**Schooner PASS BY.**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Vessel Name** | **Official Number** | **Signal letters** | **Rig /Type**  | **Where built** | **Builder** | **Year built** | **Year end** | **reg tons** |
| **PASS BY** | 43589 | TPMV |  Schooner  | Kingsbridge | William Date. | 1862 | 1897 | 127 |
|  **OWNERS/ MANAGERS/REGISTRATION DETAILS** | **Notes** | **MASTERS** |
| registered in Fowey no 3 1885. John Stephens,(MO) Par | LOA 100.7' x 21.8' x 12.2' Previously registered in Dartmouth on 8th July 1862. Square stern and female figurehead. Wrecked in Leixoes Harbour, Portugal, when she dragged her anchor on or about the 30th December 1897 had been on passage from Cardiff with Cargo of coal. part of the crew saved | Yalbey 1865 W.Bushell 1872 J.Jarvis 1880 Albert F. Morgenborg 1897 Edward Coombes 1886- 1888 Nicholas William Rundell 1888 Albert F. Morgenborg 1897 |

'Pass By', 43589, schooner, length 100.7' and GT 147.84, built at Kingsbridge 1862, registered 8th July 1862. Title owned by Richard Heath Sladen, James Henry Adams, William Stidstone, William Hurrell, Richard Yabsley Soper, Thomas Lizard, John Alfred Woodley, William Date, Edward Parker, William Crapp, William Drew, Francis Lamble Yabsley, John Heath, Elizabeth Blank, Francis Lamble Yabsley, Elizabeth Heath.



**December 1865**







**Enquiry into the Loss of Pass By**

The Merchant Shipping Act, 1894.

IN the matter of a formal investigation held at the Guildhall, Plymouth, on the eighth day of March, 1898, before JOHN CUMMING and THOMAS BROOK, Esquires, Justices of the Peace, assisted by Captain DYER, R.N., and Captains PARISH and CUNINGHAME, into the circumstances attending the stranding of the British sailing ship "PASS BY," of Fowey, in Leixoes Harbour, Portugal, on or about the 30th day of December last, whereby loss of life ensued.

Report of Court.

The Court having carefully inquired into the circumstances attending the above-mentioned shipping casualty, finds, for the reasons stated in the annex hereto, that the cause of the loss of the vessel was the dragging her anchors in bad holding ground, the wind having shifted to the westward, bringing in a heavy sea, and that the cause of the loss of life was the capsizing of a boat alongside the vessel.

Dated this 8th day of March, 1898.

JOHN CUMMING,

Justices of the Peace.

THOMAS BROOK,

We concur in the above report.

ALFRED PARISH,

RICHARD C. DYER,

Assessors.

ANDREW CUNINGHAME,

Annex to the Report.

This inquiry was held at the Guildhall, Plymouth, on the 8th day of March, 1898. Mr. H. Wolferstan, solicitor, appeared for the Board of Trade, and Mr. Geake represented the owners and master.

The "Pass By" was a British sailing vessel, built of wood at Kingsbridge, Devon, in 1862, by William Dale. She was registered first at Dartmouth, and in 1885 she was registered at Fowey, her official number being 43,589. She was schooner rigged, and her gross tonnage was 147.84, and registered tonnage 126.96. Her dimensions were as follows: Length, 100.7 ft.; breadth, 21.8 ft.; and depth, 12.2 ft.

At the time of her loss she was owned by Mr. John Stephens, of Par, Cornwall, and others, Mr. Stephens being the managing owner. She had been purchased by them in 1887. In 1896, £400 to £500 were expended in repairs, and she was reclassed at Lloyd's for eight years, A1 red. She had 190 fathoms of 1-in. chain cable, and two bower anchors, one of 7 1/2 cwts. and one of 8 1/2 cwts., which had been passed by Lloyd's surveyors when she was reclassed. She had also two kedges, the heaviest of which was over 4 cwts. She was insured for £750, and the freight was insured for £200 on a time policy. The owner considered that she would have sold for £1,100 to £1,200, but that she was worth to him £1,400. She had one boat (a life-boat) which was new in 1896, and which was in good order and ready for lowering. She had two life-buoys, and six life-belts each member of the crew having one over his hammock.

