

NEWSPAPER ACCOUNTS OF THE *JEDDAH* AFFAIR

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The link between Conrad's *Patna* and the real-life *Jeddah* was noted in Frank Swettenham's reply to Richard Curle's survey of "The History of Mr. Conrad's Books" published in *The Times Literary Supplement* for 30 August 1923. News of the sinking of the pilgrim ship *Jeddah* off Cape Guardafui on the night of 7-8 August 1880 was first spread by telegram from Aden, followed the next day by a second telegram announcing the ship's rescue with nearly one thousand passengers who had been abandoned by their European officers. Printed in newspapers, the telegrams gave rise to further letters and commentaries. Norman Sherry's Ph.D. thesis included as an appendix a number of photographs of pages from the Singapore weekly *Straits Times Overland Journal* containing material relevant to the *Jeddah* incident. When he revised and published his thesis as *Conrad's Eastern World*, Sherry transcribed four of the most important items, including them as Appendix C (pp. 299-309), namely: the Report of the Court of Inquiry in Aden, the Assessor's Report, and letters to the *Straits Times Overland Journal* from Captain Clark and Chief Engineer Baldwin. There is no need to reprint these here. Rather, a selection of items that have not been previously published, or published only in part, is offered below.

These additional materials reveal a wide range of public reaction to the news of the *Jeddah*, from Captain Carter's remark that the captain might well have been safer on the open sea than at the mercy of "wretched fanatics," to the vivid expression of Mr. Campbell's shame and indignation before the Singapore Legislative Council: "I think and I question whether any of us in the same situation would not have shot Captain Lucas Clark like a dog for his dastardly attempt to desert his vessel in such dire distress."

The items below are reprinted in chronological order. The punctuation and style of the originals have been reproduced, but obvious

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misprints have been silently corrected. The first three items are from *The Times* of London, and consist of a letter from Captain Henry Carter describing his experiences in the pilgrim trade (14 August 1880), and two comments on Carter's letter. The remaining items, from the *Straits Times Overland Journal*, consist of: four commentaries that accompanied the publication of the report of the Court of Inquiry in the issue for 13 September 1880; the full text of the proceedings of the Legislative Council on 14 September, when the *Jeddah* case was discussed; and finally, the full text of the salvage judgement accorded in the Vice Admiralty Court of the Straits Settlements on 20 October 1881.

1. Captain Carter's Letter to *The Times*, 14 August 1880, p. 5.

THE ABANDONMENT OF THE *JEDDAH*

A Correspondent says that, pending the arrival of the details of the reported abandonment of the steamship *Jeddah*, with between 900 and 1,000 Moslem pilgrims on board, the following extract from a letter written to a friend in London by Captain Henry Carter, of *Obelisk* fame, shortly before his death on the 10th of January, last seems to suggest that the strange desertion of their ship by the captain and his chief officers may only too possibly have been prompted by a natural instinct urging them to trust themselves to the sea rather than face perils of a more dreadful kind. Captain Carter's last employment was in this pilgrim traffic, which, under date November 30th, 1879, on board the steamship *King Arthur*, then lying in the port of Jeddah, he thus graphically describes:

“No one who has not witnessed the pilgrims actually *en route* can form the slightest conception of the unromantic and unpicturesque appearance of these wretched fanatics. It is a pity that some philanthropist will not take the trouble to make the tour, and go on board one of the pilgrim vessels about to start on a voyage to Jeddah. There are horrors on board such a ship which no Christian has ever dreamt of, and none but those who grow rich by such wickedness can form any idea of what goes on in these vessels under the British flag – wickedness worse, by far, than was ever found on board a slaver. Only fancy 1,000 or 1,200 fanatics cooped up on the deck of a small vessel for 18 or 20 days, with no room to move, and little or no fresh air to breathe. There is no medical man to attend to their wants when sick, and but a limited stock of medicine on

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board. I lost seven pilgrims in about 10 days, and I firmly believe that prompt medical treatment by a doctor would have saved them all. Of course, if these wretched beings die *en route* to Mecca, their eternal happiness is assured, so that they generally seem glad to give up the ghost and fly to the realms of joy. I wish you could have seen some of our little scenes of excitement. You must understand that my 'batch' consisted of Turcomans, Arabo-Persians, and Bedouins. They all came on board armed to the teeth, but, of course, I had all their weapons taken charge of by my officers and locked up in safety. I mean all the weapons we saw. They take up their quarters in any part of the ship, and from the moment of embarkation set the captain and officers at defiance. One day I had occasion to give orders for the removal of some luggage, which I found placed on the steering-gear, and which, of course, interfered with the navigation of my vessel. I was informed by my officers that the owners of this luggage refused to shift it, and, on my insisting on obedience to my orders, I found about me 150 cut-throat Arabs, all armed and prepared to resist my authority. Discretion was the better part of valour, for my three officers and myself were the only Englishmen on board, so that the odds were too great, and I quietly gave way. I thus found I had not got possession of all the swords, daggers, and firearms, which grieved me much. We were often alarmed by cries of 'Fire!' but on only one occasion was it at all serious. In this instance some of these men had lighted a fire on the bare deck, in order to prepare some tea. Of course, a dry pine deck, with its oakum and pitch, was soon ablaze. Luckily it was the upper deck, so the fire was soon mastered. Had it happened below the result would have been terrible, for the 'tween decks would have filled with smoke, the confusion and panic would have rendered the pumps unworkable, the five boats would have been taken possession of and swamped, and a dense cloud of smoke would have been the quickly vanishing sign of a dreadful disaster. The ship and her living freight would have been among the 'missing.' A shocking scene occurred one very dark night, which convinces me of the savage nature of the men I had to deal with. It was reported to me at 10 p.m. that one of the pilgrims was dead. So I gave orders that the friends of the deceased should take the body to the lee side and prepare it for burial. This was being done, but in carrying the corpse across the deck the bearers happened to disturb some Persians who were asleep. Instantly there was a terrible uproar. Swords, daggers, and bludgeons were brandished; the corpse was nearly torn to pieces; and one of my officers who attempted to quell the disturbance, was thrown down. An

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implement, something between a tomahawk and a pickaxe, was aimed at his head, but a friendly hand was near, and his life was saved. I have carefully preserved this formidable weapon as a memento of such happy times. A few years ago a pilgrim vessel was stranded on one of the reefs in the Red Sea, and before any attempt could be made to get the ship off the captain and his officers were tied to the mast, and their throats were cut. When the wreck was discovered their bodies were found in this state, and out of the ship's 500 passengers 450 were drowned."

2. To the Editor of *The Times* from "F. R. G." 17 August 1880, p. 8.

Sir, – Having read in *The Times* of to-day the extract from Captain Carter's letter, I am in hopes that public attention will now be called to the frightful manner in which the pilgrim traffic is carried on and some steps be taken to put a stop to its flagrant evils.

My brother went out to Bombay as chief officer of the *King Arthur*, under Captain Carter's command, and at Bombay exchanged into a larger steamer engaged in the same trade. In his letters he has repeatedly described the state of affairs on board, and these descriptions quite bear out the facts as stated in Captain Carter's letter.

The following is an extract from a letter written at Calcutta last January:

"We arrived at Calcutta on the 2nd of January after a weary passage of 27 days. I told you in Aden we had smallpox on board; they took out ten people and put them in the hospital. After two days' delay we proceeded for Calcutta. On our way smallpox again broke out worse than ever. Then we ran short of coals and began to pull to pieces the woodwork of the ship in order to fire up, and, after great delay, succeeded in getting into Colombo. There they immediately put us into quarantine, but took out of the ship all the smallpox patients, 15 in number. We remained Christmas Day and the next day, so you may guess what a pleasant Christmas we spent, all diseases around us and hundreds of the pilgrims starving. They have to bring their food with them, but many of them are destitute. Forty-six of them died during the passage, some from disease and some from starvation. After we left Colombo smallpox again broke out, and as soon as we arrived in Calcutta we were again put in quarantine, but we were glad to get rid of the 1,200 filthy pilgrims. One baby was born, but it died before morning for want of attendance; we carry no medical man. The

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brutes will not help one another and we have nothing to do with them. However, as the mother was a deck passenger and was dying, we put her in an empty cabin, gave her good food, and pulled her through. Seven hundred of the pilgrims live between decks; the other 500 live on deck in the open air, rain or no rain.”

The steamers engaged in the pilgrim trade are all, or nearly all, owned by native firms, although they sail under the British flag and carry British officers. These native owners make large profits out of the traffic, and the intervention of the law is the only chance of any attention being paid to the claims of humanity.

I am, Sir, yours faithfully,

F. R. G.

August 14.

3. To the Editor of *The Times* from “A Singapore Merchant,” 17 August 1880, p. 8.

Sir, – It may interest your readers to know that no such horrors as those depicted by Captain Carter have been known in the pilgrim trade between Singapore and Jeddah, at any rate for many years past.

The trade is a large one, and is carried on in steamers, which have to comply with the regulations set forth in the Straits Settlements Passenger Acts, passed specifically to prevent over-crowding, &c.

The vessels have to undergo Government survey before loading, nor are they allowed to sail till the pilgrims on board have been counted by the harbour-master, to see that the number specified by the Act has not been exceeded, and that the necessary provisions for their comfort have been carried out.

