

(No. 1018.)

“SPEED” AND “SOLENT (S.S.)”

The Merchant Shipping Acts, 1854 to 1876.

In the matter of a formal Investigation held at the Grand Jury Room, Town Hall, Cardiff, on the 16th, 17th, and 18th days of May 1881, before ROBERT OLIVER JONES, Esq., Stipendiary Magistrate, assisted by Rear-Admiral H. D. GRANT, C.B., Captain CLARK, and Captain ANDERSON, into the circumstances attending the loss of the British sailing ship “SPEED,” of Guernsey, through collision with the British steamship “Solent,” of Southampton, about 2½ miles S.W. of the Longships, whereby loss of life ensued, on or about the 3rd day of April 1881.

*Report of Court.*

The Court, having carefully inquired into the circumstances attending the above-mentioned shipping casualty, finds, for the reasons stated in the annex hereto, that the said ship “Speed” was run down by the “Solent” and lost. That her master, Henry James Robinson, thereby lost his life. That such running down was due to the wrongful conduct and default of George Forest Davidson, master of the “Solent.” For such default the Court suspends his certificate for twelve calendar months, and orders him to pay to the Solicitor to the Board of Trade the sum of 10*l.* towards the costs of this Investigation.

Dated this 18th day of May 1881.

(Signed) R. O. JONES, Judge.

We concur in the above report.

(Signed) HENRY D. GRANT, }  
R. F. CLARKE, } Assessors.  
ABSM. ANDERSON, }

*Annex to the Report.*

This case was heard at Cardiff on the 16th, 17th, and 18th of May instant. Mr. Deane appeared for the Board of Trade, Mr. Ingledew for the owners and master of the “Solent,” Mr. Waterhouse for the owners of the “Speed,” and Mr. Downing for the widow of the late master of the “Speed” and the survivors of her crew.

Mr. Deane having addressed the Court and examined his witnesses, submitted the following questions for the opinion of the Court:—

1. Whether the loss of the “Speed” was occasioned by collision with the “Solent?”
2. Whether the “Speed” and “Solent” carried and exhibited the lights required by Articles 3 and 6 of the Regulations for Preventing Collisions at Sea?
3. Whether, when the “Speed” left Runcorn, she was sufficiently and properly manned?
4. Whether a good and proper look-out was kept on board the “Solent?”
5. Whether the master of that vessel was on deck at a time when the safety of the vessel required his personal supervision?
6. Whether the master was justified in neglecting to lower a boat or to take other proper measures to ascertain what damage had been done to the vessel which the “Solent” had struck?
7. Whether both vessels were navigated with proper and seamanlike care, and whether the master and mate of the “Solent” are, or either of them is, in default, and whether blame attaches to any other person?

It was also stated by Mr. Deane that the Board of Trade were of opinion that the certificate of the master of the “Solent” should be dealt with.

The Court, having heard Mr. Ingledew on behalf of his clients, proceeded to consider the questions upon which their opinion was asked. It appeared from the

evidence that the “Speed” was a wooden vessel, built in Cardiff in 1863, of 51 tons registered tonnage, and rigged as a schooner. She was registered at Guernsey, her official number being 45,715, and was owned by Mr. W. Dallorgo, of Bristol, and another. The “Speed” left Runcorn for Jersey on 31st March last with a cargo of 88 tons of salt, her crew then consisting of Henry James Robinson, master and part owner, a mate, and a boy of 16 years of age. She was abreast of the Longships between 7 and 8 p.m. on the 2nd, and off the Runnelstone at 9.30 p.m. on the same evening, where they met with a heavy sea, which determined the master to put back under the lee of the land. They got to the Longships about 11, and the vessel was kept “dodging about,” the wind at this time being E. and by N., the ship heading, we were told, N.E. by N. Her side lights were re-trimmed and placed in the main rigging at 11, and when last seen, at 11.30 p.m., were burning brightly. The witnesses agreed in stating that the night was dark but clear. About 11.30 p.m. the vessel was on the star-board tack, the mate being at the tiller, and the master standing close by on the quarter; the boy was sent below to make coffee. In a moment or two later they were run over by a steamer. The mate’s account is that he heard a “crash astern,” felt a ship “come over” him, and that the first thing he remembers is being in the water. He came up, he says, under the stern of the steamer, which was 12 or 13 yards off, but which he soon lost sight of. He “sung” out, and heard his captain also “sing” out. He saw his own ship 12 or 13 yards off, laid over on her port broadside, and in 10 minutes he saw her go down. Until she went down he heard his captain continue to cry out. He himself, clinging to some wreckage, was in the water for some 20 minutes or so, when he was picked up by the “Vectis,” of Southampton.

