4th of April, and what was the cause of it?

30. Is there any evidence to show by whom or at whose instigation, and with what object the influx of water was caused?

31. In the opinion of the court, is the master, chief officer, first or second engineer, or Mr G C Stewart comment or any and which of them in default in respect of any of the above matters?

It was added that in the opinion of the Board of Trade the certification of the captain, Arthur O'Leary, and the chief engineer, Henry James Wimshurst, ought to be dealt with.

Mr Cameron said that on behalf of the master he merely wish to put in testimonials, which he handed to the court. Mr Wimshurst wished him to call some evidence on his behalf, but he had not had an opportunity of taking the evidence in the manner that he should have wished. He called Mr Alexander Nelson, a certificated chief engineer, for nine years in the service of the Argentine Government. He had, he said, seen the *Glendarroch* that morning, and was of the opinion that the test that had been made was an insufficient one. In fact it was no test at all. It was possible that there might be some fracture which would not be shown by the test. If he had been engineer of the ship, and had been met with a considerable leakage such as had been referred to, he should certainly have considered it his duty to inform the captain.

By Mr Squarey, he should have told the master that the engines were not under the same control as they were previous to the accident.

Mr John E Hackett, certificated engineer, coincided with the opinions given by Mr Nelson.

By Mr Squarey: Witness knew nothing about the case until that morning, and was not aware of the circumstances under which the leakage had occurred.

By Mr Stewart: He was told that there had been an abnormal leakage, and was asked to ascertain the cause of it.

Mr Herbert Mason, certificated engineer, was also called, and in the main agreed with the evidence of Mr Nelson.

By Mr Squarey: Witness did not consider his examination of the ship unsatisfactory. He was on board the vessel for about an hour. As far as he could judge, the cause of the leakage had been a fracture in the web underneath the condenser bed. If there was no fracture in the web his theory would fall to the ground.

Mr Taylor, on behalf of the owner of the vessel, said that during the inquiry there have been frequent references made to Mr Stewart, and perhaps something more than insinuations have been levelled against him. No one could have followed the inquiry with any intelligence without having seen that there was something in the nature of a suggestion that Mr Stewart had contributed in some way to the loss of the *Glendarroch*, and done something with the view to profiting at the expense of the underwriters. No charge of that kind had been made in terms, he agreed, by Mr Squarey as representing the Board of Trade; but, apart from questions of seamanship, that had really been the gist of the inquiry, to whose advantage was it that the vessel should be lost? Of course, the Court knew how serious such a charge was against a shipowner. It was one of the most disgraceful things - one of the most fraudulent things - that a man should insure his vessel and then to conspire with other people to wreck her in order that he might reap the benefit. He did not think that there was a scrap of evidence upon which the suggestions he had referred to could be founded. Counsel then entered at length into the circumstances of the case as affecting his client, and pointed out that a large sum of money had been expended on the vessel by the owner. The vessel was worth to him a sum of £5,428 and it was nonsense to suppose that any man would go to the trouble to conspire - with all the risks that attached to such a conspiracy - and with all the risks of non success to wreck a ship in such a fashion as this one had been wrecked on the chance of making £500 if, and only if, she turned out to be a total loss. Everything went to show beyond reasonable doubt that the vessel was well worth to the owner the amount for which he had insured her £6,000. Nothing was shown of an intimacy of such a nature that would lead to the suspicion that Captain O'Leary and Mr Stewart were likely to be partners in a fraud of that kind. The whole scheme which the Board of Trade seemed to think that they had discovered vanished when examined in the light of facts and figures. As regarded the influx of water into the vessel when she was in the Queen's Dock, was there a rag of evidence that Mr Stewart had anything to do with it? He asked the Court to say that there was no foundation whatever for the suggestion against Mr Stewart.

Mr Cameron, also referred to the influx of water, and argued that it probably arose from carelessness on the part of an employee, and said that a more stupid and more senseless action to deliberately take could scarcely be imagined. He contended that the evidence showed that complete care was taken of the ship. He was instructed that it was possible that there might be a leak which was not shown on the examination by the Board of Trade.

Mr Squarey, replying for the Board of Trade, said it seemed to him that Mr Taylor rather went out of his way to try and make that court into a court of criminal procedure. To use some vulgar expression, he kept hammering away at conspiracy, and asked the court to come to the conclusion that there was not sufficient evidence to prove any such charge. He (Mr Squarey) had never mentioned the word conspiracy. He had never introduced it into the questions laid before the court on the previous day; and he could not help thinking that his friend had somewhat mistaken the object of that court of inquiry. The object of the inquiry was simply to ascertain the truth, and the whole truth, in connection with the disaster that happened to the *Glendarroch*, and every single question had been put with that object alone. He had put certain questions which he asked the court to answer; but it was not for him to suggest any question of criminal conspiracy. As regarded the crucial point of the inquiry, the leak in the engine room, the evidence was very

conflicting, and it seemed to him curious that the leak should appear so suddenly. It was also curious that the ship's log and the chief engineer's log were not brought ashore for one would think that the first impulse of a master whose ship was in trouble would be to secure the logs. With regard to the Queen's Dock incident, he did not think that the occurrence could have been accidental. The case was an extraordinary one - it was full of mystery, and the *Glendarroch* had been one of the most unfortunate vessels to everyone concerned with her of late years. There is no doubt that if she had become a total loss Mr Stewart would have come out something like £1,400 to the good.

The court then adjourned, and judgement will be delivered this afternoon.

Shipping Gazette and Lloyds List 19th May 1893

The Stranding of the Glendarroch

Judgment was delivered at Liverpool yesterday in the official inquiry respecting the stranding of the steamer *Glendarroch*, near St. Patrick's Causeway, Cardigan Bay, on 15th March last, whilst on a passage from London to Liverpool. Mr W. J. Stewart, stipendiary magistrate presided, and he was assisted by Mr J H Hallett C E, engineer assessor, and Captain Brooks and Captain Reid, nautical assessors. Mr. Squarey (instructed by Mr. Paxton) appeared for the Board of Trade; Mr W F Taylor (instructed by Messrs. Collins, Robinson and Co.) for Mr G C Stewart, the owner of the vessel; Mr Cameron (Messrs. Thornely and Cameron) for the master, officers and engineer; and other parties interested were represented by Mr. J.H. Hamilton, Messrs. Quiggin Brothers, and Messrs. Forshaw and Hawkins.

The Court found that the stranding of the vessel was due to the deliberate set of the master, who, with the connivance of the chief engineer, wilfully put the vessel ashore on St. Patrick's Causeway. The Court cancelled the certificate of the master, Mr Arthur O'Leary, No. 30,162, and the certificate of Mr Henry James Wimshurst, engineer, No. 22,306.

The Court returned the following answers to the questions submitted by the Board of Trade, and published in the Shipping Gazette of yesterday:

1. The price paid for the *Glendarroch* in September, 1891, when she was purchased by Mr. Sayer, was £3,400.
2. The money value of the work done to the vessel between September 1891, and December 8, 1893, when she was sold by auction by Messrs. Kellock and Co. was about £3,600.
3. The vessel was not in a seaworthy condition on Dec. 8, 1892. She required very considerable repairs in order to bring her round from London to Liverpool, while still further repairs would have been necessary before she could be placed in a thoroughly seaworthy condition, and to obtain a class a very large outlay would have been incurred.
4. Up to Dec. 8, 1893, Mr G C Stewart had advanced £3,060. These advances were paid upon the report or recommendation of Mr Stewart. jun. and Mr. Wimshurst. On Dec. 8, 1892, there was due to Mr G C Stewart, in respect of the said advances and interest, a sum of about £3,700, and he had paid, in respect of dock rent, ship keeping and dock insurance, about £170.
5. The vessel was sold on Dec. 8, 1892, for £1,500.
6. Mr. Stewart expended about £500, in connection with the vessel after Dec. 8, 1892, but none of this was spent on repairs.
7. Having failed to find any persons or willing to accept his terms, Mr Stewart applied to Wainwright Bros., who entered into the agreement of Jan. 2, 1893. The vessel was insured against total loss only, because no underwriters could be found who were prepared to accept any other risk.
8. The vessel was insured under the contract of Jan. 2, 1893, for the sum of £6,500. This sum was considerably in excess of the value of the vessel.