The *Jeddah* is an iron steamer, was built specially for the trade at Dumbarton in 1872, is classed 100 A1 in Lloyd’s Register, and has hitherto been the favourite ship with pilgrims.

I remain, Sir, your obedient servant,

A SINGAPORE MERCHANT

London, Aug. 16

4. The *Straits Times Overland Journal* of 13 September 1880 printed the report of the Court of Inquiry in Aden, prefaced with a series of related articles (pp. 1-4) including an editorial

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comment under the rubric “Summary of the Week,” the text of a letter from the *Jeddah*’s agents in Aden to the owner in Singapore, a background report on various aspects of the pilgrim trade, and a survey of comments in the London papers.

[from “Summary of the Week”:]

Public excitement has risen to fever heat here in surveying the conduct of Captain Clark, who is well known here, and his officers and Engineers in deserting the S.S. *Jeddah* in the open sea, and leaving over 1,000 helpless poor creatures, pilgrims, many of them women and children to a possible terrible fate. Words would fail any right minded man to express his indignation of the wretched cowardice displayed by this contemptible clique of would-be-sailors, who are a disgrace to their country, and a disgrace to their cloth. It is only to be hoped that the Bombay Government will not permit Captain Clark to escape from Justice, he is here now, realizing his property but unfortunately the Government of this Colony have no jurisdiction in the matter. His cowardice was exhibited in Indian waters, and its consequence, the loss of lives, is for the Indian authorities to decide upon and deal with. One result of the heartless behaviour of these Europeans will be that the Hadji trade generally will now be a subject for legislation. It is well-known that the poor Hadjis are often subjected to gross injustice, and it is a sin and a shame that the religious prejudices which dictate their pilgrimages to the tomb of their prophet are taken advantage of to impose penalties upon them which would never bear the calm investigation of an English Court of law. And in every ship connected with this trade the absence of a sufficient number of boats in case of wreck or disaster is prominently evident. Thanks to Mr. Campbell, to whom every credit is due for so speedily ventilating the matter, the conduct of the disgraced sailors who deserted their ship and then lied on arrival at Aden as to her foundering will form a subject for discussion at the next meeting of the Legislative Council. The finding of the Court of Inquiry held at Aden, which will be found in another column will, doubtless, be read everywhere with interest and its perusal will only convince every one that not a single redeeming feature can be found in the shameful behaviour of the miserable Europeans in whose charge were placed the lives of so many harmless and helpless poor people.

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From *The Daily Times*, 8 September.

THE S.S. "JEDDAH."

MR. SYED MAHOMED BIN ALSAGOFF, Managing Director of the Singapore Steam Ship Company, has kindly placed at our disposal the following letter, which we print *verbatim et literatium*, from his Agents in Aden regarding the abandonment of the S.S. *Jeddah*, and which contains the only information he has received on the subject independent of Captain Clark's statement. The telegrams announcing the circumstance, which were received by Mr. Syed Mahomed, have been, it will be remembered, already published:

STEAMER POINT,
Aden, August 20, 1880.

SYED MAHOMED ALSAGOFF, Esq.
Managing Director,
Singapore S.S. Company,
Singapore.

DEAR SIR, – With deep regret we have to report you the sad circumstances of your good S.S. *Jeddah*.

Captain Clark came with Mr. Omar to our office at about 9 p.m. on the 18th inst., to our surprise, they reported that the S.S. *Jeddah* is foundered this side of the "Socotra" Island, and he himself and his wife, Syed Omar, 1st Mate, 1st Engineer and 21 others arrived per S.S. *Scindia*, and he, Captain Clark gave the Captain of the S.S. *Scindia* Rs. 700 as a remuneration for bringing them with food, &c., supplied to all people.

On the 11th instant at about 6 p.m. it was reported, and came into anchor about 7 p.m., the S.S. *Jeddah*, in tow of Messrs. Alfred Holt's S.S. *Antenor* which was more surprising when it was reported that she had foundered. Immediately on her arrival the authorities ordered the Police Superintendent and Harbour Pilot to go on board, to see what was to be done, and of course our people as well as others went on board for anxiety of the ship and people reported [as] foundered; the water was only in the Engine room and nowhere else, the bearers of the Boilers broke down and Boilers shifted and whole cause in consequence of the Boilers on one side

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and the feed pumps gave way, and rapidly the water filled up the Engine room, with pumping of water day and night by passengers they tired after pumping 4 days and nights, and when Captain Clark found that all people on board are tired, they thought the ship must be foundered. The authority, on arrival of the ship, took charge to land passengers and to keep the ship in safe place, and for about 4 or 5 days they put their own men to pump water out of her and to get clean, &c. When your message came to us of course we guaranteed for expenses and to send the passengers to Jeddah and took charge of her and we have had a survey ourselves and Government had another survey on Engine room and Boilers, and the report we forward herein by which you will see what is wanted and we shall be able to do all work here. The second survey we called on the cargo, and glad to say it is not damaged. Copy of survey is herein enclosed. We shall have a Marine Survey on the ship and see what is deficient. At present we can see the sails are all broken in pieces and more lost, 2 life boats are lost, 2 compasses, 2 chronometers are gone, and we have to place whole of these before she is ready for sea. Capt. Clark has left his one chronometer on board.

The Court has finished the trial, and will give verdict this afternoon, and what we have heard is that Captain Clark will lose his certificate, but no one else be injured in any way.

The 2nd Mate is lost by jumping in boat when Captain Clark left the ship, and 3 Khallasees and passengers, in all 18 lives, are lost.

We telegraphed you to send a Captain and we believe you will find a good Captain in Singapore to engage him and send him by a first steamer; it will be much cheaper in long run than to engage here a stray one.

Regarding Officers and Engineers, we shall report you in our next.

Captain Clark has got leave to proceed on, and he is going to-day to Singapore with his wife per M. M. Co's steamer.

He has Rs. 710 to pay to Captain of the *Scindia* who brought them, which we have debited to the Company.

We shall send you copy of the Court decision on the trial in our next which will give full light on the subject, but it is a bad job done by Captain Clark.

About 300 passengers are already sent away at R. 10 each, and we shall send them as the opportunity may offer. The authorities do not like to keep them longer, fearing of sickness breaking out amongst them and may cause an epidemic in the place.

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You may rest assured that we shall not fail to do all for the interest of the Company in a most economical way. We have received the credit for 810,000 and will draw as we may require. In meantime we close this in haste as the time of mail is quite near for closing at the Post Office.

We remain, Dear Sir,
Yours faithfully,
COWASJEE DINSHAW & BROS.

From *The Daily Times*, 10 September.

THE S.S. "JEDDAH."

THE fame of Captain Clark, who, we believe, is realising his property here with the object of leaving for England, has preceded him. The London newspapers publish the details, eagerly, of his desertion of his ship. For our own part we await the receipt of the evidence given at the court of inquiry at Aden, in a spirit of fair play, before we make any comments or draw conclusions. Most persons here have formed their opinions as to Captain Clark's conduct but until the whole of the facts are before us, we prefer to keep silent. The London *Standard* contains the following telegrams and general remarks on the subject. Mr. Syed Mahomed hopes to obtain the copy of the evidence given before the Court of Inquiry by the next mail, he has not received any letter from Aden by this mail:

Aden, 10 August. – The steamer *Jeddah*, of Singapore, bound for Jeddah, with 953 pilgrims on board, foundered off Cape Guardafui, on the 8th inst. All on board perished excepting the captain, his wife, the chief officer, the chief engineer, the assistant engineer, and 16 natives.

The survivors were picked up by the steamer *Scindia* and landed here.

Aden, 11 August, 7.50 p.m. – The *Jeddah*, which was abandoned at sea with nine hundred and fifty-three pilgrims on board, did not founder as reported by the master. She has just arrived here, all safe, in tow of the steamer *Antenor*.

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Although the first telegram from Aden turns out, happily, to be unfounded, public attention will, no doubt, be attracted to what is known as the Pilgrim Trade. The tendency of the members of most religious persuasions to attach peculiar interest to certain spots supposed to possess especial sanctity is well known. Among none is this sentiment more strongly developed than with those professing the Mahomedan faith. With a very pious Mussulman, to visit the holy places at Mecca and Medina is the dream of a lifetime. From his earliest youth it is the one object of his ambition, and to gratify it he will put by, year after year, every piastre that he may be able to scrape together, and not absolutely required for the wants of himself and family. Nor is this surprising. He is taught by his religion that by visiting the places sacred to the memory of the Great Prophet he will expiate his past sins – and those who know him will admit that these are neither few in number nor limited in character – and will also do much to secure his eventual entry into Paradise. One of the most popular songs with which the Egyptian Mahometan regales himself has for its chorus the words, “Oh that I were at Mecca, that I might listen to the voice of the pigeons as they soar round the tomb of the Prophet.” And in the greater number of Arab stories and romances the same idea manifests itself. Not only are the spiritual prospects of the true believer improved by a pilgrimage, but he also gains in the opinion of his fellow-men. His departure is witnessed by all his neighbours and acquaintances, who assemble to wish him farewell. It is, however, for his return that the greatest triumph is reserved. Weeks before the arrival of the caravan is expected his friends commence their preparations. His house is visited, and the outside ornamented with grotesque paintings in many colours. Varied as may be the details, the object is the same – namely, to show the triumph of good over evil. Huge lions and demons of various kinds are depicted chained to the earth, and rendered powerless by the influence of some good genius. The interior of his habitation is swept and garnished, and such members of his family as do not accompany him deck themselves for his return in their gayest clothes. When his arrival draws nigh he is met by a numerous [*sic*] cavalcade, the women on camels and donkeys, and the men on foot. Accompanied by them, and preceded by a band of musicians, the returning pilgrim, mounted on a white horse, is conducted to his house amid the applause of the spectators. People rush from among the crowd to catch a glimpse of his features, and struggle for the privilege of kissing his hand. Nor does his glory end with his life. A peculiar mark is placed over his tomb to mark the resting-place of the pious pilgrim, and his co-

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religionists at certain stated seasons pay solemn visits to his grave. Such being the celestial and terrestrial benefits derived from a pilgrimage, the Mahometan, in order to obtain them, cheerfully submits to every hardship and privation. The number of pilgrims increases every year, and, as may be supposed, people have not been slow to appreciate the advantage of supplying them with the necessary means of locomotion.