The boy’s account is, that he had only been below three or four minutes getting coffee ready, when the ship was struck a heavy blow, and he was knocked into the captain’s state-room. He stated that the stern “was taken right out,” and that he got out that way. He, too, was picked up in an exhausted state by the “Vectis,” on board of which both he and the mate received the kindest attention. The master perished. The mate states that before the crash came he neither heard nor saw anything of the steamer behind him.

The “Solent” is an iron steamship of 462 tons registered tonnage, built at Sunderland in 1870, and owned by Mr. James Ledger Hill, of Southampton, at which port she is registered, her official number being 62,221. She carried three boats, two being in davits and one on the deck; she left Southampton bound for Cardiff in water ballast at 5 a.m. on the 2nd of April last with a crew of 16 hands all told, under the command of Mr. George Forest Davidson, who held a certificate of competency as master, No. 26,502. There was a chief mate, but no second officer, an able seaman named Rich acting in that capacity, although quite illiterate. Shortly after 11 p.m. the master gave up charge to Thomas Rich, who had relieved the mate at 8 o’clock, giving him only instructions as to altering the course, but not for calling himself. The night is described by the men of the “Solent” as dark but clear, with a gale of wind from the eastward. The ship was going at full speed, from 9 to 10 knots, and the lights are said to have been burning brightly. On going below, the master ordered Rich to keep the ship on the course then being steered, N.W. by W., until he saw the Longships bright Light. This was done. At 11.30 they opened the Longships Light, and on making the bright light the course was changed to N.W. by N. and at 11.40, when off the Longships, to N.N.E. The lights of a great number of vessels were seen about, and after the last change of course a steamer on the port bow was reported. Rich supposed her to be half a mile off. He ported the helm until she had paid off a point, and then steadied her, thereby bringing the steamer a point and a half on his port bow. He had scarcely done this when “A sail under the bows” was reported. Rich states that he then saw a vessel right ahead, not a hundred yards from them; he saw her sails and that she had two masts, but how she was rigged he could not make out. He says that he saw no light on board of her. On receiving

this report he ordered the helm hard-a-port and stopped the engines, and then the collision happened. What further was done will be stated hereafter.

There can be no doubt that the vessel with which the "Solent" then came into collision was the "Speed," whose course to the same point has already been described.

Whether this was so was the first question we were asked.

The time and the courses steered by the two vessels, and the other circumstances of the collision, pointed strongly to that conclusion. Some doubt might, however, have remained, but it fortunately happened in the interests of justice and for the safety of the crew of the lost vessel, that the steamship "Vectis," of Southampton, arrived on the spot within a few minutes of the collision and has furnished evidence which, in our opinion, fully establishes the identity of the two vessels.

As to the second question, we are satisfied that both the "Solent" and the "Speed" carried the lights required by Articles 3 and 6 of the "Regulations for Preventing Collisions at Sea."

To the third question, we answer that the "Speed" was not sufficiently manned.

We shall include in one reply the next three questions upon which our opinion was asked. In passing to those questions it is to be remarked that the evidence disclosed an extraordinary absence of order and discipline on board this steamship. In the first place, the look-out was improperly placed on the lower bridge. The bridge consisted of an upper and lower bridge placed amidships, the length of the lower bridge (which was in the midships section of the vessel) extended in a fore and aft line about 14 feet, and the upper bridge was situated from 6 to 8 feet above the lower bridge deck. The length of the vessel is 198 feet. Light as she was on this occasion, her draught was 7 feet 8 inches forward, and 11 feet 3 inches aft, and her height at the bows was about 20 feet. It is manifest that a look-out thus placed is at a great disadvantage. The excuse offered for this position was that it was unsafe for a man to be placed on the forecabin on account of the rolling of the vessel. But, admitting this plea as valid in the case of heavy weather, it was known that at the time of the accident and for a short time before the vessel had come under the lee of the land and consequently into smooth water, the look-out man ought then to have been sent to the forecabin; but previous to that, if the forecabin was unsafe he should have been on the upper bridge. But the master admitted that the upper bridge was only used in case of fog. Again, it appeared that, whether a man whose turn it was to go on the look-out, went on the forecabin or on the lower bridge, was a matter left very much to his own discretion.

In the next place there was a culpable looseness in the matter of reporting, as shewn by the conduct of Daniel Phillips, the look-out man, who says he heard cries from the schooner, but never reported the fact, concluding that as Rich was close behind him he must also have heard the same cries; and of John Brown, A.B., who was sent aft to look after the schooner, and heard a cry and did not report it.

Looking to these facts, we have no hesitation in saying that a good and proper look-out was not kept on board the "Solent." Coming to the question of the master's conduct, we are sorry to say that it was altogether most blameable. He was not on the bridge at the very time when his services were most likely to be called into requisition. As a matter of fact there was on the night of this occasion a large number of vessels under way about him, it was necessary that the course of the ship should be altered frequently, yet he entrusted this duty to a man who was only an able seaman. It was pleaded on his behalf that he had been 18 hours on deck and wanted rest.