9. In the event of total loss Mr G C Stewart would receive a sum of about £1,400 beyond the sums referred to in the answers to the 4th, 5th and 6th questions.
10. The sum expended by Wainwright Bros. upon repairs under their contract was about £530. They paid £74 for insurance premiums. Of the £530 about £190 appears to have been spent in wages. Captain O'Leary was paid £86 to bring the vessel round to Liverpool.
11. Two tenders were obtained, one for Messrs. McAlpine and Co., of Blackwall, for £2,000, and the other from Messrs. McWhirter, Roberts and Co., of London, for £1,850. Seven other firms declined to tender, viz., Adam Miller, jun., London; Edward's Shipbuilding Company (Limited), North Shields; Stephens, Smith and Co., Millwall; Palmer's Shipbuilding and Iron Company, Jarrow; Earle's Shipbuilding Company, Hull; Hawthorne, Leslie and Co., Newcastle-on-Tyne. three of these declined to tender without specifications, one declined unless they received the amount of a surveyors fee; two declined to tender on the conditions named, and one declined on the ground that they were unable to arrange for the insurance.
12. When the vessel left London her value was about £3,000.
13. The vessel was in a seaworthy condition to proceed in Ballast on a voyage from London to Liverpool, and nothing more. Her engines and boilers were, however, in fair condition, and had been well kept up, and new hand steering gear of Davies' make had been placed on the bridge.
14. She was properly fitted with charts, compasses and deviation cards.
15. We refer to our answer to question 11.
16. The captain was appointed by Wainwright Bros., and the chief engineer was appointed by the captain. Both the captain and the chief engineer, the latter being Mr G C Stewart's son in law, had been previously employed by Mr G C Stewart, and the court is of the opinion that he was aware of their appointment to the *Glendarroch*.
17. There was never leak from the condenser on March 14. The Court is of opinion that the so called leak and the consequent filling up of the boilers were due to the deliberate act of the chief engineer in tampering with the escape or relief valve to the air pump, shortly after he came on duty, on the evening of March 14. Personal examination of the machinery on the part of the members of the court confirmed the conclusions to which they have been led by the sworn evidence.
18. The chief engineer does not appear to have done anything to ascertain the cause of or to remedy this leak, even if his account of his own surmise as to its cause could be accepted as true.
19. The weather was fine, dark and cloudy, and the atmosphere was clear on the evening and night of March 14 up to the time of the stranding.
20. The chief engineer did not advise the master to put into St Tudwall Roads for repairs, but he stated that he had told the master that in consequence of the alleged leak in the condenser he could not take responsibility of taking the ship into crowded or narrow waters, and that he could speedily repair the damage if the vessel was brought to an anchor. The master was not justified in deciding to run for St Tudwall Roads.
21. Even if the engineers story as to the cause to which he attributed the filling up of the boilers were to be believed, the courses of opinion that it would have been perfectly safe and prudent to have taken the vessel on to Holyhead or Liverpool.
22. At 8:15 pm on March 14 the vessel was put on an ENE course by the standard compass, which was not a safe or proper course for St Tudwall Roads. At 9 pm the course was altered to E by S by the after compass, according to the man at the helm. As the after compass does not appear to have been adjusted, and its error was unknown on this course, the Court is not able to ascertain accurately what this course of E by S would be equivalent to by the standard compass, but from a comparison of the two compasses on some other northeasterly course is afforded by the evidence the Court came to the conclusion that the two compasses had much about the same error, and that under any circumstances the alteration of the vessels course at 9 pm brought her head considerably to the eastward of ENE and was both unsafe and improper. This course was kept till after

10 pm, when it was altered to E by N. While still on this course, about 11:40 pm, the vessel entered the red sectors of St Tudwall Light, but no alteration of the course was made for about 30 minutes, when the master ordered the helm to be starboarded, and in a few minutes the vessel struck. Sufficient allowance was not made for the tide, even if the course alleged by the master to have been steered had been the course actually steered. The Court does not believe that the lead was used. Had the weather been such as the master described it, the neglect to use the lead frequently would have been unjustifiable.

23. The master was on the bridge apparently alone from 8:15 pm till the vessel struck. There is no good reason why the vessel should be stayed from after instant from the bridge. The reason alleged by the master for not steering from the bridge is not accepted by the court.
24. Both Bardsey Island and St Tudwall Lights were first seen not later than 9 pm on March 14, and continued insight until the vessel stranded. There is no direct evidence that these lights were reported, but one of the crew, who went on the lookout at 11 pm, stated that he was informed by the man whom he relieved that he had already reported the light.
25. There was a man on the lookout at the forecastle head during the night of March 14, and there is no reason to believe that he neglected his duties. The vessel was not navigated with proper and seamanlike care. Having regard to the courses steered and the state of the weather, the Court could come to no other conclusion than that the vessel was deliberately stranded by the master on St Patrick's Causeway, at a spot about 6 miles from the Causeway Buoy, or 33 miles from Cardigan Bay Lightship.
26. Every possible effort was not made after the stranding to get the vessel off, but she was not prematurely abandoned.
27. There is no good reason why the ship's log and the engineer's log should not have been brought ashore. The chief mate and chief engineer were each responsible for their respective logs.
28. The vessel received serious damage to her bottom.
29. The influx of water into the vessel while lying in the Queen's Dock was the deliberate act of some person, who is not sufficiently identified, but who obviously must have been so thoroughly acquainted with the position and peculiar construction of the bilge injection valve have to be able in the space of a very few minutes, in the darkness of night, to find his way down to the engine room and manipulate this valve, which is in the after part of the engine room on the port side. The opening of this valve, which is not fitted with a non return valve, being fast to the spindle, and the simultaneous opening of the main injection flooded the ship.
30. There is not sufficient evidence to show by whom, or at whose instigation, or with what object beyond that of sinking the ship, this influx of water was caused.
31. The court is of opinion that the master and chief engineer are to blame for the stranding of the vessel, and, having regard to the serious circumstances under which the stranding took place cancelled their certificates. The Court further desires to say that, in its opinion, even if the statement of the master and chief engineer could be accepted as true, their own account of the circumstances which led to the stranding of the vessel discloses such grave negligence as would have equally justified the Court in cancelling their certificates.

ARREST 1893

Hull Daily Mail 23rd May 1893

The Stranding of the *Glendarroch* – Arrest of the Captain and Chief Engineer

The captain of the SS *Glendarroch*, Mr Arthur O'Leary, and the chief engineer, Mr H. J. Wimshurst, have been arrested by the Liverpool police on the charge of wilfully casting the vessel ashore at Cardigan Bay on the 15th March last. The captain was brought before Admiral Gough

and Mr Alfred turner at the Liverpool Police Court yesterday, Mr Paxton representing the Public Prosecutor, and Mr Lowndes the defendant. Mr Paxton said the case would be a long one, and it would be necessary to go into a great deal of evidence. He asked that the prisoner should be remanded for a week, so that the evidence might be taken. Mr Lowndes said and appeal had been laid against the judgment given in the recent Board of Trade inquiry. There might have to be a further remand, but meanwhile he consented to this one, and asked the Bench to allow the captain out on bail. Mr Paxton said this was a serious charge, and he asked that substantial bail should be given. The Bench accordingly granted bail to the defendant, himself in £500 and two sureties of £250 each.

CHARGED 1893

The Shields Daily Gazette and Shipping Telegraph 24th May 1893

The Stranding of the Glendarroch - The Appeal Against the Judgment

At the Liverpool Police Court yesterday, Henry James Wimshurst, chief engineer, was charged with casting, or attempting to cast, away the Liverpool steamer *Glendarroch*, which was stranded in Cardigan Bay on the 15th March last. Mr. Paxton, solicitor to the Board of Trade, appeared for the Public Prosecutor, and said the defendant was arrested some time after the captain, Mr Arthur O'Leary, who was allowed out on bail the previous day, himself in £500 and two sureties of £250. Mr F.A. Lowndes, who appeared for the defendants, asked that less bail should be allowed to Wimshurst, but Mr Paxton objected to this on the ground that no distinction could be made between the defendants. The Bench held this view and intimated that they could not accept less, and the necessary bail being given, the defendant was remanded till Monday, when he will be charged along with the captain. At the same court, Mr Cameron, solicitor, applied for a deposit to meet the costs of a pending appeal against the Board of Trade judgment in his case. He said that as Mr Stewart was the judge in this matter, it was necessary to apply to him. He understood that the usual deposit in these cases was £100, which could be either increased or decreased by the Judge in the inquiry. The stipendiary: For whom do you apply? Mr Cameron: For the master and chief engineer. The Stipendiary: You must have the same security in each case. There are two appeals in one appeal. Mr Paxton objected to a fixed sum but the Stipendiary ultimately allowed £100 in each case.

The Morning Post 6th June 1893***The Charge Against Ship' Officers***

At Liverpool Yesterday Captain O'Leary and Chief Engineer Wimshurst were committed for trial, charged with casting away, or attempting to cast away, the steamer *Glendarroch* – Bail of £1,000 each was accepted.

COMMITTED FOR TRIAL**Shipping Gazette and Lloyds List 6th June 1893*****The Stranding of the Glendarroch – The Captain and Engineer Committed for Trial***

At the Liverpool Police Court before Admiral Gough CB, yesterday Captain Arthur O'Leary and Chief Engineer Wimshurst were brought up on remand charged with casting ashore or attempting to cast ashore the steamer *Glendarroch*, on the morning of March 15. Mr Paxton again appeared on behalf of the public prosecutor, and Mr W F Taylor (instructed by Messrs. C A Collins and F A Lowndes) represented the prisoners.

Mr H.G. Kellock, shipbroker, said that the *Glendarroch* was put in his hands for sale in November last by Mr. G. C. Stewart. She was advertised in the usual way and on Dec. 8 was offered for sale without reserve by Mr Stewart's instructions, and sold to Mr Wm. King for £1,500.

W H Evans, chief engineer of the Liverpool Salvage Association's steamer *Hyena*, said that on 5th April the *Hyena* was sent to Queen's Dock, Liverpool, with an eight inch centrifugal pump on board, and commenced pumping the *Glendarroch* about 6.25 pm. They continued pumping till 2 the next morning. After the pump stopped he made a rough test, and found that the main injection was two thirds open, and he bilge injection full open. He tried the two injections afterwards and found they acted all right. There was no difficult whatever in opening the valves.

The Court: Could those injections have come open accidentally? No, sir.

W.B.B. Woodruff, a light keeper at the Bardsey Lighthouse, said he was on watch from noon on March 14 till Midnight, and produced the original log of the weather made at the time. At 9 p.m., the entry was: "Direction of wind W, force 3, state of weather, blue sky, cloudy". For midnight the entry was: "Wind W, force 4; blue sky, cloudy." Blue sky, cloudy, meant "blue sky with clouds fleeting across".

The Court: You mean perfectly clear weather? Witness: Yes.

How far is the Bardsey Lighthouse from where the ship stranded? About 18 miles.

Thomas White, light keeper of St Tudwal's Lighthouse, said he was on watch from 6 to 11 pm on March 14. At 6 p.m. the wind was W. by S., force 3, and the weather was "blue sky and visible". "Visible" meant that there was no haze, mist, nor obstruction to the view. For 9 p.m. the entry was "W. by S, force 5, blue sky, cloudy, and visible". There was also an entry that the lights in the roadstead were visible. St. Tudwal's Light had sections of white and red, and showed red over the Causeway, from about S. by W. to S.E. by E. On the following morning he came on watch at 4 o'clock. It was then quite clear. On the following morning of the 16th he saw the *Glendarroch* on the reef, her bearing being S.E. ½ S.