By far the greater number of pilgrims arrive by sea. Algeria, Morocco, Egypt, and the far East annually send pilgrims who are numbered not by tens but by hundreds and thousands. The favourite port of debarkation is Jeddah, and a scene of excitement such as few places present is witnessed there during the pilgrim season. Though of course interesting to the true believer at all times, it is principally at the Feast of Courban Bairam that the holy places are most attractive. It is then that the ceremony of killing a lamb in commemoration of the offering by Abraham of his son Isaac takes place, and to be present on this occasion is what most pilgrims try to arrange for. The ships in which the pilgrims are conveyed belong to all nationalities. Those which come from the adjacent ports in the Red Sea generally fly the Ottoman flag, but of those which arrive from more distant places by far the greater number carry the English ensign. The conveyance of these devotees has been found to be a profitable trade, and many a captain who has failed to get a freight of any other description has done a good thing in pilgrims for his owners. They are usually taken as deck passengers, paying from two pounds to four pounds a piece for the voyage. In return for this, the captain finds them only with fresh water and fuel. They bring their own provisions, principally of a vegetable kind. Few things are more picturesque than to see a group of these wanderers on the deck of a steamer. Each squats in the particular corner which he may have appropriated, and wrapped in his white *bernouse* seems sublimely indifferent to all that goes on. As the setting sun begins to send its last red rays over the scene, the pious pilgrim may be seen to rise from his post and place himself with his face towards Mecca; he first stands erect in silent prayer, he next falls on his knees and bows his head to the ground several times. His devotions ended, he unfolds his blankets, which, like Joseph's coat, are of many colours, and subsides into slumber. As a rule, the pilgrims make quiet and contented passengers. When roused, however, by injustice or ill-treatment, they have been known to give a great deal of trouble. In the few instances in which this has occurred they have had abundant reason. Not more than a year or two ago, a firm on the shores of the Red Sea, of which, I am sorry to say, some of the members were of

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English nationality, gave passage tickets to several hundred pilgrims who desired to be conveyed to Tunis. On arrival at Suez the passengers accidentally discovered that the vessel would be sent to a totally different port. Naturally indignant, they demanded a return of their passage money. This was refused and the rest was that the Agent's office was mobbed, and himself threatened with violence. Eventually they were persuaded to go to Alexandria, and lay their case before the International Tribunals. The sight of some four hundred of these poor men crouching on the steps of the Palais de Justice will not soon be forgotten. In the end, I am happy to say that they had justice done them so far as was possible, the Court ordering the shipowners to refund a portion of the passage money, and to forward the pilgrims to their homes. This relief came none too soon, for the men were in a simply destitute condition, and the Egyptian Government was forced to provide them with food and shelter in the meantime. Besides frauds of this kind, pilgrims are exposed to other dangers. It is not many years since some hundreds of them were washed overboard from the deck of an Austrian Lloyd steamer in the Levant, and other cases could, if necessary, be cited. The regulation is that not more than three pilgrims should be carried for every two tons of the ship's measurement, but it is by no means generally observed, and instances of overcrowding are rather the rule than the exception. Occasionally, too, an epidemic, like cholera or smallpox, breaks out on board, and the pilgrims, huddled together, badly fed, and ill cared for, die off in great numbers.

Cape Guardafui, where the *Jeddah* was deserted by her Captain, is situated at the easternmost point of Africa, in latitude 11.49 North and longitude 51.20 East, and has proved fatal to many a vessel. It is a bold, prominent headland leading up to the Straits of Bab-el-Mandeb, at the entrance to the Red Sea. The words Bab-el-Mandeb signify "The Gate of Tears," and the name was given to the spot by the early navigators to show their sense of the perils attending its navigation. The currents off Cape Guardafui run very strong, and vary in direction according to the state of the wind. These, however, would not be the principal danger which a vessel on a voyage like that of the *Jeddah* would have to contend with. At this season of the year the south-west monsoon is blowing in all its strength. The effect of this is to produce most violent sand-storms. During the prevalence of one of these not only is the sky obscured for several miles out to sea, but dust and sand fall on a ship's deck in quantities that would seem incredible. As a natural consequence all distant objects become invisible even at noonday. The probability is that during a storm of

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this character the *Jeddah* ran upon one of the reefs of coral and lava immediately off Guardafui, without ever seeing the Cape itself. To show how likely such an event may be, it may be mentioned that the steamship *Garonne*, belonging to the Orient Line, not many months ago passed thirty-one hours on a reef immediately under Cape Guardafui, without once seeing that promontory. The Messageries steam-ship *Meikong*, and a Dutch steamer, the *Oberysse*, also figured amongst those which have lately come to grief at the same place.

The subject of erecting a lighthouse on Cape Guardafui, or on the neighbouring Cape Ras-Hafun, has been much agitated lately, and a slight increase on the dues of vessels passing the Suez Canal to meet the expense is talked of. The difficulties in the way, however, are twofold. In the first place, Guardafui is situated in a wild, lawless country, and it would, in the event of a lighthouse being resolved upon, be necessary to establish a fortification, with a garrison to protect it. In the next place, in the opinion of navigators, a lighthouse in such a position would only be an additional element of danger, in tempting ships to take a course which they should always avoid. Every one knows how much the utility of a lighthouse is impaired by an ordinary sea fog: *à fortiori*, in a sandstorm, such as accompanies the monsoon it would be invisible altogether. Cape Guardafui is situated to the west-south-west of the Island of Socotra, whose granite hills, five thousand feet in height, form a landmark which can hardly be mistaken. By steering along the north side of Socotra a safe and easy channel is found; by going on the south side a saving of about twenty miles may be effected. This, however, in a place where the current has been known to set a vessel sixty miles out of her course in twenty-four hours, and where the land is obscured by perpetual sandstorms, is accompanied by risks which no prudent navigator would care to incur. It may be positively affirmed that as long as ships persist in passing to the south side of Socotra during the southwest monsoon they incur risks from which no lighthouse can protect them.

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From *The Daily Times*, 11 September.

THE JEDDAH INCIDENT AND THE LONDON PAPERS.

THE telegram announcing the supposed loss of the steamer *Jeddah* with 1,000 souls on board appears to have created nearly as great [a] sensation in London on the morning the 11th August as the *Kandahar* disaster and excited quite a thrill of horror, a feeling which was succeeded by quite a different one when later news was received that the steamer had been towed safely into Aden with all her hapless passengers, and that she had simply been abandoned, prematurely, by the Captain and Officers. Captain Clark's statement as to the circumstances under which he abandoned his ship, which we published the other day, can only be characterised as a most perfunctory and unsatisfactory one, which explains nothing and which certainly furnishes no defence to the strongly general adverse opinion as to his conduct. We had hoped to have full details in the *Indians* [*sic*] papers about the subject, but nothing appears in any of them except the following paragraph from the *Times of India* of the 24th August:

Our Aden correspondent writes under date August 10:

"I have just heard that a vessel belonging to the Singapore Steam Ship Company, named *Jeddah*, has been lost off the north end of Socotra, with over 900 pilgrims on board. The captain (Clark), his wife, chief mate, chief engineer, and two others, and sixteen natives arrived here just now in the S.S. *Scindia*. The *Jeddah* was pitching about in a heavy sea and her boilers started from their fastenings, and took charge of the engine room, and, as you may imagine, soon knocked a hole in the ship's side. The pilgrims murdered the second officer and second engineer, and did their best to kill the Europeans who have been saved, by throwing boxes and other heavy articles into the boat as she was being launched. The captain's wife was passed out of the sinking ship through one of the ports. When the boat shoved off the *Jeddah* was sinking fast. I am told that it was an awful business, but I have no time to send further particulars by this mail."

We now learn that on the 12th, the *Jeddah*, much to the astonishment of Captain Clark, was towed into Aden harbour with all the passengers on board. Pending the result of the inquiry into the matter that Government will of course order, the public will do well to suspend their judgement, and not to censure Captain Clark for what at first sight does look very like a heartless desertion of his ship. It may prove that he was driven to take his

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wife off by the conduct of the pilgrims, who, if our correspondent is correctly informed, not only murdered one of the officers of the vessel and an engineer, but did their best to kill the other Europeans also.