That plea the Court could not recognise, he might have taken rest during the daylight, and whilst in the open channel, as there was no fog.

We now come to the conduct of the master when the collision had occurred, but inasmuch as he was below at the time, it will be convenient, first, to notice what was done by the people on deck.

It is beyond all question that it must have been clear to the minds of those men that the accident was far more serious than they now pretend to have thought it. They saw that the effect of the blow was to bring the schooner's head round, so that she passed astern, her port side to their port side. One of the men, Phillips, reluctantly admitted that he felt his vessel "lift a bit,"

and when he went below to call the captain, he asked what his actual impression was at the time by the captain that "they had run a brigantine or schooner down." But the most important fact of all is, that the "Speed" passed their vessel, Phillips and Rich, two of the men on deck, heard the cries, which, we infer from the evidence of the schooner's witnesses, were uttered by them in their distress and peril, and he asked Rich if they should lower a boat, to which he replied "Go and call the captain." One would think that those cries could not fail to have convinced them that they had done some serious mischief, and that all events to succour those men who they heard crying for help, or to see whether such succour was needed or not; but he did nothing. The engines though stopped were not reversed; not a boat was touched. When the master came on deck, it was to have been expected that he would have done what he at all events must have known it was his duty to do on such an occasion.

He must have been fully aware that he was bound by law, so far as he could without danger to his own ship and crew, to render to the other ship, her master, crew and passengers (if any), such assistance as might be practicable, and as might be necessary in order to save them from any danger caused by the collision. Instead of taking any action in that direction, he was content with asking Rich whether he had done any mischief, although he had been told by Phillips that he had run down a vessel. It is true that he states that he does not remember Phillips telling him this, but the action and that of the chief mate and steward in running to the companion, immediately that Phillips' voice was heard calling the master, shews that his impression was that something serious had happened.

He should beyond all question have exercised his judgment, and have done his utmost to find out whether mischief had actually been done, and above all, whether life had been put in danger. And he is not to be excused from this obvious duty because, as Phillips and the other man admitted, they had not drawn the attention of the master and Rich to cries for help, giving a reason that it would have been presumptuous on their part to do so. He attempted to lower no boat, and did not reverse his engine, he simply did nothing, and a few minutes after he came on deck, ordered the ship to go ahead.

It is to be added that if the captain and mate had carefully scanned the water with their glasses when their vessel was stopped, they would have observed that the "Vectis" stopped also, because the "Vectis" was the "Solent" being stopped at that time, instead of which he appears to have frittered away the 15 minutes during which he was stopped in conversation with the mate, though what was the subject of the consultation the Court was prevented from ascertaining. We consider that the mate, Robert Peake, was not in default; but we have something further to say with regard to the captain, Rich.

In consequence of his having been indiscreetly left by the master in charge of the deck, the whole responsibility of navigating the ship through a crowded channel was thrown upon him, and he neglected, as we have already seen, to take those measures which before and after the collision were, under the circumstances, absolutely necessary. To his carelessness the Court attributes this lamentable disaster. He must have heard the cries from the "Speed," yet not only did he not take any steps in consequence, but as we have remarked before he did not acquaint the master of all that he had seen and heard. We consider this man to have been guilty of a wrongful act and default, and regret that (not being a certificated officer) could not have made a party to these proceedings, and so amended something more than our censure.

We were asked whether the vessels were navigated with proper and seamanlike care. It seems to be no question of navigation arises in this case, but as the "Solent" is concerned, we think she was manoeuvred with proper and seamanlike skill after the collision for the purpose of ascertaining its consequences and whether life was in danger.

It should be added with regard to the "Speed" it does not appear that she exhibited any such fault as is required by the eleventh Regulation.

In conclusion, we declared George Forest Danvers, master of the "Solent" in default, and suspended his certificate for twelve calendar months, and we ordered that he must pay the sum of 10*l.* towards the costs of the Investigation.

In closing this report it is the pleasing duty of

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Court to mention the humane and creditable manner in which Captain Taylor, of the "Vectis," acted upon the occasion, in rescuing the crew of the "Speed," and in attending to their distressed condition.

It should also be noted by way of contrast to the want of a proper look-out on board the "Solent" that the people in charge of the "Vectis" coming down channel without any knowledge of a collision having taken place heard the cries from the "Speed," and took prompt measures to ascertain from whence they proceeded. They saw the men in the water shortly after the cries were heard; they at once stopped their ship, and lowered

a boat to pick them up. The Court heard nothing from the people of the "Vectis" of the darkness of the night or the roughness of the sea.

The Court wishes to call the attention of the Board of Trade to the state of the law which permits a vessel of the size of the "Solent," if in the home trade, to be navigated by uncertificated officers.

(Signed) R. O. JONES, Judge.  
HENRY D. GRANT, }  
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