The Court: How far were you from the *Glendarroch*? About eight miles.

E.J. Neale, light keeper on St Tudwal's, said he came on watch at 11 p.m. on March 14. At midnight he made the entry, "Wind W.S.W.; force 5; blue sky, cloudy, and visible." He saw the *Glendarroch* on the morning of the 16th, her bearing being S.E. ½ S.

G. Hutton, compass adjuster, of London, said that on March 11 last he adjusted the *Glendarroch's* compasses at Greenhithe. There were three compasses, the standard, bridge and aft. The ship

was swung, and the deviations of the standard and bridge compasses were taken on every second point, and deviation cards were made out and given to the captain. On an E.N.E. course the deviation of the standard compass was half a point westerly. On an E. by N. course, and E. Course, an E. by S. course, and an E.S.E. course the deviation was the same. He laid a compensating magnet on the after compass, so as to make it as nearly correct as possible, and on the E. and W. courses its approximate correctness would be most. On these courses the error would be within a quarter of a point, and would have a tendency to increase as it got away from E. or W.

By the Court: He gave the captain deviation cards for the standard and bridge compasses.

Gilbert Huddleston, articled clerk with Messrs. Avison and Co., of Liverpool, said he attended the Board of Trade of Inquiry at Liverpool. Captain O'Leary produced the documents put in as his private log and chart.

Henry Jones, deputy receiver of wreck at Portmadoc, said he wrote the deposition produced from the prisoner O'Leary on March 20. It was read over to him, and was sworn to. On the same day witness took Wimshurst's deposition, and this was also read over and sworn to.

J H Underdown, deputy receiver of wreck at Liverpool, said that on April 11 O'Leary made a statement (produced) to witness, who wrote it down and read it over to O'Leary who signed it. Wimshurst also made a statement, which was in like manner subscribed to.

W S Frye, assistant manager, to Messrs. J B Tyson and Co., insurance brokers, Liverpool, said he took out the policies of insurance (produced) on the *Glendaroch* (s). One policy was for £3,400, dated February 23, and the other £3,100 same date. Both were against total loss and the risks under the collision clause, on a voyage from London to Liverpool. Notice of total loss has been received from Messrs. Stewart and Co.

Mr. Taylor asked that a note might be taken that he objected to this, as not being evidence.

W T Seaton, engineer and shipwright surveyor to the Board of Trade, and that on March 30 he visited the *Glendaroch* in the Queen's Dock and examined the engines. They were of an old type, and were in a dirty and neglected condition, but not necessarily in a bad working condition if clean. Considering that the boilers could have been put in as far back as 1873, he would have expected them to have been done unless unusually well kept up, but he did not examine the boilers. The condenser-doors were then on. They were large, heavy doors, which could only be taken off with the assistance of tackle. He examined the condenser valves. There were two ways by which cold water could be introduced into the condenser. One was by the jet injection, which had a cock on the ship's bottom and a valve on top of the condenser, these two being connected by a pipe. To introduce water by the jet injection the sea cock and valve would have to be open at the same time. The cock on the ship's bottom could be opened by a spanner or handle. The valve on the top of the condenser was worked by a lever at the front of the engines on the starting platforms. The object of the jet injection was to introduce a stream of cold water into the steam side of the condenser. It was a surface condenser, and the jet injection would only be used as a standby in case of emergency. If cold water was introduced into the condenser it would be pumped into the hot well by the air pump, and would escape from the hot well either by being drawn out by the feed pumps and sent to the boiler, or by means of relief valves into the bilges, or by the air pump discharge valve and over the ship's side. If the feed pumps were shut off the water would be prevented from entering the boilers. If the water were allowed to escape through the relief valves it would produce the appearance of a leak in the condenser. He was present at the Board of Trade inquiry when the prisoners were examined, and heard the description of the leak given by them. Such a leak could have been produced by introducing water through the jet injection. Another way of introducing water into the hot well was by opening the air pump discharge valve which communicates with the circulating pump discharge pipe, which, when the engine was running, always had a stream of water flowing through it, do

that by opening the air pump discharge valve this water would run back into the hot well through the valve instead of passing overboard. There was no handle or wheel to open this valve. It was kept closed by a spring, but could be opened by placing a small bar in a hole drilled through the spindle and lifting the valve up. There was object whatever for which this valve required to be opened in the ordinary working of the engine, but if it was lifted sufficient water would be admitted to produce the appearance of a leak. The valve was about 9 inches in diameter, so that it would pass a large stream of water into the hot well. The appearance of a serious leak could be produced in a few minutes. This valve was placed at the back of the engines, away from the starting platform. Wimshurst came to his office on March 28, before witness had examined the engines, and made a rough sketch (produced) of the condenser and its connections, which showed the valve in question. Witness again visited the vessel on May 15, when the condenser doors were removed. He examined both the forward and after tube plates, and found that one tube at each end was plugged up by wooden plugs, driven in through the ferrules, the tube having been removed. In the after plug the ferrule had been driven nearly through the tube plate. If the ferrule had been drawn in, as it might have been in the working of the engines, the plug would probably have come out and caused a leak, but not of the kind of leak described by the prisoners. Wimshurst gave an explanation for the way in which the after plug was put in, and witness understood him to say that when he put in the condenser door was only a short distance clear of the face, and he hadn't the room to drive it in properly. The condenser was filled with water by a hose from the quay this giving a pressure of about 6 lbs. to the square inch on the bottom of the condenser when filled. No leak of any importance was disclosed, and nothing more than a slight sweat from the ferrules. The means used at the examination would certainly have disclosed any serious leak in the condenser. He examined the main injection externally, and also the bilge injection on both visits. On the first visit he believed the main injection was closed, and the bilge injection was about three turns open, but nothing like fully open. In the main injection had been open at the same time water would have got into the vessel. He left the valves as he found them. Both valves were opened and closed by the usual wheel and screw, and could not be opened accidentally. They were in the after part of the engine room on the port side, and were not easy to get at, because some of the oil tanks had been thrown down, and it was difficult to get over the. It would have been a very difficult matter for a stringer coming into the engine room in the dark to have discovered the valves. The bilge injection was usually made a non return valve, which had the effect of closing against the admission of water into the vessel, but in the bilge injection of the *Glendarroch* the valve was fast to the spindle. The valves were 6 or 7 feet apart, and both could be opened in less than two minutes. By opening these vales a stream of water about 4 inches in diameter would be admitted into the vessel. If there was a serious leak, however, produced in the condenser, and the water were allowed to run into the boiler, it would seriously recued the steam pressure and the speed of the ship. If the boilers required blowing down eight times in four hours, it would indicate that a great deal too much water was going into them, and that would seriously affect the vessel's speed, and would seriously reduce the steam after the first 20 minutes or half an hour. At the trial of the condenser Mr. Williams (witness's superior officer) was present.

C D Williams, senior engineer surveyor to the Board of Trade in Liverpool, said he was present on the *Glendarroch* when the condenser doors were taken off on May 15, and examined the tube plates, and agreed with the last witness that there was no appreciable leak through the tube plates. No serious leak of any kind was disclosed, and nothing that would have affected the handling of the engines. In his opinion the test was sufficient to have disclosed any serious leak. He examined the valves, by which water could be introduced into the condenser, and agreed with the last witness as to the two ways by which water could have been introduced and all the appearance of a serious leak produced. Wimshurst made the rough sketch produced in witness's presence. Witness had the bilge injection valve drawn out. It was not of the usual type.

R H Penney, shipwright surveyor to the Board of Trade in London, said he visited the *Glendarroch* in October 1891. She was very defective as regarded hull and equipment and appeared to have

been sadly neglected. Large repairs were done to her but these were never finally completed. In January 1892, they were suspended, and about six weeks afterwards another firm took it up but they also stopped about March, 1892, and nothing more was done to her till January, 1893, when Mr. Wainwright came up. When she left London on March 11 she had not received her load line certificate, but in witness's opinion she was seaworthy in ballast trim for the voyage from London to Liverpool. Witness put the list of repairs which would be required to be done before a load line certificate would be granted. The repairs would have cost a considerable sum. The certificate was ready subject to the vessel being made seaworthy, the assigned freeboard being 8 feet 1½ inches. For a spar decked ship of her dimensions of the highest class this would have been an excessive freeboard, so that she could not have competed so successfully in carrying deadweight cargoes. He first saw Wimshurst in October, 1891, and also met him in London when he came up to take the vessel away. On one occasion witness asked what he was doing in London again, and he replied he had come to London to go as chief engineer for the passage to Liverpool. The ship's name was mentioned, and he said the ship had been a good deal of trouble to him, and had led to some unpleasantness. On one occasion he asked Wimshurst whether the forward steering gear was working well, and he replied in the affirmative, and that he was fitting up the after gear to act as a spare.

John Hughes, ship salesman, valuer and auctioneer, of Liverpool, said he been in business for 36 years. He visited the *Glendaroch* last week. From what he saw of her and from the evidence he had heard, witness had formed the opinion that her market value before she was stranded was £2,750. He had taken all her advantages and disadvantages into consideration.