The London papers of the 12th August nearly all comment upon the abandonment of the steamer, as will be seen by the following extracts:

(*Times.*)

London was startled yesterday by the announcement of a disaster which, if true, would have been the most dreadful of recent times. The news was that a ship named the *Jeddah*, of Singapore, bound for Jeddah, had foundered last Sunday off Cape Guardafui, the easternmost point of Africa, near the Straits of Rab-el-Mandeb, with 935 Mohammedan pilgrims on board. All, it was stated, had perished, excepting the captain, his wife, the chief engineer, the assistant engineer, and sixteen natives. The survivors had been picked up by the steamer *Scindia* and landed at Aden. There was something very unpleasant in the facts thus stated; for, to honour of sailors, nothing is more rare than that, in a disaster at sea, the captain and the principal officers of the vessel should be the chief or sole survivors. Nothing can be more admirable than the manner in which, as a rule, the commanders of vessels stay by them to the end, and insist on being the last rather than the first to be saved. Apart from this consideration, the reported loss of life was unprecedented in such an accident, and would have amounted to more than the average total loss on British vessels during the year. But before we have had time to realise the extent of the disaster, the still stranger news arrives that it has never occurred. A telegram from Aden states that the vessel arrived there yesterday in tow of another steamer. She had been abandoned at sea, but did not founder as the master had reported. This statement is an immense relief; but as need hardly be urged, it suggests inquiries of a very painful character. Was the vessel, with this vast number of passengers on board, actually abandoned by the master and some of his chief officers? If she was towed into Aden, she could not have been in a condition which would justify her officers in leaving her at all; and the abandonment of duty which would be involved in such conduct is so disgraceful that we must regard the whole matter as a mystery until full particulars are furnished. It would have been terrible that more than nine hundred helpless pilgrims should have perished at sea. But that they should have been abandoned by officers of the ship to which they had intrusted themselves, and saved by the accidental services rendered them by another vessel, is scarcely credible.

(*Daily News.*)

Yesterday the public was startled by the report, very positively affirmed, of the foundering of the steamer *Jeddah*, off Cape Guardafui. The vessel, which was said to have been lost, was bound from Singapore to the port from which she took her name with pilgrims for Mecca. She carried, it is said, 953 pilgrims, and all on board were

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described as having perished, except the captain, his wife, the first officer, the two principal engineers, and sixteen “natives,” whether passengers or Lascar sailors was not stated. If the story had been true, 931 souls must have perished, a number which has, perhaps, never been equalled in the loss of a single ship, save occasionally in the old days of heavily-manned sailing first-rates. But the story is not true. The survivors, as they were deemed, were picked up by an English steamer, and landed at Aden, and they told the tale now happily contradicted. The captain and his wife, together with his principal officers, appear to have deserted the vessel under the impression that she was about to founder, and to have reported to their rescuers that she had foundered. Happily the fears on which they had acted were not confirmed by the result. The *Jeddah* arrived at Aden all safe a few hours after she had been left to what seemed an inevitable fate, towed by the steamer *Antenor*. The relief which is felt at the safety of the pilgrims will be modified by a feeling of indignation and horror at what seems the cowardly desertion of their post and trust by the master and seamen of the ship. They may be able, though we do not see how, to acquit themselves of a poltroonery rarer among sailors than the calamity would have been, which they seem to have shunned for themselves and left to their passengers.

(*Daily Chronicle.*)

THE alarming announcement made yesterday in a Reuter's telegram from Aden to the effect that the steamship *Jeddah*, of Singapore, had foundered off Cape Guardafui with a thousand passengers on board has fortunately turned out to be incorrect. The first telegram, which appeared in our second edition yesterday, stated that all on board the vessel had perished excepting the captain, his wife, the chief officer, the chief engineer, the assistant engineer, and sixteen “natives” – probably members of the crew. After abandoning the ship, they were picked up by the steamer *Scindia* and landed at Aden, where the captain reported that his vessel had gone down on the 8th instant. Her passengers, about a thousand in number, consisted of pilgrims on their way to Mecca. At the time the captain left the ship she was within two days' sail of Jeddah, the nearest port to Mecca. That she should thus have been abandoned and her living freight left to their fate is one of the most dastardly circumstances we have ever heard of in connection with the perils of the deep. We are assuming, of course, that the latest telegram received with reference to the affair is correct, and we see no reason to doubt it. The day after the *Scindia* had landed the runaway captain of the *Jeddah* and his companions at Aden, the abandoned ship was towed into the same port by the steamship *Antenor*, which fortunately sighted her after she had been given up for lost by the very men who ought to have remained on board to the last, even had there been no hope of keeping her above water. It is to be feared that pilgrim ships are sometimes officered by unprincipled and cowardly men who disgrace the traditions of seamanship. We sincerely trust that no Englishman was amongst the boatload of cowards who left the *Jeddah* and her thousand passengers to shift for themselves. Further information as to the circumstances under which the *Antenor* fell in with the abandoned vessel and brought her safely to port would be welcome. Should the suspicions as to the conduct of the Captain of the *Jeddah* and his officers prove to be

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well founded, no punishment will be too severe for them. But for her good fortune in falling in with the *Antenor*, the pilgrim ship probably would have foundered sooner or later, but that the captain could have brought her safely to port, had not his own anxiety to save himself prevented him from making the effort, has been demonstrably proved.

(*Globe.*)

There will be a general feeling of incredulity in England as to the supposed extraordinary conduct of those officers who were in charge of the steamer *Jeddah*, abandoned off Cape Guardafui. As far as we can gather from the rather meagre accounts which have as yet been sent from Aden, it would seem that the captain of the ship and his wife, with the chief officer, the engineers, and some native seamen, left the *Jeddah* in what they supposed was a sinking condition, and made the best of their way to shore without even waiting to see whether their fears as to the safety of the vessel were justified by the event. So certain were these persons of the calamity which they anticipated, that on arriving in harbour they declared as a positive fact that the ship had foundered with all its passengers, adding, with extraordinary temerity, the intelligence that no one of them had survived to tell the tale. This news had hardly been telegraphed to England on the authority of the captain's report before a second message arrived showing that it was completely false, and that the *Jeddah*, instead of coming to a bad end, had been taken in tow by another steamer, and brought with all hands safe to Aden. It is impossible to admit without further evidence what appears at first sight to be the disgraceful behaviour of the captain and his chief officers. To abandon a ship for the purpose of saving his own life in preference to the lives of his passengers, has always been considered the extreme of cowardice and selfishness in a ship's master; and even if the *Jeddah* had afterwards foundered there would have remained an indelible stain upon the credit of the men who had thus run away at the moment of peril. But the fact that the ship was not in any extremity of peril is clearly proved by her eventual safety, and the charge becomes thus one of over-timidity as well as simple *lache*[té]. We do not prejudge the matter, which will have to be sifted to the bottom, but it seems possible that the nationality of the passengers, who were pilgrims from Singapore, may have led the officers to be less careful of their lives than if they had been Europeans. If this should prove to have been so, the case becomes even more discreditable, and no punishment could be too great for such an act of desertion.

There can be no doubt at all that these extracts exactly reflect what will be the general opinion as to Captain Clark's conduct all over the world, as they certainly do the local feeling here. Their severe tone of condemnation is amply and more than amply justified by the report of the Aden Court of Inquiry which we are enabled to publish to-day. The whole story is, we venture to say, unexampled in all marine history in its disgrace to the Captain and Officers of the *Jeddah*, and is calculated to remain as a slur or

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stain upon the whole British mercantile service, and such conduct cannot be denounced and repudiated in too strong terms.

Another matter that seems to call for some inquiry in connection with this deplorable incident is the way in which this pilgrim trade is conducted from this port. How came the *Jeddah* to have so many passengers and what provision had she for the safety of her passengers in case of accident such as actually did happen? How many boats had she, and how many boats have other steamers engaged in the same trade in comparison with the number of passengers? It seems to us that these poor helpless crowds of pilgrims have at least quite as good claims for protection from Government as the lusty Chinese coolie and his ingenuous Kling brother.

- 5. Proceedings of the Legislative Council of Singapore, 14 September 1880, as recorded in the *Straits Times Overland Journal*, 20 September 1880, pp. 2-3.**

From *The Daily Times*, 16 September.

THE S.S. "JEDDAH."

OWING to the courtesy of the Colonial Secretary, we are enabled, to-day, to publish the Official Shorthand report of the proceedings in Council on Tuesday, relative to the motion brought forward by Mr. Campbell, of which a brief resume was given yesterday. The circumstances attending the abandonment of the *Jeddah* are now so prominently before the world, and Singapore being the port in which the ship is owned and from which the pilgrims sailed the official expressions of opinion here on the conduct of the Captain and officers will naturally be considered of great importance and will be read with interest in England and elsewhere.

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LEGISLATIVE COUNCIL

TUESDAY. 14 SEPTEMBER, 1880.

PRESENT:

HIS EXCELLENCY THE GOVERNOR.