The "Pass By" left Cardiff on 19th December last, under the command of Albert F. Morgenborg, who holds a certificate of competency, No. 031292, and with a crew of six hands all told, namely, master, mate, two A.B.'s, one O.S., and a cook and steward. She had a cargo of 205 tons of coal on board, and was bound for Oporto. Her draught of water on leaving was 12 ft. 10 ins. aft and 11 ft. 5 ins. forward.

On the 29th of December last the vessel was off Oporto, a gale blowing from the south-west and a heavy sea on the bar. Not being able to get in, the "Pass By" made for Leixoes Harbour, and took a pilot on board off the entrance. She was then under reefed fore and aft sails. The pilot ordered the sails to be lowered, ran in, brought her head to the wind, and let go the port anchor. The vessel then had good way on her, and when the pilot gave orders to "Hold on the chain" the cable parted, and the starboard anchor was let go. The heavy kedge was then shackled on to the port chain, a tug came to them, and the vessel was towed further to the southward, under shelter of the southern breakwater. The starboard anchor and the kedge were let go, a little on either bow, and 45 fathoms veered on both chains. The pilot then left the ship at 6 p.m. The gale increased about midnight, and the wind drawing to the south-west brought a heavy sea into the harbour. An A.B. was keeping an anchor watch, and at about 1.30 a.m. of 30th December observed that the vessel was dragging her anchors. The master was called, the second kedge was let go with a hawser attached, and he and the A.B. veered away cable on both chains until the vessel was as close to the rocks as was thought prudent. A flare-up was shown for assistance. About 2 a.m. the vessel, continuing to drive, struck on the rocks, a heavy sea running at the time. The boat was put out and the crew, with the exception of the master, got into her. The master went below to get the ship's papers. The boat was ranging heavily, and carried away the painter. The crew called for the master, but before he came up the boat capsized and all on board were thrown into the water. An A.B. (Harry Mutton) stated, that when he rose to the surface the mate came up within a couple of yards of him and then disappeared. it is stated that he had on heavy sea boots and oilskins and no life-belt. The unfortunate man was never seen again. The rest of the crew were thrown on shore by the sea, and all made their way to an hotel.

To return to the master. When he came on deck nothing was to be seen of the boat or crew. The vessel broke in two, and at 7.30 a.m. on the 30th December the master was helped ashore.

The Court was informed that during that night three other vessels at anchor in Leixoes Harbour were driven ashore and lost.

At the close of the evidence, Mr. Wolferstan, on behalf of the Board of Trade, submitted the following questions for the consideration of the Court.

1. Was the vessel anchored in a proper position in Leixoes Harbour on the evening of the 29th December last?

2. Was sufficient cable paid out on the anchors?

3. Whether, when the vessel commenced to drag, prompt and proper measures were taken to bring her up?

4. What was the cause of the loss of the vessel and loss of life?

5. Whether the loss of the vessel was caused by the wrongful act or default of the master?

6. Whether during the prevalence of south-westerly gales Leixoes Harbour affords a safe refuge for sailing ships?

Mr. Geake then addressed the Court for the owners and master, and Mr. Wolferstan having replied, the Court answered the questions as follows:”

Replies.

1. The vessel was anchored in a proper position in Leixoes Harbour on the evening of the 29th December last.

2. Sufficient cable was paid out on the anchor having regard to the space available and the protection afforded by the breakwater.

3. Prompt and proper measures were taken to bring up the vessel when she commenced to drag.

4. The cause of the loss of the vessel was the dragging her anchors in bad holding ground, the wind having shifted to the westward, bringing in a heavy sea. The cause of loss of life was the capsizing of the boat alongside.

5. The loss of the vessel was not caused by the wrongful act or default of the master.

6. The Court is not satisfied that Leixoes Harbour is a safe refuge for sailing ships in south-westerly gales.

JOHN CUMMING,

Justices

THOMAS BROOK,

We concur.

ALFRED PARISH,

RICHARD C. DYER,

Assessors.

ANDREW CUNINGHAME,

(Issued in London by the Board of Trade on the 31st day of March, 1898.)