Captain S. Nowell said he had been 27 years at sea, and was now in practice in Liverpool as a nautical expert. He visited the *Glendaroch* last week. Between the forecastle and the bridge there were 22 ordinary paces, and he thought that a report from the lookout ought to have been heard on the bridge. He examined the bridge wheel, and it worked very easily. The steering chains were disconnected from the tiller, but connected with the forward steering gear. From what he could see the steering gear on the bridge worked easily. The stand of the starboard compass was on the fore part of the house which formed the bridge, and was placed in an excellent position. The bridge compass was immediately underneath, and also in a very good position for compensating. It was quite possible to make the after compass correct on certain bearings by means of a magnet. He had been in St. Tudwall Roads. It was quite easy of access. Bardsey and St. Tudwall lights would serve the purpose of fingerposts, and by the position of the vessel could be fixed accurately. If St. Tudwall Light alone were seen the red sector would show the position from the reef east of west. On a clear night the distance of the light within a mile or so could have been judged. If a course E.N.E. by the standard compass were laid down and steered, allowing for deviation, the ship would be brought within three or four miles from St. Tudwal Light. An ebb tide would have set her a little to the S.E., but not sufficient to bring her to the south of the causeway unless there was an exceptional ebb tide. A W.S.W wind would slightly counteract the tide. An E. by N. course (that would be E. ½ N. by the standard), if made, would take the vessel clear of the south prong of the Causeway. To get to the position where the vessel went ashore they would have had to starboard. Assuming the vessel to make a course E. by N., and to be stranded where she was seen by the light keeper, she would have to run about 33 miles, which would represent a little over eight knots an hour. By making a course further south the distance would have been greater. He examined the captain's private log, and found the highest distance run on the voyage was 8½ knots. Assuming she went on an E. by N. course, she would have to run 22 miles, which would occupy two hours and 56 minutes to get St. Tudwall Light on a four point bearing. On that bearing the colour of the light would be white, and she would have to run three miles or 22 minutes, before she struck the red sector, and would have to run about 7¾ miles more, or 57 minutes, before getting on shore on a bearing S.E. by S. from the lighthouse, the place indicated by the lighthouse keeper. If the vessel had starboarded as soon as the red light was seen she would have been taken clear. If the vessel was on a course S. E. by N. it would take a longer time to go through the red sector. If it were intended to put the vessel

on the Causeway, a course E. by N. a little to the northward would put her there. If making for the roads there would be no reasonable object in steering seven miles past the red light. The lead could not have been heaved from the bridge of the *Glendarroch* for any useful purpose by one man. In order to get a sounding of 10 fathoms from the bridge the lead would have had to be passed forward, otherwise it would foul the propeller.

H. Robbins, detective sub inspector, said at 1 am on the 21st he arrested the prisoner at his house in Beaconsfield Street, and charged him with casting away or attempting to cast way the vessel *Glendarroch*, in Cardigan Bay. He said: "I did not expect this, I gave notice of appeal today." At 10.30 am on the 22nd he arrested the prisoner Wimshurst at Llandudno Station on the same charges. He said: "I should not have left Liverpool if I had known this, because my solicitor had given notice of appeal, and I thought it was all right".

This concluded the evidence.

Mr. Taylor said that he was going to submit in a very few words that there was not sufficient evidence to warrant these men being sent for trial. Of course, the Court had not to consider any question of guilt, or whether the charge could be satisfactorily be made out, but merely to see whether there was a case that could fairly be placed before a jury. He was not going to criticise the evidence, partly because it was fresh in the Court's memory, and partly because the magistrate by virtue of his position, was exceptionally well qualified to judge of the evidence from a nautical point of view. He contended that all that arose on the testimony was a case of suggestion and suspicion. The evidence might be divided into two classes, that with respect to navigation, and that with respect to the machinery. In regard to the navigation, he asked whether there was anything more in the evidence that was consistent either with negligence or incompetence on the part of the master? The charge was that by design these two men cast away the vessel, that was to say they intended to do it, and that it was part of a preconcerted plan, and he contended that there was nothing in the evidence to support any such charge. Wimshurst was charged with having designedly effected a sham leak, but there were numerous other persons in the engine room, any one of whom might have tampered with the valves, and there was not the least evidence to point to anything except negligence or incompetence. There was also an utter absence of motive, the most material matter in a case of this kind. Indirectly, and by way of suggestion, it had been sought to make out that the casting away would have been of benefit to the owner, but there had been no suggestion whatever that the commission of this grade deed would have been of any benefit to either O'Leary or Wimshurst. If this had been an ordinary Court of magistrates he would not have made these remarks, because there was a finding already against them by a Wreck Inquiry Court, and probably other magistrates would have felt bound and trammelled by that, but Admiral Gough was in a position which gave him special knowledge in these matters, and would therefore not be trammelled or bound by the previous decision if he happened to differ from it.

Mr. Paxton quite agreed that the presence of Admiral Gough on the bench was a great advantage, and, in fact he (Mr. Paxton) had on that account be able to leave a number of nautical points unlaboured. In opening the case he had disclaimed having any direct evidence of motive, and had said that if there had been a bargain made it would be unreasonable to expect any direct evidence of it. As regarded Wimshurst, however, there was some ground in the evidence for attributing a motive. He was the man who had originally recommended the vessel, and an accusation had been made against him by the then owner of having taken commission from the contractors. There was a great deal of unpleasantness arising out of these transactions, and it could easily be imagined that Wimshurst, who was a consulting engineer, and the son in law of an owner, who would be able to put work his way, would stand in a much better position with his father in law if the ship were lost, insured, as it was, considerably in excess of its market value. The real point, however, was the question as to there being evidence of design, and the evidence of the stranding was about as clear to a man competent to understand the bearing of it as it was possible to be, as showing that this vessel was designedly set ashore. The captain stated that the

course steered from the Cardigan Bay Lightship by the standard compass was E.N.E. until he got St. Tudwall's Light on a four point bearing, and that as soon as that light turned to red he starboarded the vessel towards the light. Captain Nowell had proved, and the chart would corroborate, that if that story was true the vessel would never have got ashore at all. There was half a point deviation on the course, and it would have brought the vessel if made within three or four miles of the light. The evidence showed that he saw the white light turn to red, and, if this were so, even allowing for the tide setting him down towards the Causeway, he would not have got ashore if he had starboarded at once. After making that light, as a matter of fact, he went through this red sector for seven miles, and in order to get there at all he must have taken an E. by N. course. The evidence was that the lights from Bardsey and St. Tudwall were both visible; the captain was on the bridge attending to the navigation, and he produced a chart on which he laid down his courses; and he produced a chart on which he laid down his courses; the lights were reported, and in respect to St. Tudwall's he replied both to the report of the white and red sectors, and he must have seen that the vessel was to the south of her course, and must have known that to the vessel seven miles through the red sector could only have led to her getting ashore. If he had been drunk or asleep one could imagine this, but he was on the bridge replying to the reports of the look out man, with the lights in full view; and yet he deliberately took the ship seven miles through the red sector, and then starboarded and steadied and starboarded again to the very course that would take him ashore. Mr. Paxton submitted that the master must be judged by his acts, and as if he had acted in clear day – for, indeed, if it had been clear day he would not have been better able to tell his position. Then as to the pretext for putting the vessel into that position, it was the pretext of a leak which sprung up in the condenser. The evidence showed that, as a matter of fact, there was no serious leak in the condenser at all. The vessel was making eight knots an hour from 8 15, when she left Cardigan bay ship till she went ashore, her full speed only being 8½ knots, which shored that the story of the boilers being blown down eight times and the speed reduced was absolutely untrue. Then there was the evidence of the Board of Trade engineers as to the good order of the condenser, and the further evidence as to how such an appearance of leak might be made. It was seen that the chief engineer, by his sketch, knew of the valve in the air pump discharge, and one of the greasers had sworn that the engines were working all right until the chief engineer went to the back of the engines, and two or three minutes afterwards there was a serious leak. The leak was suddenly produced when it was most convenient to have it produced, discovered, as he (Mr. Paxton) suggested, by the man who had combined, together with the captain, to put the vessel ashore, and discovered obviously for the purpose of getting a pretext for turning into St. Tudwall Roads. And then there was the evidence, after the vessel had been abandoned apparently as a total loss, successfully brought round by the Salvage Association, and while safely in dock, an attempt was deliberately made to sink her, Captain O'Leary had no legitimate reason whatever to go to the vessel that day, and the story he told for excusing his presence was obviously untrue. He said he came to look for his clothes and to see Captain McLelland, but he had never mentioned either one thing or the other on board, and he evidently came for no reason except to get an introduction to the men on board, and he gave them drink to get on good terms with them. Then he again came down just before 11 p.m. with a vague yarn about his little boy, who, from his own account, he described as belonging to somebody else. It was evident that he had no reasonable object, and he got the ship keeper and one of his firemen on shore, and tried to entice the other one, and while they were way somebody who was familiar with the engines, who knew where the valves were, and the effect of turning them on, attempted to sink the ship. The valves were in a difficult position to find, especially in the dark, and one of them, the bilge injection, was of unusual construction, and, therefore, it must have been someone familiar with the engines and the arrangements, and who if he were discovered might have made some excuse. In fact, Mr. Wimshurst, in his evidence at the wreck inquiry, said that nobody but he or his second could have found there way down and turned on these pipes. Mr. Carr had sworn he was away at the time, and he (Mr. Paxton) submitted that there was strong evidence to put before a jury to consider whether the prisoners had or had not committed this serious offence. With regard to Mr. Taylor's remarks, there was a section in the Merchant Shipping Act under which it would not be necessary to put

the case so high as intention or design, because if the captain was guilty of culpable or criminal negligence it would be sufficient to justify his committal for trial on that charge.

Admiral Gough: I am sure that everybody must admit that I have given this case the closest, most careful, and most scrutinising consideration it was possible to have given. I have weighed everything in my mind, and, perhaps, if I had come to the conclusion last Monday I might have had my doubts, but having heard the evidence today, I cannot come to any other conclusion than to send the case for trial. It has been conducted very fairly on both sides.

No objection was offered to the same bail, and the prisoners were thereupon committed for trial, each prisoner binding himself got £500, with two other sureties of £250.

After the depositions had been read over and signed, the magistrate put the usual question to the prisoners with regard to any desire to make a statement, cautioning them that such might be used in evidence, and on behalf of the accorded Mr F A Lowndes pleaded not guilty, and reserved the defence.

Weekly Dispatch 11th June 1893

The Glendarroch Case.