(Sir FREDERICK A. WELD, K.C.M.G.)

His Honour the Chief Justice.

The Hon'ble the Colonial Secretary.

” the Colonial Treasurer.

” T. SHELFORD.

” R. CAMPBELL.

” S. GILFILLAN.

” F. C. BISHOP.

The Minutes of the last Meeting are read and confirmed.

THE “JEDDAH” CASE.

Mr. CAMPBELL: – Sir, I have given private notice to the Hon'ble the Colonial Secretary, which he has been good enough to accept, of my intention to bring before Your Excellency and this Council a matter which is creating widespread indignation among all classes of the community in Singapore, as well as in England, if we may judge from the reports received by last mail. I refer to the ruthless abandonment by her Captain of the Steamer *Jeddah* on the voyage from this port and Penang to Jeddah; and I would move:

“That in view of what has been disclosed by the Finding of the Court of Inquiry at Aden in the case of the *Jeddah*, it is the bounden duty of the local Government to adopt all the means in its power to bring the Master – Joseph Lucas Clarke [*sic*] – to trial, for his inhuman conduct in deserting his steamer; or, at least, to secure by representations to the Board of Trade, that his Certificate shall be suspended for such a time as will render it

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impossible that any lives can ever again be entrusted to his care, under the British flag.”

It would appear, Sir, that this steamer left Singapore about the middle of July, and that after experiencing, as might be expected during this monsoon, heavy weather between this and Aden, on the 3rd of August it was found, when near Cape Guardafui, that her boilers had got loose, or from some reason had become detached. For four days every ordinary endeavours seem to have been made by the Captain and his Engineers to effect the necessary repairs – endeavours which seem to have been very badly conducted and imperfectly carried out – and, on the 7th of August, the Captain makes up his mind that the vessel must be abandoned; because, as he says, the Hadjis had shown the intention to murder his wife. From the evidence adduced at the Court of Inquiry, it would seem that his fears were utterly unfounded. However, he orders a boat to be lowered, in which he puts his wife and into which he, with his Chief Officer and the Chief Engineer, manage to get. That boat when being lowered is attempted to be swamped by the Hadjis – a most natural thing, I think; and I question whether any of us in the same situation would not have shot Captain Lucas Clark like a dog for his dastardly attempt to desert his vessel in such dire distress. However, he manages to get away, and on the morning of the 8th he sights the *Scindia*, and is taken on board. What does he then do? One would have thought his first impulse would be to implore the Captain of that vessel to look out for the *Jeddah*, which he must have known might have been saved. But he does not do so; he tells, as I think we may fairly assume, a deliberate falsehood, and says that the vessel had foundered; he goes on to Aden, let us hope, in a happy frame of mind, and leaves his unfortunate passengers to perish like rats in a barrel! Was anything more inhuman ever heard of? At Aden he tells a tissue of falsehoods – I have no hesitation in saying so; a Court of Inquiry is held, and the result of the inquiry is that his certificate is suspended for three years. During the inquiry not one extenuating circumstance was brought forward, and not one single excuse could be shown for the Captain’s conduct. He seems all through to have acted in a most inhuman and dastardly manner; and what is the result? Merely that his certificate is suspended for three years!

Now, Sir, I hold that that is a punishment quite inadequate for the misdemeanour he has committed. Why, the man is a murderer. He was instrumental in causing the death of his Second Mate and the others who perished with him, and he put in jeopardy the lives of over 900 pilgrims,

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thus casting disgrace upon the British Mercantile Marine, of which he has been an unworthy member, and a slur upon the British flag.

What I desire to urge is that the local Government here should take any steps in its power to intensify the punishment of Clark by a criminal prosecution, or at any rate to perpetuate his disgrace by representing his conduct to the Board of Trade in such a manner that that Body may take care that his certificate be never again renewed. It may be argued that the Government here has no jurisdiction. That I question very much. At any rate, the Government is bound to protect the pilgrim traffic from these ports, and to show these devotees, and others in this Colony, that such unprincipled conduct as Clark's does not pass unheeded. I find that the law lays down very clearly how the Government may interfere with merchant seamen who misconduct themselves. It says: "Any master of, or any seaman or apprentice belonging to any British ship who by wilful breach of duty, or by neglect of duty, or by reason of drunkenness, does any act tending to the immediate loss, destruction, or serious damage of such ship, or tending immediately to endanger the life or limb of any person belonging to or on board of such ship, or who by wilful breach of duty, or by neglect of duty, or by reasons of drunkenness refuses or omits to do any lawful act, proper and requisite to be done by him for preserving such ship from immediate loss, destruction, or serious damage, or for preserving any person belonging to or on board of such ship from immediate danger to life or limb, shall for every such offence be deemed guilty of a misdemeanour."

The punishment for such misdemeanours is laid down: "Every offence by this Act declared to be a misdemeanour shall be punishable by fine or imprisonment with or without hard labour."

And then.

"For the purpose of giving jurisdiction under this Act, every offence shall be deemed to have been committed, and every cause of complaint to have arisen, either in the place in which the same actually was committed or arose, or in any place in which the offender or person complained against may be."

It seems to me, therefore, that the Merchant Shipping Act extends to all parts of Her Majesty's dominions and colonies and that Clark can be prosecuted under that Act for the serious and grave misdemeanour he has committed. The Court of Inquiry at Aden was simply a Court of Inquiry. It may be argued that the Government in India can, and will probably, deal

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with the case, but I trust the local Government here will take the initiative, and show the people at home, what they no doubt will expect, that we are equal to the occasion and will act accordingly.

Mr. GILFILLAN: – Sir, I rise to second the motion which has been made by the Hon'ble member opposite. When any fair-minded man reads the particulars of such an incident as is set forth in the Finding of this Court of Inquiry, his first impulse naturally is to discover, if possible, some ground of arrest of the execration that is naturally felt for the man who could have been guilty of such an act. I have gone carefully through these papers with this purpose, and I can find no circumstance which tends to qualify the feeling of horror that is excited at what was done by Captain Clark. The facts seem very simple: that the ship being, in the opinion of the Captain, in danger of sinking, he proceeded to get out the boats, not with the intention of caring for the lives of those who had to look to him, and to no one else, for their protection under these circumstances – whom he was bound as much by duty as by feelings of common humanity to make his first consideration, – but simply to provide for his wife – which might be natural enough, if he had remembered that other people on board his sinking ship had wives as well as himself – and to make sure of the preservation of his own valuable life. Not only does he thus disgracefully desert the ship and passengers, but next morning, when one would think he had had time to reflect – time for his heart to be touched with pity for these thousand souls whom he had left to sink helplessly – when he himself is picked up, he apparently gives not one thought to these poor creatures whom he had so cruelly deserted, nor does he so far as we can learn, suggest to the Captain of the *Scindia* that he should put about and see even if any chance survivor should be floating upon some fragment of wreck, but goes contentedly on to Aden. Coming back here, there is published in his name, what I believe is authentic, a statement in the papers which is intended evidently as a sort of justification of his action. In this he says that one of the reasons of his leaving the ship was that his wife's life had been threatened by the passengers. This allegation is specially dealt with by the Court of Inquiry, and according to their report there is no truth in it. There was no talk of threats until such time as these passengers found they were being deserted by the man of all others who was bound to protect and care for them. He further states that, when he was trying to get away from the ship and leave his passengers to their fate, things – boxes and what not – were thrown at him. Very unaccountable to his mind! Sir, I think if those 900 passengers had been English, he would not have been so leniently

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treated. There is a rough manner of dealing with cases of this kind, not unknown among men of our race, and if he had found himself getting a quick run by a line to the yard-arm, I do not think any one who has studied the circumstances would say he was harshly dealt with.

Our business, Sir, is not so much to take exception to the Finding of the Court of Inquiry, however much we may feel that it errs on the side of leniency: this will, no doubt, be revised in the proper quarter, but it at all events lies with us to express the feeling of reprobation which this deed inspires, and to do what in us lies, with the assistance of the Government, to secure that a man so unhappily constituted as Captain Clark seems to be shall not, on any future occasion, have the opportunity of having passengers put under his care or trusted to his humanity. I beg to second the resolution proposed by my Hon'ble friend.

The COLONIAL SECRETARY: – It would have been surprising, Sir, if an occurrence of this kind had not engaged the attention of this Council. The ship sailed from the waters of this Colony, under the laws and other requirements of this Colony, and naturally, therefore, it behoved this Government to do what it could towards seeing that the law is observed. There is, I need hardly point out to those who look at the question, an exceeding difficulty for the Government at this time to take action. We are not in possession, up to the present hour, of any official record of the proceedings of the Court of Inquiry. Not only is this important and indispensable document wanting to us, but we are not in receipt of the evidence taken at the Court of Inquiry. Had that evidence, however, been in our possession, it might have been possible for the Government to take action. I say only “might have been possible,” because at the present time there is not one single person in the Colony who could give evidence for the Crown against the accused person, or the person who ought to be accused. Consequently, in dealing with this case as a criminal matter, I think it would be a very indiscreet thing for the Government to initiate proceedings, without the means to proceed to a proper termination. That there is sufficient power under the Merchant Shipping Act for the Government to prosecute Joseph Lucas Clark for his conduct in connection with the case of the *Jeddah* is beyond doubt, but to take such proceedings it is necessary there should be a clear and unquestionable amount of evidence to support the charge. If it comes within the knowledge of the Government that it is possible to institute criminal proceedings against Clark, I can assure my Hon'ble friends that the Government will look upon it as a most important duty to do so; but, as at present advised,

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there is not sufficient to justify any such action on the part of the Government. It will, however, be satisfactory to the Council to know that, as far as the *Jeddah* is concerned, she left this port after having been in dry dock and been most carefully overhauled, and before she sailed, every requirement which the law imposes upon owners and masters was attended to by the authorities of the port.

The case has created excitement not only in our own minds, but of course has affected the whole character of English seamanship throughout the world. I do not think that any one could read the account without the blood mantling to his cheeks with shame. Our character stands deservedly high for seamanship, not only as regards Her Majesty's Navy, but also as regards the Mercantile Marine of the United Kingdom; and when a case like this occurs, of such gross cowardice on the part of a man who is placed in charge of a number of miserable pilgrims unable to protect themselves in such circumstances, no punishment the law could impose would be too much for such a criminal. But the case is one which is, as far as I can see at present, beyond the power of Government to deal with it. There have been proceedings before a competent Court of Inquiry, and that Court, in the exercise of its powers, has not thought proper to send the case of the Master before a Magistrate in order that it might be investigated. Why it has not done so is not for me to say. It is incredible that a Court coming to such a decision as is set out in the Finding could think it was a sufficient punishment to suspend the Master's certificate for three years. However, under the law, – I speak subject to correction, – the Board of Trade has supreme authority to amend the decision of the Court of Inquiry: If the punishment is too severe, it can modify it; and if it is too light, it can increase it; and for myself, I have very little doubt that, when this case comes under the cognizance of the Board of Trade, as it must do under the Merchant Shipping Act, the Board of Trade will impose, according to its powers, the severest punishment on Captain Clark that the law will admit.

The GOVERNOR. – I had not intended to speak on this subject, but I wish to say a word or two on what has passed. Hon'ble gentlemen may be sure that I yield to no one in my detestation of the conduct, if it be such as has been represented, not only on the part of Captain Clark, whose name alone has been mentioned, but also on the part of some, indeed apparently nearly all of his officers, which does indeed reflect disgrace upon the Mercantile Navy, whose commanders have generally behaved so well and reflected such credit upon our nation in cases of that kind. But the Council must remember that if the Government took hasty proceedings, instead of

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acting to the detriment of those whose conduct is now impugned it would be an advantage to them, because if that prosecution failed in consequence of insufficient evidence, it would really militate in their favour when the case came before the Board of Trade, because they would plead acquittal. Now I quite concur with what has been said, as far as I know the case, – and I simply know it, as all of us do, through the newspaper accounts, and from the very lame defence, as it seemed to me, of Captain Clark. Therefore I concur with the views expressed by the members of Council to-day: and one thing I would say, that whether we find it possible to take legal proceedings or not, the Council may be assured that I shall bring the case under the notice of the Secretary of State prominently by a despatch, and that I shall be fortified in so doing by the expressions of members of the Council, which, I am sure I may say without fear of contradiction, are concurred in by every member who sits around this table.

Mr. GILFILLAN: – May I be allowed one word by way of explanation? In addressing the Council just now, I omitted to call the attention of the Government to two points in the report of the Court of Inquiry which seem specially to call for their consideration. One is the statement that the number of boats provided was insufficient to accommodate more than about one-fourth of the people on board; and the other is the opinion expressed that the number of passengers taken was too many for a ship of the size of the *Jeddah*.

The COLONIAL SECRETARY: – This matter has not been overlooked, but, as a matter of fact, I have it from the Master Attendant that the ship left this port with all the requirements of the law observed. I believe, from what I have heard, that a ship carrying passengers very rarely carries sufficient boats for all the passengers, but, as a matter of fact, the *Jeddah* carried all the boat accommodation required by law, and of course the local Government could not require her to have more than the law allowed.

Mr. SHELFORD: – I may add to that, the *Jeddah* brought a certificate from home to carry 960 troops, and of course her boats would not have been sufficient for that number.

Mr. CAMPBELL: – I think, after the very satisfactory assurances from Your Excellency and from the Colonial Secretary, there is nothing left for me but to withdraw the motion I have made.

The GOVERNOR: – Yes, I think all your objects have been attained.

The motion is withdrawn.

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6. **Report on the Action for Salvage brought against the *Jeddah* in the Vice Admiralty Court of the Straits Settlements, from the *Straits Times Overland Journal*, 22 October 1881, pp. 3-4.**

From *The Daily Times*, 20 October.

IN THE VICE ADMIRALTY COURT OF THE
STRAITS SETTLEMENTS.

MONDAY, 17TH OCTOBER, 1881.
BEFORE SIR THOMAS SEDGREAVES, KT. CHIEF JUSTICE.

In the matter of
The British Steamship *Jeddah*,
J. L. Clark, Master.

JUDGEMENT.

This was an action for salvage brought by Alfred Holt, managing partner of the Ocean Steam Ship Company of Liverpool, owners of the British steamship *Antenor* of Liverpool, on behalf of the owners, masters and crew of the said steamship *Antenor*, against the steamship *Jeddah*, her cargo and freight.

Mr. Donaldson and Mr. Burkinshaw, appeared on behalf of the Plaintiffs.

Mr. Davidson on behalf of the Defendants.

The case was tried before the Court on the 12th, 13th, 14th, 15th, 16th, and 17th September.

The *Jeddah* is a British steamship belonging to the Singapore Steamship Company Limited, of the burthen of 993 tons or thereabouts. She sailed from Singapore on the 17th July 1880, on a voyage to Jeddah, arrived at Penang on the 19th, and left on the following day with a general cargo and 953 passengers bound for Jeddah. What happened to her afterwards is then described by Captain Clarke [*sic*], the Master, in the Protest subsequently made by him on the 26th November, 1880.

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“During the twenty-fifth, twenty-sixth, and twenty-seventh, the vessel encountered heavy squalls of wind and rain at intervals with very heavy Northwest swell, causing her to roll and labour very severely, breaking everything about the decks and filling the cabins with water. All hands were constantly employed baling out water during the twenty-seventh, and on that day some of the water-closet pipes started, causing a quantity of water to come into the saloon, and towards midnight and during the next day, the twenty-eighth, the weather cleared up and the sea decreased. At noon on the second August, there was a moderate gale and rising sea, causing the engines to race and the vessel to pitch badly and shipping much water forward, and the vessel being in latitude five degrees thirty minutes North, and longitude sixty one degrees six minutes East at noon on that day. At 7.0 p.m. the foretopmast staysail was blown away, and the water from the broken closet pipe continued to come into the fore and after cabins, as the leaks could not be got at. During the third August the wind blew a very strong gale and a fearful sea was running, washing the decks clear fore and aft of two native water-closets and all moveables, and causing a heavy strain on the engines and boilers. The same and even worse weather continued on the fifth, and it became necessary to stop the fresh water condenser to enable the donkey engine to pump the bilges, the water in which was increasing more than the main pumps could reduce. On the sixth August, the weather still the same, the vessel, engines and boilers straining so severely that at 9 20 a.m. the first engineer reported that the donkey feed check valve-chest on port boiler had broken in two just above the valve-seat, owing to the boilers shifting with the rolling of the vessel. This necessitated drawing the fires in the port boiler, to put an India rubber washer over valve-seat. When this had been done, the starboard valve-chest gave way in the same manner, and the fires in the starboard boiler were drawn and steam got up in the port boiler. During the repairs, the water in the bilges had increased from about eighteen inches to twenty four inches, and on starting the engines, the chief engineer ordered the bilge injection to be opened; this reduced the water to about fourteen inches, when the bilge injection got choked, and while it was being cleared, on the morning of the seventh August, the main feed pipe of the port boiler gave way in the same place as the other pipes had done, and shortly afterwards the steam pipe from the donkey boiler connected to the superheater broke in two from the straining and shifting of the boilers. The wooden shores that had been placed during the voyage to prevent the boilers shifting were washed away by the water in the vessel. At 7 a.m. on the same day, the

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seventh August, it was still blowing a tremendous gale, and the water in the vessel rose above the fire grates, the boilers started adrift from their seatings, and the stokehole and engine-room plates and bearers dashed about with every roll of the vessel. It now seemed that the vessel had sprung a heavy leak, and as nothing more could be done in the engine room or stokehole and the water was rising so rapidly, every deck pump was set to work and the firemen and passengers employed day and night at the pumps and baling water with buckets. Sails were also passed under the bottom of the vessel, but the water still increased a foot in twelve hours. An attempt was now made to disconnect the propeller, but the water was rising so rapidly, and was already at such a dangerous height, it was found impossible to do so. While it was safe, the sea cocks were examined and found to be properly closed. At midnight on the seventh to eighth the passengers refused to pump any more, and the vessel settled down by the stern with a heavy list to starboard, and at 2 a.m. this appearer [i.e. Captain Clark] left the vessel in one of the ship's boats and arrived at Aden on the tenth of August." At the same time the *Jeddah* was abandoned by all her officers and crew, except the 2nd Engineer, who was ignorant of navigation, the Serang, Supercargo and Clerk, 4 klassies and 13 firemen.