At the Liverpool police court, on Monday, Arthur O'Leary and Henry Wimshurst, captain and chief engineer of the streamer *Glendarroch* which was stranded in Cardigan Bay on March 15, were again brought up and finally committed for trial on the charge of having wilfully castaway the vessel. It is stated that she was worth £2,750 and had been insured for £6,500.

TRIAL POSTPONED***Liverpool Echo 2nd August 1893******The Glendarroch Case - Postponement of the Trial***

At the Crown Court of the Liverpool Assizes, this morning, before Mr. Justice Lawrence, Henry James Wimshurst, aged twenty-eight, marine engineer, was indicted for having on the 15th March. attempted to cast away a ship named the *Glendarroch*, at St. Patrick's Causeway, Cardigan Bay. Further indictments charged the defendants with attempting to cast away the ship in the Queen's Dock, Liverpool and with conspiring with O'Leary, aged fifty, master mariner, to cast away the ship. Mr Gully, Q.C., M.P and Mr. Squarey prosecuted; and Sir Edward Clarke, Q.C., M.P. and Mr. Taylor appeared for the defence.

His lordship was informed that O'Leary, who was jointly charged with Wimshurst, was too ill to take his trial.

After considerable discussion it was decided to postpone the trial of Wimshurst for conspiracy until the next assizes.

The felony charges were withdrawn against Wimshurst, no evidence being offered.

Shipping Gazette and Lloyds List 3rd August 1893***Stranding of the Glendarroch******Postponment of the trial.***

At the Liverpool assizes yesterday morning, before Mr justice Lawrence, Henry James Wimshurst aged 28, marine engineer, was indicted for having, on the 15th March, attempted to castaway a ship named the *Glendarroch*, at St Patrick's Causeway, Cardigan Bay. Further indictments charged the defendant with attempting to castaway the ship in the Queen's Dock, Liverpool, and with conspiring with O'Leary, aged 50, master mariner, to castaway the ship. Mr Gully, Q.C., and M.P., and Mr Squarey prosecuted, and Sir Edward Clark, Q.C., M. P., and Mr Taylor appeared for the defence.

Mr Gully said that the prisoner, together with Arthur O'Leary, were indicted jointly for conspiracy. Earlier he was too old to attend, and under the circumstances the Crown did not want to take any steps against him.

Sir E Clarke said that he was counsel for both O'Leary and Wimshurst, and as he understood that his learned friend intended to proceed against Wimshurst both on the indictments for conspiracy and felony, he (the learned counsel) could not agree with the indictment for conspiracy being proceeded with in the absence of Captain O'Leary. The indictment alleged conspiracy between two persons, one being present and the other absent, but under the recognisances to take his trial at the next Liverpool assizes. It would be manifestly contrary to his (counsel's) duty, as representing O'Leary, to agree to a trial for conspiracy between him and another person going on now, for if as a result of that trial Wimshurst were found guilty then O'Leary would also be found guilty in his absence. Counsel had no idea that the case of conspiracy would be proceeded with when they were other indictments against the prisoner which alleged a joint defence by two persons, but which did not necessitate a verdict of guilty being found against an absent person. He, therefore, hoped his learned friend would proceed with one of the other indictments.

Mr Gully said that he understood that the defendant Wimshurst had intimated that he was desirous that the case should proceed that day. He would point out to his lordship that the prosecution would be perfectly within their rights in proceeding with the trial against Wimshurst, for the other prisoner would not be affected even if a verdict of guilty were returned. They had

come down to try the case of misdemeanour against Wimshurst, on the understanding that it was the course Wimshurst desired. He admitted that the result of the case could have no prejudicial effect on the trial of O'Leary, for the learned judge who conducted O'Leary's trial would take care that such will not be the case.

Sir Edward Clarke said he was very anxious, now that all the arrangements had been made, that they should proceed with the case, but when he expressed the wish that they should go on that day, in the absence of Captain O'Leary, he knew that there were five or six indictments dealing with the same matter, but in a different way, and it would have been possible to have tried Wimshurst on any of the indictments, with the exception of one or two. On the other hand, it would cause most serious injury to Captain O'Leary in the event of a verdict of guilty being obtained now. Suppose he (Sir Edward) were defending Captain O'Leary alone, it would have been his clear duty to protest against the indictment for conspiracy, since O'Leary had already been bound over to appear to take his trial in December. He felt that his duty was not lessened by the fact that he appeared for both defendants. If he were assured by the counsel representing the Crown that in the event of a verdict of not guilty being returned against Wimshurst no further attempt would be made to try the other defendant he would be willing to agree to the trial proceeding.

Mr Gully said he could give no such undertaking.

His lordship said that of course it was a matter of discretion for the judge, and he was bound to say that the present indictment for conspiracy, seeing that O'Leary was bound over to take his trial for the very same matter at the next assizes, would be a very serious thing. A verdict of guilty against Wimshurst would be in effect a verdict of guilty against O'Leary. If the only charge against the present prisoner was that of conspiracy he (the judge) should feel in the interest of justice, that the trial should be postponed until they could both be tried together. He did not think it would be fair with regard to O'Leary to go on with the trial now as regarded the indictment for misdemeanour.

Mr Gully said that in that case he would ask his lordship to postpone the misdemeanour cases, and would offer no evidence against the defendant as regarded the felony indictment.

The prisoner was then formally acquitted on the felony indictment, and bound over in the same bail to appear at the next Liverpool assizes to answer the conspiracy indictments.

DEATH OF O'LEARY

Shipping Gazette and Lloyds List 24th August 1893

Arthur O'Leary, 51, master mariner, who was implicated in this case, died yesterday at Gresford Avenue, Sefton Park, Liverpool. It may be recollected that at the last Liverpool assizes, Henry James Wimshurst, marine engineer, was charged with having, on the 15th March, attempted to cast away the ship *Glendarroch*, on St Patrick's Causeway, Cardigan Bay. Other indictments charged him with attempting to cast away the ship in the Queens Dock, Liverpool, and conspiring with Arthur O'Leary, to cast the ship on St. Patrick's Causeway. It was mentioned to Mr. Justice Lawrence that O'Leary was too ill from consumption to take his trial, and consequently the case was postponed.

TRIAL

Shipping Gazette and Lloyds List 25 November 1893

The Stranding of the Glendarroch

Trial of the engineer

At the Liverpool Assizes, before Justice Day, on Nov. 23, Henry James Wimshurst, age 28, was indicted on a charge of conspiring with the late captain Arthur O'Leary to castaway the steamer

Glendarroch on the St Patrick's Causeway, Cardigan Bay, on March 15. For the prosecution Mr Gully Q.C. M.P, with Mr Squarey appeared, while the prisoner was defended by Sir Edward Clarke Q.C. M.P., with Mr Taylor.

Mr Gully, Q.C., in opening for the prosecution, said that this case had been postponed from last assizes, when both the prisoner and the late Captain O'Leary were charged on several counts with casting away the steamer *Glendarroch*, but the captain since died, and the engineer Wimshurst was now charged alone. The *Glendarroch* was a steamer of over 1,000 tons, which was purchased by Mr Charles Sayer, ship broker, Liverpool. Mr Sayer at various times spent several amounts of money in repairs to the vessel, which in the aggregate amounted to a very large sum of money. To effect these repairs he borrowed money from Mr G C Stewart, of Liverpool, but ultimately he got into difficulties, and the vessel passed into the hands of Mr Stewart. The ship was insured against total loss for £6,000 but according to his instructions her total value was not more than £3,000. On March 11 of this year the steamer left London for Liverpool, being in command of Captain O'Leary, and having a crew of 17 hands. The prisoner Wimshurst was chief engineer. She was run at the rate of eight knots down the English Channel and went round the South West coast of England until, on March 14, she was off Cardigan Bay. About 7:30 on this day the chief engineer was in charge of the engines, and the prosecution alleged that, after he had taken the place of the engineer who had been in charge previously, he went behind the condenser, where he remained for some time. On reappearing he was heard to remark that the condenser was leaking, and he afterwards informed the captain of this. The latter at once ordered the helm to be put hard a-port, and they steamed for Saint Tudwall's Roads, a course he (Mr Gully) thought would not have been steered by any navigator in his senses who wished to keep his vessel in a safe position. It was part of the case for the prosecution to suggest that the leak spoken of by the engineer was one made artificially by Wimshurst in order to give the captain an excuse to run the vessel on the Welsh coast. The vessel was kept on the course ordered by the captain, and shortly after midnight the steamer struck on St Patrick's Causeway, Cardigan Bay, and she was abandoned two days later. However, the Liverpool Salvage Association undertook her salvage, and they succeeded in getting her off towing her to Liverpool, where she was docked. Then it was found on examination that the steamer was not injured so far as her engines or condenser were concerned, and nothing was found that would in anyway account for the leak which the engineer reported to the captain.

Charles Sayer said he was a ship broker and general merchant in Liverpool, and purchased the *Glendarroch* in 1891. He borrowed money to pay for repairs to the steamer, and the repairs were all done between September, 1891, and Feb, 1892. In all he spent about £4,000 upon the repairs. First, he borrowed £2,500 from Mr Stewart, and after he had spent this he found he had more repairs to do. He borrowed another £500 from Mr Stewart, and spent this also on the vessel, so that by the end of February, with the repairs and the purchase money, the vessel had cost him something over £7,000. The repairs were so costly that he soon found himself unable to meet the demands made by the contractors, and finally an arrangement was made by which the vessel became the property of Mr Stewart again. Witness, re examined, said that when the vessel was sold it was for £1,500. Nothing was done to the engines and boilers. The repairs were finished in Feb 1892, and the vessel was lying idle in the dock until Jan, 1893.

Alfred Cocker, AB, of London, said he had been about 17 years at sea. He joined the *Glendarroch* on March 11, when she left London for Liverpool. He had not been on the vessel previously. The vessel had a wheel on the bridge amidships, but the steering was done from the wheel aft. He did not know if there was anything wrong with the wheel on the bridge, but it was never tried. The captain's room and chartroom were on the bridge, and he was always there, and if a man was steering from the wheel on the bridge he would have been near the captain always. Lights could not be seen so well from the wheel aft as from the bridge. On the voyage in question all went well until March 14. At 6:30 on the evening of that day he went to the wheel. About this time he saw the Cardigan Bay Light - a red light - abaft the beam. When he first saw the light it was on the fore part of the beam, and it was about 6 or 7 miles off. He was steering NW ½ N by

the after compass, and he kept in for a little time, but about 7:30 the captain came to him and told him to put the helm hard a port. At this time the Cardigan Light was on the starboard quarter. He did it he was as he was ordered. Then he did what he had never done before. He asked the captain if it was not an unusual thing to do. The captain said that both condensers had given way, and then they were going to anchor in St Tudwall's Road. The captain asked witness if he had ever been there before, and he replied that he had not. Witness continued to steer in the direction ordered until 8 o'clock, when he was relieved. The same course was continued afterward for some time, he knew, because they struck something, which he conjectured was the Cardigan Light buoy. When he left the wheel he went to trim the anchor lights, as he had been told the captain intended to anchor, the buoy was struck by the starboard side of the vessel. The night was dark and cloudy, but very clear, and lights could be seen miles off.

His lordship: It was one of the finest nights I was ever at sea in my life.

Continuing, witness said that about a quarter to 12 o'clock that night he went on the bridge, and saw a red light on the starboard side and a white light about four points on the port bow, St Tudwall's and Bardsey. He knew that when he was on the wrong side of St Tudwall's light it would show red, and when he was on the proper side it would be white. When they saw the red open they knew they had to get back to the white, and they would be clear. The lead was used once, between Eddystone and the Lizard, but not afterward. The vessel got aground about 12:15, and they left her on the Thursday night.

Cross examined by Sir Edward Clarke: We steered for the Cardigan Light while I was at the helm, and for some time afterwards. When on the bridge I saw the red light on one side and the white light on the other.

The case was continued yesterday when Ephraim Gilchrist Whitehead, AB was called. He said he had been 30 years a seaman. He had joined the *Glendarroch* for the voyage from London to Liverpool, and he remembered that on the 14th of March they passed the Smalls at 2 o'clock. He relieved Cocker at the wheel at 8 o'clock in the evening, and shortly afterwards he saw a light on the starboard bow - a red light. He was at the wheel until 10 o'clock. About three quarters of an hour after he had gone to the wheel he was ordered by the captain to starboard his helm, after which he kept the ship steady for half an hour. Her head was at first SE by S, and when he starboarded it was SE by E. He again got an order to starboard, and when he steadied her head was E by S. The captain came along to the wheel at this time, and on witness asking him if the course would do, he replied "nicely". He did not know how the lightship bore when he got the second order. He kept the course E by S until 10 o'clock, when he was relieved by Neville. Afterwards he went to the galley. He saw Bardsey light abaft the beam, and St Tudwall's a little before the beam. The night was cloudy, but very clear, and a good night for seeing lights. St Tudwall's Light was bright when he went on the look out at 11 o'clock, and when he had been there some time the light was little broad on the beam. He knew the lights, and reported them several times to the captain, who replied "All right". He asked Jones if he had reported the lights, and Jones said he had. It was about 11:30 when he saw St Tudwall's Light turn red, and reported this to the captain, but the captain did not seem to take any notice, so witness went to the bridge and asked him if he saw the red light, and he replied "All right". When the light turned red it appeared to be about two or three points on the port bow. The other light was well abaft the beam then. Both lights continued visible until the ship struck. Just before 12 o'clock an order was given to get the anchor ready. He did not notice any difference in the speed of the vessel during the night full stop she had been running about 8½ knots, and she ran ashore heavily. After this both lights remained in sight. She was full of water when they left her.

By Sir Edward Clarke: They were about five miles from the light when he went to the wheel. He was told by the chief engineer at this time that something was wrong with the condenser. He did not see the Bardsey Light until he came from the wheel at 10 o'clock. Afterwards, and until they struck he saw the light.

By Mr Gully: He knew of nothing which would have prevented the ship from continuing her voyage to Holyhead.

William Neville, AB, said he had been 34 years at sea. He joined the *Glendarroch* in London for the voyage to Liverpool. On March 14 he was the look out from 8 to 9 o'clock, when he was relieved by Jones. At 10 o'clock he relieved Whitehead at the wheel. Whitehead gave him the course E by S, southerly. He saw two bright lights, one which became red afterwards. He kept the course stated for about three quarters of an hour, when he was ordered to starboard the helm. He did this, and the vessel went off two points, her course being E by N. This was after the red light was seen by him. He afterwards got a further order to starboard and after he had obeyed the course was E by N, and he steadied on this course until she ran ashore. After starboarding the second time the red light was a little on the port bow. There was a bright light abaft the beam. These two lights were quite visible at the time they struck. He did not notice any difference in the speed of the vessel during the night.

Frederick Jones, having been examined, Thomas Spencer said he was a fireman on board the *Glendarroch* on this voyage. He had joined the vessel five or six weeks before she sailed, and he knew the vessel and the engine room. On March 14 he went on duty at 6 o'clock in the evening. The engines were working freely, and they were going 8 knots an hour. About 8 o'clock Wimshurst came down and went to the back of the condenser, returning in a few moments and telling witness that the condenser was leaking. Witness did not then observe any sign of leaking. The chief engineer told him that he would go and inform the captain of what had occurred. He told witness that a wooden plug which had been put in had given way. He went to see the captain, and the captain returned with him and went behind the condenser. They remained there for a few minutes. The captain came down again about 10 o'clock. There was nothing in the condition of the engines to prevent them going on working.

By Sir Edward Clarke: He had seen nothing of the leak before the engineer spoke about it; but afterwards water came out of the condenser. No attempt made was made to take the doors off the condenser.

Charles J Carr said he had held a 1st engineer's certificate since 1889. He was second engineer of the *Glendarroch*, and he did some fitting work to her before she left London. He had found one of the tubes in the condenser leaking, and as they could not take it out it was broken in two and the holes at each end plugged with wooden plugs. These worked all right through the voyage.

By his Lordship: It would take four or five hours to take off the condenser doors.

By Mr Gully: It would have been dangerous to lie to in order to do this work. He would not risk it if he was chief engineer of a ship. On the 14th March he was in the engine room from noon until 6 o'clock in the evening, and before he went he assisted the chief engineer to blow down the boilers. He turned in about 7 20, and was awakened by the chief engineer at 9 o'clock, when he was told the condenser was leaking. The chief said he did not require any assistance until they came to anchor. The pipes of the condenser were three quarter inch diameter, and the holes in the plates would be slightly larger, but it would not be very difficult for the pumps to keep the condenser clear of water which came in by such an opening. About midnight he went to the engine room and he saw water coming from one or two holes in the condenser, showing that there was too great a supply of water to the condenser. Inside the hot well there was a spring to a valve, and a spindle projected by which the valve could be worked from the outside. He was in the engine room when they struck, but there was no water in the engine room then, and not for some time afterwards.

Re examined: he could not form any idea of what had happened, but he thought that one of the ferrules had given way. In order to ascertain if this was so, the condenser doors would have to be taken off. They were each seven feet long by 4 feet 7 inch, and would weigh about 28 cwt,

and that would be a serious business to take them off. After she went ashore they found some difficulty in starting the engines to go astern.

Captain S Nowell said he had been a master Mariner for 27 years; five years with the Pacific line, and 12 years with the American line. He had examined the *Glendarroch* in the King's Dock. Both the after and bridge steering gear was in working order. A man could see lights better from the bridge than if he was aft. He knew St Tudwall's Road, and there is no difficulty in getting there safely from Cardigan Light. The red section of the St Tudwall's Light was to point into the part of the coast it was dangerous to be in. If a person was 15 feet above sea level he would see the light within the arc marked on the chart, which is about 17 miles off in the case of the Bardsey and 18 miles in the case of St Tudwall's. A man on the look out in the *Glendarroch* would be about 18 feet above water, and on the bridge would be much higher, consequently he would see the lights at a greater distance. If a ship got into the range of the red section she would be starboarded at once until she got out. He did not think any navigator should get south of St Patrick's Causeway on a clear night with the lights of St Tudwall's and Bardsey visible. As far as he had heard from the evidence he should have preferred to take the ship to Holyhead rather than to St Tudwall's Roads. Holyhead was 55 to 60 miles away, and would have been reached in seven or eight hours. The prudent course in this case in order to get to St Tudwall's Roads would have been to get Bardsey Light in sight, and then work along towards St Tudwall's. There should be no difficulty whatever in doing this. According to the evidence he had heard the vessel was going at her full speed, and if this was so there is no reason why she should not have gone on as long as necessary. He could not suggest any reason why the captain should stay for three quarters of an hour within the red section of the St Tudwall's light.

William Thomas Seaton, an engineer, and surveyor to the Board of Trade at Liverpool, said that on March 30 he visited the *Glendarroch*, and he looked specially to see how the water had got into the hot well. He also specially observed the air pump valve, and he found that water could enter by it. The valve could be lifted by means of a rod placed in a hole in the spindle, and this could be kept up by putting a piece of anything under it. Again the valve could be raised and then kept up by nipping down the studs of the gland. This would jamb the spindle. There would be no difficulty in doing this in a couple of minutes. If this was done the water which should come down through the circulating discharge pipe would come down through the relief valve, fill up the hot well, and run out by the overflow holes into the engine room. A great volume of water came through these holes. In May the condenser doors were removed, and the plug holes were found alright. There was no leakage by them, except what he would call a sweating. The condenser was tested by being filled with water to the highest point, and no water leaked out of it. There was a jet injector pipe which might have been tampered with, but this could have been seen from the engine room. He came to the conclusion that none of these had been tampered with, and the air pump discharge valve would be the most convenient and less liable to detection, besides being capable of letting in five or six times the amount of water the other would admit.