On the 8th August, at 5 p.m. the *Antenor*, an iron screw steamship of 1,644 tons, bound on a voyage from Shanghai to London, and with a full complement of 680 passengers, sighted a vessel which subsequently proved to be the *Jeddah*, flying signals of distress. The signals of distress were, on one mast, "We are sinking;" on another, "Send immediate assistance." The flying of the first signal was denied by the Defendants' reply, but was clearly proved not only by the witnesses called on behalf of the Plaintiffs, but by one of the witnesses, Mahomed Khan, clerk on board the *Jeddah*, called by the Defendants. A boat containing the first mate, the boatswain, and four of the crew of the *Antenor*, was sent, and on boarding her they found the *Jeddah* in a very disabled condition. According to the Act on Petition framed upon the affidavits of the Captain and Chief Officer of the *Antenor*, "the Engines were totally disabled, and the Engine fires put out; there were 7 or 8 feet of water in the vessel, and everything on board was in confusion, and all persons on board were panic stricken until the arrival on board of the First Mate and Boatswain of the *Antenor*. The boilers on board were adrift and had broken from their fastenings, and all the pipe connections with the boilers were broken, and no steam power on board could be used. The steam pipes on board could not be used, and all fires were out. The position was about 13 miles to the westward of

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Cape Guardafui and about 9 miles from the African coast. She was under foretopsail jib, and fore and main topsails, and was heading for some bluffs 1,300 feet high on the Coast of Africa. There was an East wind blowing, with a heavy ground swell, and the vessel was being driven through the water in a quasi-derelict condition at the rate of 2½ to 3 knots an hour toward the coast. A heavy surf was breaking on the coast, and it was becoming rapidly dark as the sun set at 6 p.m.” After the Chief Mate had ascertained by personal observation the state of things on board the *Jeddah*, he returned to the *Antenor* and reported to the Captain. It must be admitted that the Captain found himself confronted with a task of no ordinary difficulty. In command of a ship with a valuable cargo and a full complement of passengers on board, whose interests and those of his owners he was first bound to consider, and with darkness fast coming on, he had to choose between jeopardizing his own ship, cargo and passengers, or leaving a ship abandoned by the Captain and officers, and with nearly 1,000 souls on board, to the inevitable fate that seemed to await her of foundering at sea or being dashed to pieces on the coast. After a short consultation between the Captain and the Chief Officer it was decided to make an attempt to save the *Jeddah*. They considered it impossible to take the *Jeddah*'s passengers on board the *Antenor*, as “the *Antenor*” was already full, but they thought that it might be possible to tow her into Aden if they could manage to keep her afloat by inducing the pilgrims to work at the pumps. The Chief Officer returned to the *Jeddah* with the Boatswain and 4 of the crew, after arranging signals with the Captain to be used in case of the *Jeddah* sinking, so as to take them off in time. The boatswain and crew returned to the *Antenor* at 10 p.m. but from that time until the *Jeddah* was successfully towed into Aden, the Chief Officer never left her. Though taking the *Jeddah* in tow was accomplished after considerable difficulty, and with the exercise of much patience, skill, and ingenuity, the Chief Officer steered the *Jeddah* himself until he had taught two of the crew of the *Jeddah* to steer; and he induced the passengers to exert themselves in pumping and baling. The conclusion he had come to at first was that the ship was sinking when the *Antenor* fell in with her, and that without great exertion in baling and pumping she must sink.

He says “I called the headmen amongst the pilgrims together and organised gangs amongst the pilgrims to pump and bale the vessel. This was done, the men constantly relieving one another, and by the evening of the 9th of August, we had gained 6 inches on the water, and during the following night we gained a foot on the water and continued to gain on the water

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thenceforward until the water was reduced to 3½ feet in the engine room and 5 feet in the after hold.” Upon this point Captain Bragg in his evidence says: “On the 9th, as the sun went half way down from the horizon, the Chief Officer telegraphed ‘gained 4 inches,’ and I called all hands aft to give him a cheer to encourage him – we were corresponding all the time. The question was, whether we could overpower the water, or the water overpower us. An incident of this sort, slight in itself, yet tends to shew the hearty good-will with which the sailors were conducting their operations, and how likely it would be that they would reanimate, by their coolness and determination, the failing spirits and flagging energies of the pilgrims.”

Whilst the Chief Officer was thus engaged on board the *Jeddah*, the Captain and 2nd Officer of the *Antenor* kept alternate watches on board the *Antenor*, and were in constant communication with the Chief Officer by means of a board on the bridge of the *Antenor*, till, on the 11th August, at 5.15 p.m., the *Antenor*, with the *Jeddah* in tow, arrived at Aden.

On the part of the Defendants, but not until the 6th and last day of the hearing, a point which had been raised upon the pleadings was brought forward as to the jurisdiction of this Court to entertain this suit. The 19th para. of the Defendants’ reply stated that “The alleged cause of action arose out of the local limits of this Court, and neither the vessel proceeded against nor any portion of the cargo or property, or effects on board thereof at the time of the said alleged salvage service, has or have come or been within the local limits of this Court since the alleged cause of action arose, and the Master of the *Jeddah* did not come within the local limits of this Court until long after this suit was commenced, wherefore the defendants say that this Court has no jurisdiction to entertain this suit.”

To this the Promoters by their Rejoinder allege “That this Hon’ble Court at the commencement of this suit had and always since has had jurisdiction to entertain this suit, but that if at the commencement of this suit this Hon’ble Court had not such jurisdiction, their [*sic*] the Singapore Steamship Co. by their Master agreed and consented that this suit should be filed and brought in this Hon’ble Court, and that this Hon’ble Court should have jurisdiction to decide and award what amount should be paid to the Promoters in respect of the salvage services rendered to the said steamship *Jeddah*, and her cargo and passengers.” The allegation in the Defendants’ reply would seem to have been founded upon the 6th Sec. of the 2nd William the 4th, c.51, whereby it is enacted, “That in all cases where a ship or vessel or the Master thereof shall come within the local limits of any Vice-Admiralty Court it shall be lawful for any person to

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commence proceedings in any of the Suits herein before mentioned in such Vice-Admiralty Court, notwithstanding the cause of action may have arisen out of the local limits of such Court, and to carry on the same in the same manner as if the cause of action had arisen within the said limits.”

The jurisdiction of the Court, however, was extended by the Vice-Admiralty Courts Act 1863, Section 13, which enacts that “The jurisdiction of the Vice-Admiralty Courts, except when it is expressly confined by this Act to matter arising within the Possession in which the Court is established, may be exercised, whether the Cause or Right of Action has arisen within or beyond the limits of such Possession.” The coming within the local limits of the Vice-Admiralty Court of the ship or vessel or the Master thereof is therefore no longer necessary. The tenth Section defines the matter in respect of which the Vice-Admiralty Courts shall have jurisdiction, the 4th being “Claims in respect of salvage of any ship or of life or goods therefrom,” and, as might be expected in a case of salvage, without any such words of limitation as the Act specifies. I decide, therefore, that this Court has complete jurisdiction to entertain this suit. The *Jeddah* was released at Aden, on a Bail bond being entered into in this Court on the 31st August, 1880, by five sureties, “who, submitting themselves to the jurisdiction of the Vice-Admiralty Court of the Straits Settlements, bound themselves for the said Steamship Company Limited into judgement to abide the hearing of this cause, and likewise to pay what should be adjudicated against the said steamship *Jeddah*, her cargo and freight.” Although no such agreement was entered into as that contemplated by the 497th section of the Merchant Shipping Act, 1854, which taken in conjunction with section 492 allowed the salvor and Master or person in charge of the ship salvaged to select any Vice-Admiralty for adjudicating upon the matter, yet it would be difficult in the present case for the sureties to avoid the enforcing of their Bond, and it would be strange if the Defendants, who obtained the release of their ship on the strength of it, could now successfully decline to be bound by it. In considering the amount of salvage to which the Plaintiffs are entitled, it will be convenient to consider the ingredients of salvage service under the different heads defined by the Board of Trade in Article 94 of the instructions issued by them in 1884.

- 1st. The degree of danger from which the lives or property are rescued.
- 2nd. The value of the property saved.
- 3rd. The risk incurred by the salvors.

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- 4th. The value of any of the property by the use of which the services are rendered and the danger to which it is exposed.
- 5th. The skill shown in rendering the services.
- 6th. The time and labour occupied.