Peter McGregor, surveyor to Lloyd's register, said he had heard what Mr Seaton had said, and he agreed with it.

Mr Richardson said he was manager for C W Kellock and Co, ship brokers, Liverpool. His firm put the *Glendarroch* for sale, and she was sold for £1,500. There was a reserve price.

Mr Hughes said he was a ship's salesman, auctioneer, and valuer, and he had been in business for 26 years in Liverpool. He had valued the *Glendarroch* when he saw her after the wreck, and he gave as his value £2,750, which he meant was the value of the vessel before she had sailed from London.

Mr Fry, assistant manager to Messrs J B Tyson and Co, insurance brokers, said the *Glendarroch* had been insured for £3,400, and £3,100, against total loss, not average.

Sir Edward Clarke, addressing the Court for the defence, said he would have to call several witnesses, who would deal with the technical matters. Wimshurst was charged that he with the late Captain O'Leary conspired to cast away this vessel. From the evidence they would see that Wimshurst had nothing whatever to do with the navigation of the vessel, and Captain O'Leary had not been shown to have anything to do with the engines of the vessel. The first question was, what object these people could have in conspiring to cast their way the ship? There was not the smallest fragment of evidence to show that it would be to the advantage of either captain O'Leary or Wimshurst to do this. His friend suggested that the criminality in this matter was chiefly in connection with a man who had far as was he knew was in the court or not there. The object his friend suggested, was to make a profit for Mr Stewart by obtaining the money stated in the policy of insurance of the ship and in which her value was said to be very much overstated. It might be so, and it might be that the owner of the ship had lent himself to such a design, and that, having had the vessel insured, he might have procured the casting away of the vessel. If this was true, why was Mr Stewart outside and Mr Wimshurst inside? The only thing that could be suggested as showing that Wimshurst had the slightest interest in the matter was that he was Mr Stewart's son in law. He had seldom heard a more flimsy suggestion. In this case they might have expected to hear some evidence to show that Captain O'Leary and Wimshurst had joined together produce the result which it was said, they desired the casting away of the ship. There was no such evidence. The prosecution attempted to prove that Wimshurst was responsible for the influx of water which entered the condenser, and which would, under certain circumstances have interfered with the proper working of the engines, and they tried to show that Captain O'Leary in his navigation of the vessel attempted to cast her away. There is no evidence of any communication between them with such an object. The actions of each were separate and not joint. Then, as to the question of fact, he contended that the captain was doing the best thing when he tried to get a safe anchorage where the damage to his engines could be properly repaired. He was 110 miles from Liverpool, and St Tudwall's Roads were near. With regard to the question of insurance it had been stated the vessel was insured for far more than she was worth. When they considered that £3,400 had been paid as purchased money, and that £4,000 have been spent in repairs they would not consider that she was not worth £6,000. As a matter of fact, Messrs Wainwright and Co had written from Liverpool offering to take the vessel round from London, repair her at Liverpool according to Board of Trade and Veritas requirements, &c., for £1,400 and ensure her for over £6,000. He (Sir E Clarke) hoped he would be able to satisfy them when he called his witnesses that there was no reasonable ground for saying that Mr Wimshurst and anything whatever to do with the manipulating the engines in the way suggested.

The further hearing was adjourned until today.

Shipping Gazette and Lloyds List 27 November 1893

The Stranding of the Glendarroch

Acquittal of the chief engineer.

At the Liverpool Assizes, before Mr Justice Day, on Saturday, Henry James Wimshurst, 28, marine engineer, was again brought up, and further inquiry was made into the indictment charging him with having conspired with Captain O'Leary (now deceased) to castaway the steamer *Glendarroch*, the property of George C. Stewart, of Liverpool, on the 15th of March, near St Patrick's Causeway, Cardigan Bay, whilst on a voyage from London to Liverpool. Mr Gully, Q.C., M. P., and Mr Squarey were for the prosecution; and Sir Edward Clarke, Q.C., M. P., and Mr Taylor for the defence.

The evidence for the defence was continued.

William Wallace, marine engineer, and superintending engineer to the Allan line, said that on the 29th June he examined the condenser of *Glendarroch*. Mr Hepburn was with him. They took a general view of the engines and decided to test the condenser. They did so on 5th July. They

saw it leaking after it had been filled with water, and they concluded that there was a connection between the steam side of the condenser and the circulating water side. They repeated the test with the same result. There was also a defect in the middle of the condenser, a hole of about 3-16 of an inch in diameter. The circulating valve was not properly seated, and the water would find its way out there. The spring of the valve was not strong enough for the purpose required. The valve might be raised by the force of water accumulated in the hot well when the engines were working, and the spring was not strong enough to put it back again. It was not an uncommon thing for such a thing to happen in the pulp valve, but it might be caused by interference from the outside. Water escaping in this way would cause the engines to be sluggish when stopped, and requiring to be started again.

By Mr Gully: The defect in the condenser might not have been there when the Board of Trade surveyor saw the engines. It might have been caused by the rust since the stranding of the vessel. The water being pumped into the condenser would raise the valve, though the weight of the valve was about 1 cwt.

Charles J Copeland, M.I.N.A., consulting engineer, said he visited the ship with Mr Wallace. They made the tests and did what they could to make the valve remain in its proper place, but still water came in. If there was any force of water involved the latter would open, as the spring was not strong enough to return the valve to its place. He had seen this happen many times, and a new system was now in use which obviated this difficulty.

By Mr Gully: It was not a common thing for these springs to work badly. It was an uncommon thing. In his experience of 20 years he had known five or six. Further cross examined he said that he had heard of many more than those. He could not account for the fact of the spring falling at the particular time the engineer went behind the condenser, except that at this time there was an excessive amount of feed water in the hot well. The engines had not been cleaned, he thought, when he inspected them.

Alexander M Nelson, consulting engineer, stated that he examined the *Glendarroch* while she was in dock at Liverpool. He discovered a flaw at the top of the valves, and on testing he found that water going into the condenser would discharge itself at the valve, and account for the flooding of the engine room. Without doubt it was the duty of any engineer to go frequently behind the condenser.

William Day, a Thames pilot, deposed that he was on board the *Glendarroch* before she left London. He noticed that there was on board two sets of steering gear. The one from the bridge, however, was so rusted that on his suggestion the captain, on the voyage, used only the steering gear at the stern.

This closed the case for the defendant.

Sir Edward Clark, summing up the case on behalf of Wimshurst, remarked that it was an extraordinary thing to find that they should be discussing a question of this character upon a criminal charge. The case looked more like one in which an action was brought against a person with respect to engines rather than one in which there was a criminal charge. It was not a question of whether the jury attached more importance to the evidence for the prosecution as against that for the defence; it was not whether the balance of testimony was on one side or the other, but whether in the face of the evidence the defence had adduced the jury could possibly say that the prosecution had made out against Wimshurst the criminal charge launched against him in this indictment. Could they on the evidence alone of Mr Seaton, who said "the leak could not have happened unless someone had tampered with the discharge valve", find the man in the dock guilty, when they remembered that for the defence three eminent engineers had been called, and had stated "that in their experience and that according to their judgement this thing could have happened", and one said "that in his experience it had happened without any improper conduct on the part of anyone." If it could have happened by accident, or in the

ordinary course of the working of the engines, then he claimed a verdict for his client. The jury must also remember that Wimshurst was charged with conspiracy for he had been acquitted on the charge of casting away or attempting to castaway the ship - and he (Sir Edward) submitted that there was no evidence in support of such an allegation. Nothing had been shown to indicate that the defendant was interested in the vessel being castaway, no untrue statements have been made, and nothing had been revealed to show that between Wimshurst and the captain there had been conversations or agreements to commit this offence. Under all the circumstances counsel claimed a verdict in favour of Wimshurst.

Mr Gully, in his address for the prosecution, said that the offence of conspiring to castaway ship was a serious one, and was an offence that they could hardly ever hope to prove by direct admission or by letters. It must always be to a large extent in matter of inference drawn from the actions of those who might be accused. The strength of this case lay in the contention of the prosecution that the *Glendarroch* was a largely over insured ship; that on this particular voyage the chief engineer was Wimshurst, son in law of Mr Stewart, who owned the steamer; that the vessel was, in fact, castaway; and that the casting away was commenced at the moment that Wimshurst went behind the condenser, announced the leak, and the captain started the ship for St Tudwall Roads, where she ran aground.

In answer to a juror, Mr Gully stated that the premiums on the *Glendarroch's* insurance were 22s 6d and 17s 6d and the policies covered total loss and collision.

His lordship, there is an extraordinary difference in the premiums, considering the short voyage.

Mr Gully, continuing said that supposing the prisoner had tampered with the valve, as the prosecution suggested, everything would have happened that did happen.

His lordship, in summing up the case, said the prisoner was no ordinary chief engineer so far as this ship was concerned. Prisoner had previously acted as agent for the owner, and he had superintended the repairs of the ship, so that he held a much more responsible position than that of chief engineer. His position with the owner made him a person whose word would have some weight with the captain of the ship. He (the learned judge) should be indisposed to suggest that any conspiracy commenced at 7:30 on 14th March, but at this time the first overt act relied upon by the prosecution took place. Prisoner went to the captain, something was said, and the captain ordered the vessel to be put on an SE course, to make St Tudwall's Roads. Generally speaking, a master of a ship would ascertain the extent of the damage before deciding on the course to pursue, but here the master at once turned back. The course he pursued, they were told by a competent shipmaster, was not the proper one, and if a child were asked to point out the course on the chart it could do so, the way was so plain. It was a perfectly plain course. The surplus water in the condenser was kept down by the donkey engines, and there did not appear to have been any inconvenience in steaming ahead. In fact the vessel went ahead at the same speed as before until she got on the reef. If, again, the condenser doors were to be taken off it would be reasonable to suppose that something would be done to prepare for this work, yet nothing was done. It was an easy matter to take bearings, which would have given the captain his exact position if he doubted where he was. It would not be said that Wimshurst was not responsible for the navigation of the ship. Certainly he was not the man to give the orders, but he represented the owner, and if he saw the ship in danger he could express an opinion to the captain. But apparently he did not do so. It did not seem to him his lordship that there was any necessity for taking the vessel to the roads at all. Why could they not just as well have gone to Holyhead or Liverpool? If there was the disadvantage that there would be in a crowded place, with engines which would not work well, they had also the advantage of being able to get a tug.

The jury retired to consider their verdict, and after an absence of half an hour returned with a verdict of not guilty.

The defendant was at once liberated.

CLAIM FOR DAMAGES TO CARGO

Liverpool Echo 9th December 1893

The Stranding of the Glendarroch

An action which arose out of the stranding of the Liverpool steamer *Glendarroch* in Cardigan Bay, and which it will be remembered resulted in a criminal prosecution for alleged improper abandonment of the vessel, came on for hearing yesterday in the Admiralty Division of the High Court. The plaintiffs were Messrs. J.C. Johnson and Co. of Eastcheap, London and Messrs. H.C. Currie and Co., of Liverpool, the owners of the cargo of cement on board the *Glendarroch*, and they claimed the sum of £335 16s 1d for damage done to the cargo as a result of negligent navigation. The defendants, Messrs. Wainwright & Co., of Liverpool, were sued as the temporary owners of this vessel, they having agreed to take the vessel from the real owners, Messrs. Stewart and Co, of Liverpool, for the purpose of taking the vessel from London to Liverpool, where she was to be repaired. They had to load a cargo for the purpose of the voyage, and they took the plaintiffs cargo of cement. It was on that voyage that the vessel stranded on St. Patrick's Causeway, in Cardigan Bay, the cargo being damaged as a consequence. The defendants pleaded that they were not common carriers, and therefore there was no obligation on their part to deliver the cargo safely, and further that they could not be sued for negligent navigation, when no particulars of negligence had been made. After hearing the arguments of counsel, his lordship found for the plaintiffs for £335 16s 1d.

The Standard 2nd March 1894

Messrs J.C. Johnson and Co (cement makers, 4, Eastcheap), and Messrs H.F. Currie (of Liverpool) sued Messrs. Wainwright Bros. and Co, the owners of the steamship *Glendarroch*, of Liverpool (the stranding of which in Cardigan Bay resulted in a criminal prosecution at Liverpool) for damages done to a cargo of cement. The plaintiffs claimed £335 16s 1d for damage done to 2,100 sacks of cement. The Defendants claimed that if there was negligence on the part of the master or officers this was accepted in the bill of lading form and that they were exempted from liability. The judge said the question was whether the damage was caused by the perils of the sea or negligence, and held that the master was guilty of negligence and gave judgement in favour of the plaintiffs.

Supreme Court

The *Glendarroch* Case has been used as case law and it was only in December 2018 the UK Supreme Court noted that they no longer considered the "*Glendarroch* [1894]" to be good law³⁰.

SALE

Shipping Gazette and Lloyds List 3rd October 1893

Notice – The sale by auction of the steamer *Glendarroch*, advertised for Thursday, the 5th Oct is postponed for the present but due notice will be given when it is to take place. John Hughes and Co, Shipping auctioneers and valuers, 13, Tower Buildings, Liverpool

DAMAGE TO CARGO 1893/94

Shipping Gazette and Lloyds List 11th December 1893

Damage to Cargo – The Glendarroch

This is a more detailed account of the case which goes into greater legal detail. It does note that Mr. Wimshurst, the chief engineer of the *Glendarroch* was called as a witness but admitted that his certificate had been cancelled by the Board of Trade. The case hinged on whether a

³⁰ <https://www.supremecourt.uk/cases/doca/uksc-2016-2019-press-summary.pdf> accessed 19.02.21

negligence clause had been included in the bill of lading, or could have been expected to have been included.

MATES CERTIFICATE

South Wales Echo 17th January 1894

The Stranding of the Glendarroch

Mr. W.F. Taylor made an application to have the cancelling of the certificate of the mate rescinded. The article recounts the loss of the *Glendarroch* and that the mate (Mr. H.J. Wimshurst) had pretended there was a leak in the vessel that afforded the master a pretext to run the vessel ashore. The Board of Trade consented to give the mate a new certificate or restore the old one.

CLAIM FOR COMMISSION

Liverpool Daily Post 22nd May 1894

A Remnant of the Glendarroch Case

This article relates to a case between a William Bew against Charles George Stewart, shipowner, for the recovery of £250 being 5% commission relating to the sum paid by underwriters in satisfaction of a claim brought by the defendant on the insurance policy for the *Glendarroch*.

The article notes that about the beginning of 1893 the defendant insured the *Glendarroch* through Messrs. J. and J. Tyson and Co., brokers, for £6,500 though her value was only £3,000. In March 1893 the *Glendarroch* stranded on St. Patrick's Causeway and defendant gave notices of abandonment to the underwriters.

They, however, refused to accept and the vessel was brought to Liverpool by the Salvage Association where it was alleged an attempt was made to sink her.

The insurance money was refused by the underwriters owing to serious reflections made upon Mr. Stewart, the captain of the vessel and the engineer at the Board of Trade Inquiry. In August the defendant issued a writ against the underwriters but he was not in a hurry to come to trial as the statement of claim was not delivered until December. In the meantime it was alleged that the defendant verbally arranged with the plaintiff to negotiate with the underwriter and agreed to pay him 5% on the amount paid in the event of a compromise being obtained without going to trial. With the aid of other parties plaintiff carried on negotiations with the underwriters for some time and obtained offers of settlement for £3,200 and subsequently £4,000 and the ship. Mr. Stewart, however, refused these offers but when the case was in the list for trial at the assizes in April last a compromise was effected by counsel, Mr Stewart to receive £5,000 and the ship. At that time the plaintiffs claim for commission was repudiated.

In the course of his cross examination by Mr. Taylor the plaintiff said that his occupation was a commission agent, and he was also the proprietor of a patent medicine. He had no office in Liverpool and had had no previous dealings in connection with marine insurance. He was also connected with mining transactions. Asked if anybody else was interested in this commission plaintiff said that Tyson was interested, also a nautical assessor to whom he had promised a present for having introduced him to Tyson; and there was also another gentleman interested whose name he could not recollect. Definite mounts were not promised in either case. On Feb 27 Stewart made the agreement with him, and on the 28th he absolutely repudiated it.

Mr. J T Tyson, marine insurance broker, said in the course of his examination that he understood that the plaintiff was acting for Mr. Stewart. His business was at an end when the underwriters determined to refuse the claim, and he would not have further interested himself in the matter if it had not been for Mr Bew. He considered he was entitled to something because they had been

put to a great deal of trouble. The highest figure he got from Mr. Morrison was £4,000 and the ship. Re-examined, he said there was no distinct agreement between himself and Bew.

This concluded the plaintiff's case, and Mr. Taylor asked his lordships ruling on two or three points in the statement of claim on which he submitted there was no evidence.

His lordship said that he would allow the claim to be amended if necessary, and would not stop the case for that reason.

Mr. Stewart, the defendant stated in his evidence in chief that he had known the plaintiff for a number of years. Asked if charges were made implicating him with the Captain, mate and the engineer in the loss of the vessel, answered, "Not directly", adding that the men were not in his employ, having been employed by Messrs. Wainwright to bring the ship round. He never gave any instructions to the plaintiff to effect a settlement on commission. In August or September however the plaintiff came to him in reference to a limited liability company which he wanted to form for the sale of a patent remedy, but with which the defendant would have nothing to do. He also led the defendant to believe that he could get a settlement with the underwriters about the *Glendarroch*. He said that if the defendant would arrange with him he had facilities for getting the whole amount of the instance money paid within a fortnight. He wanted 5 per cent commission in case he obtained the money within a fortnight. Defendant told him that it was absurd to think of such a commission. Plaintiff repeatedly bored him afterwards both about the patent remedy and the *Glendarroch*, but her never heard Tyson's name mentioned by the plaintiff; neither did her hear of the assessor. Defendant further denied having refused to sign any commission note "because it would damn his case".

Witness, cross examined by Mr. Mulholland, admitted having supplied the money to defend the mate and engineer of the *Glendarroch*.

Charles Stewart, son of the defendant, said he remembered the plaintiff coming to him in October and complaining about his father having said to him that he most not interfere any more about the *Glendarroch*.

Cross examined, witness might have said that the worry was killing the old man (his father) but he did not urge the plaintiff to go on with the matter.

Mr. C. Collins, Mt Stewart's solicitor at the trial was then examined after which Mr. Taylor addressed the jury at some length on behalf of the defendant and Mr. Mulholland on behalf of the plaintiff.

The jury after retiring for about an hour, returned a verdict for the plaintiff of £40

CHARGE OF FORGING SEAMEN'S ADVANCE 1894

Shipping Gazette & Lloyds List 31st May 1894

Liverpool Police Court on May 29 Stephen Bailey was charged with forging and uttering eight advance notes, with intent to defraud, and with obtaining money under false pretences. Bailey took eight seamen to a boarding house in Crooked Lane, Liverpool stating they had signed on to the *Glendarroch* which vessel they intended to take round to Cardiff. He said the owners were R. Stewart and Co of Oldhall Street. Bailey received 30s on account of the notes and then a further 5s and some clothes for the men. However, Stewart & Co were not the owners of the *Glendarroch* and the signatures of Captain W. Stewart was not a person in their service. The prosecution noted that the *Glendarroch* was in the process of being dismantled and could not be sent to sea.