As regards the first of these heads, the degree of danger may be pretty correctly estimated from the actual occurrences at the time. Under what circumstances and under what impression did the captain and officers and most of the crew of the *Jeddah* abandon her at 2 a.m. on the 8th instant? The circumstances have already been set out in the Master's Report, and the inference from that is that they were leaving a sinking ship. We can infer what the condition and danger of the 953 pilgrims would be in a ship which had sprung a heavy leak and was abandoned by its Captain and officers and nearly all its crew, and had "settled down by the stern with a heavy list to starboard." At 5 p.m. on the same day, the *Antenor* is sighted by the *Jeddah*, and the signals of distress hung out by the *Jeddah* are "Send immediate assistance," "We are sinking." It is not to be wondered at that the impression under which the captain and his officers abandoned the ship to its fate at 2 a.m. still existed at 5 p.m. on the same day amongst those who could not escape from her. I cannot doubt that their then belief, however different a complexion it may have assumed a year or so afterwards, was correctly expressed by the signals, and that they did beg for immediate assistance under the belief that they were sinking. In addition to the evidence of the Captain and Officers of the *Antenor*, embodied in the Act on Petition, which shews in a strong light the dangerous position in which the *Jeddah* and the passengers on board her were in, we have the evidence of nautical men, who, by their long experience and special knowledge of the coast near which the *Jeddah* was encountered, are well qualified to form an opinion.

Captain Worsley, Master of the Telegraph ship *Sherard Osborne*, says: "I have been Master Mariner twenty years; – have commanded sailing ships and steamships in all parts of the world. I know the waters about Cape Guardafui. Under the circumstances described in the 5th and 6th paragraphs of J. T. Bragg's affidavit, I should say the *Jeddah* was in great danger. If the *Antenor* had not come up to her, I believe she would have become a total wreck. It would not have been practicable to put her about unless they got the propeller to revolve, i.e., disconnected the propeller; it is not usual to have special disconnecting gear on such ships. She was heading right on to shore, I don't think she could have been steered so as to land on any particular spot on the beach. I should have

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considered her a hopeless derelict, – worse than a derelict with all those people on board. I don't think she could have been, under the circumstances, brought up under her anchor, if they had let the anchor go. If she had a steam windlass on board I think she would have run an awful risk for fear of the chain carrying away the bows. If it were blowing a gale outside, there would be a heavy ground swell off Cape Guardafui – there would be surf on the shore. I don't think boats would have lived through the surf. I don't know the nature of the bottom – if coral it would be very bad holding. I think that when a ship was left as she was described to be, she was in a helpless state. Second Engineers in ships of this class do not know about the navigation of a ship. The Carpenter is the important man under the Chief Officer as regards anchoring. After hearing the accounts read on the affidavits of Bragg and Campbell of how the *Antenor* got the *Jeddah* off in that night, I think the *Antenor* ran considerable risk; even in smooth water there is risk of collision in a large steamer going alongside another near enough to take a hawser on board, more particularly when there is a strong current running, as there is there. The darkness would enhance the risk. There was very serious risk to the *Antenor's* screw, so great that unless there was imminent danger I should not attempt it until daylight. If the *Antenor* had snapped her rope and fouled her screw she would have been in danger.”

Charles Powell, in his evidence, stated: “Last year I was in command of the *Lusitania*, one of the Orient line, of nearly 4,000 tons. I passed Cape Guardafui on August 7th at noon. We had very stiff weather from Ras Hafun to Guardafui; after we got round Guardafui there was a stiff breeze to the next point to East, I know this coast pretty well. Having heard the position and circumstances of the *Jeddah*, with the native crew and great part of them gone, and with 900 and odd pilgrims on board, I consider she was in great danger. If the *Antenor* had not come up to the *Jeddah*, I certainly think at night-time she would have gone on shore. She was heading for the bluffs. If I had been on board as a passenger I should have considered her case as a very hopeless one. I consider she was in great danger when first sighted, having so much water in her hold; she could not be steered at all. From Mr. Campbell's description, I should say it was blowing a strong breeze; it corresponds with my experience of the day: this was at the height of the monsoon when a strong breeze is generally blowing. If she made any speed at all it must have been with the help of her canvas; when she was picked up I think she was waterlogged. I think she would have gone ashore before daylight. If they had succeeded in

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getting the anchor down, it was just a chance if they held on: there was danger to the *Antenor* of colliding, and also of getting the hawser foul of her screw – a real danger. If I had been in command of the *Antenor*, I should have considered the position a dangerous one as regards the *Antenor*, and a very risky thing to do.”

There can be no doubt, I think, that the *Jeddah* was in imminent danger when she was sighted by the *Antenor*, and that but for the services rendered her by the *Antenor* she would in all probability have foundered or been dashed to pieces with the loss of every life on board. Taking into consideration the number of the lives thus rescued from the probability of impending death, this is I believe a case of life-salvage of a totally unprecedented character. As regards the value of the property salvaged, it appears that the *Jeddah* was insured for £30,000. Mr. Fittock, Lloyds' and Marine Surveyor, says that he valued the *Jeddah* before she went on her last voyage in dry dock at Tanjong Pagar, and that he valued her, with her stores and equipments, exclusive of coals, at £20,000. Mr. Thyne, the Port Officer at Aden, in his evidence taken on Commission at Aden, says, “My idea of the value of the *Jeddah* when she arrived at Aden is that she was worth between £14,000 and £17,000.” This is rather a vague estimate, and it does not appear that he examined her in the same manner that Mr. Fittock did at Singapore. I estimate the value of the *Jeddah* at the time that she was salvaged by the *Antenor* at £19,000, her cargo at about £5,000, specie on board £55, coals £300, freight for goods about £500, freight for passengers £4,025: – the result of those figures will be £28,880, or in round numbers the value of the *Jeddah*, her cargo and freight, may be put at £29,000.

The value of the cargo salvaged was sought to be enhanced by a claim for £27,656 in respect of money or specie and goods belonging to the passengers. There was no distinct evidence upon this point, however, beyond the evidence of one man, a Boyanese, who stated that he took \$170 with him, and that it just sufficed for his expenses to Mecca and back. At the hearing it was not put as a distinct claim, but that the Court might take the probability of other passengers taking money in like manner with them into consideration as enhancing the value of the services rendered. With regard to this point, after the evidence given on both sides, I have not felt myself at liberty to take this circumstance into my consideration at all.

3rd. No serious personal risk was incurred by the salvage beyond that which arose from the possibility of a collision between the two steamers and the fouling of the screw of the *Antenor* by the tow-rope.

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4th. The value of the *Antenor* was £30,000, and the value of her cargo and the freight payable in respect of it was £84,000. She incurred the danger alluded to in the last paragraph, and this Mr. Powell says was a real danger; and beyond that it is claimed that she incurred risk of becoming liable to the owners of the cargo of the *Antenor* for deviation, and incurred risk of the Insurance Policies over the *Antenor* and her cargo being vitiated by reason of the *Antenor*'s deviation and the towing of the *Jeddah*. In the present state of the law upon this subject, the Court can only bear in mind and act in the spirit of the remarks made by Dr. Lushington in the case of the *True Blue* (L.R.1 P.C.255).

“We will only add that in all those cases where the Judge considers in his own mind what he ought to do with respect to the amount of salvage to be given, he can never forget that there was possibly a risk incurred by those on board the salving vessel in respect to the vacation of policies of Insurance, and in regard to actions which might be brought against the owners of the vessel by owners of cargo.” It was further stated that in consequence of the operations connected with the towing of the *Jeddah* the machinery of the *Antenor* was strained and injured. Five days after leaving Aden the engines of the *Antenor* broke down through the strap of the connecting rod giving way. In the Act on Petition this is attributed to the great increased strain put upon the engines of the *Antenor* by the towing of the *Jeddah*. The costs and losses caused to the *Antenor* by the breaking down of her engines is [*sic*] estimated at £1,980. The Captain of the *Antenor* says in his affidavit, “It is not known that such breaking down was caused by the increased strain put upon the Engines of the *Antenor*, by the towing of the *Jeddah*, but such breakdown might be attributable thereto.” It is impossible, therefore, to treat this damage as having been clearly caused by the salvage services, though the fact that it may have been so caused must necessarily be taken into consideration.

5. The evidence seems clearly to establish that the operation of taking the *Jeddah* in tow and carrying out the scheme of keeping her afloat till she could be towed into a place of safety was successfully completed by the constant exercise of nautical skill, as well as by unremitting care and perseverance on the part of those in charge of the *Antenor*. The expenses incurred by the *Antenor*, in connection with the salvage operations, including £100 for 2 days demurrage and £90 for coal, amounted to £253, 3s.

6. The time occupied was as nearly as possible 3 days, and there was a further delay of 6½ hours at Aden. The labour involved was constant and

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severe for the first 5 hours; after that, great care and patience and perseverance were required and exercised.

The principal feature in this case is undoubtedly the life salvage, and by the Merchant Shipping Act the preservation of human life is made a distinct ground of salvage reward, with priority over all other claims for salvage where the property is insufficient. The value of the property salvaged is large, and it was undoubtedly salvaged when in imminent peril, although fortunately without any very great risk to the lives of the salvors. The employment of the *Antenor* and her valuable cargo on board upon the operation was clearly a service of very high merit, and as such ought to be liberally rewarded. I award as salvage the sum of £6000, – £4000 to go to the Owners of the *Antenor*, this sum to cover all expenses incurred by that ship – and £2000 to the Captain, Officers, and crew of the *Antenor*. Having been asked to apportion this sum, I do so as follows. The Captain and Chief Mate £500 each. The Chief Engineer and 2nd Officer £150 each; the balance to be divided amongst the remaining officers and crew according to their respective ratings, the Boatswain and 4 of the crew who went on two occasions to the *Jeddah* on the night of 8th August taking at the rate of 2 shares each.