

(No. 1195.)

“OCEAN MONARCH.”

The Merchant Shipping Acts, 1854 to 1876.

IN the matter of a formal Investigation held at Westminster on the 20th of December 1881, before H. C. ROTHERY, Esquire, Wreck Commissioner, assisted by Captain COMYN and Captain VAUX, as Assessors, into the circumstances attending the stranding of the sailing ship “OCEAN MONARCH,” of Guernsey, on the Middle Owers Rock, on the 21st of November 1881.

Report of Court.

The Court, having carefully inquired into the circumstances of the above-mentioned shipping casualty, finds, for the reasons annexed, that the stranding of the said vessel was due to the negligent navigation thereof by Philip Slee Harwood, the master, in having steered a course without making due allowance for currents and tides, and in not having taken any steps, although the weather was thick and hazy, to ascertain his true position.

For these wrongful acts and defaults the Court suspends the certificate of the said Philip Slee Harwood for six months.

The Court is not asked to make any order as to costs.

Dated the 20th day of December 1881.

(Signed) H. C. ROTHERY,
Wreck Commissioner.

We concur in the above report.

(Signed) C. VAUX, R.N.R.,
D. R. COMYN, R.N.R., } Assessors.

Annex to the Report.

This case was heard at Westminster on the 20th of December instant, when Mr. Meysey Thompson appeared for the Board of Trade. The master of the “Ocean Monarch” was present, but was not represented. Four witnesses having been produced by the Board of Trade and examined, Mr. Meysey Thompson handed in a statement of the questions upon which the Board of Trade desired the opinion of the Court. The master was then heard on his own behalf, and Mr. Meysey Thompson having replied, the Court proceeded to give judgment on the questions on which its opinion had been asked. The circumstances of the case are as follow:—

The “Ocean Monarch,” which is a wooden brig belonging to the Port of Guernsey, of 228 tons register, was built at Guernsey in the year 1866, and at the time of the casualty which forms the subject of the present inquiry she was the property of Mr. Peter Mollet, of Des Landes, Vale parish, in the Island of Guernsey, and others, Mr. Peter Mollet being the managing owner. She left Shields on the 13th of November last for Plymouth, with a crew of nine hands all told, and having on board a cargo of 418 tons of coal. At midnight of the 20th she was off St. Catharine’s Point in the Isle of Wight, the vessel at the time being under close reefed topsails, fore topmast staysail, and reefed main trysail, heading to the westward, with the wind blowing a gale from about S.S.W., the weather being thick, with rain. Finding that the wind and sea were increasing, the master determined to run for shelter to the back of the island, and with this view put her about, and after standing for from two to three hours on an E.N.E. course, they found themselves off Dunnose Point, upon which she was kept close hauled to the wind upon the starboard tack, with her head to the S.E., till about 6 a.m., when the master, believing that the Nab Light bore from them about N.E., distant from 7 to 8 miles, altered his course to E.N.E. Soon afterwards a light was reported a little on the starboard bow, but it disappeared again, we are told, immediately, and seems not to have

been then seen by the master. The vessel continued her course, and in about 10 minutes afterwards the light was again reported, and this time nearly ahead. On seeing it the master at once knew that it was not the Nab, but the Owers Light, and he accordingly ordered the vessel to be hauled to the wind on the port tack, but in a few minutes afterwards, when her head had come round to about W.N.W., she struck, and after bumping heavily eight or nine times, went clear. The master, however, finding that she was making a great deal of water, steered for the shore, and she was ultimately run upon Selsea Bill to prevent her sinking in deep water. We are told that she has been since got off, and has been taken into Littlehampton, but seriously damaged, and that her cargo is being discharged.

These being the facts of the case, the Board of Trade have asked our opinion upon a number of questions, and the first question is, “What was the cause of the stranding of the vessel?” The master has told us that he was under the impression that it was low water that morning at about 1 a.m., and that from that hour he would have had the flood tide setting him to the eastward, but, as Mr. Meysey Thompson has truly observed, it is difficult to understand how the master could have formed such an opinion; he knew that from off St. Catharine’s Point he had been standing for about three hours on an E.N.E. course, with a strong wind almost dead aft, and making about 5 knots, and with the flood tide as he supposed in his favour for the last two hours, during which he would on his own shewing have made from 17 to 20 miles, and yet at the end of that time he finds himself off Dunnose Point, which is only 5 miles to the eastward of St. Catharine’s Point. One would have thought that that would have opened his eyes to the fact that the tide could not have been in his favour, but rather that it must have been against him. The fact, however, seems to be, as the master now admits, that he was altogether wrong in his ideas about the tide, and the way in which the casualty occurred would seem to have been as follows:—It is stated at page 136 of the Admiralty Tide Tables that, “As soon as a vessel passes to the eastward of the Start and Casquets she gets into the true channel stream which sets straight up and down channel in the fairway, and will always carry a vessel towards Beachy Head while the water is rising at Dover, and from it while it is falling there.” Now if we look at the tide tables we shall find that on that night it was high water at Dover at two minutes after ten, consequently from between midnight and 1 a.m., when the vessel was put about, the ebb tide would be setting strongly down the channel and against him. And as the tides were spring, it being new moon on the 21st, it can readily be understood how it was that the master had only got as far as Dunnose Point by 3 a.m. From 4 a.m., however, the flood tide would begin to make, and perhaps even earlier owing to the strong S.W. wind which was blowing. This then would sweep her to the eastward from 4 to 6, and during this time also she was heading to the S.E. How then the master could have imagined that when he put the vessel about at 6 o’clock on an E.N.E. course he would have the Nab Light nearly ahead, is to us incomprehensible; the only light that he could then have had ahead would be the Owers Light, the Nab Light at that time being well away on his port beam. On the light, however, being reported the master continued his course towards it, until apparently he got very near to it, when finding his mistake he starboarded his helm to bring her on to the port tack, and being much nearer to the Owers Light than he supposed he ran the vessel on the Middle Owers. That, in our opinion, is the way in which the casualty occurred.

The second question which we are asked is, “Were safe and proper courses set and steered after midnight of the 20th and 21st of November, and was due and proper allowance made for currents, tides, and leeway?” From the preceding remarks, it is obvious that safe and proper courses were not steered, and that no due and proper allowance was made for currents, tides, and leeway.

The third question which we are asked is, “Was a safe and proper alteration made in the course at 3 a.m. and again at 6 a.m. on the morning of the 21st of November?” If the master’s object was to reach the Nab Light, most certainly the alterations of the helm at 3 a.m. and 6 a.m. were not proper or safe.

The fourth question which we are asked is, "Was a good and proper look-out kept?" George Holmes, the last witness examined, told us that he was at the helm from 2 to 4 a.m., and that before he left the helm he saw a light away on the port beam, and that it was visible for some time after he left the helm. Now, if this evidence is to be believed, and we do not know why it should not be, that light must have been the Nab Light, and if so, it is clear that a good and proper look-out was not being kept on board this vessel, or it would have been seen and reported.

The fifth question which we are asked is, "Was the master justified in mistaking the Owers Light for the Nab?" The master stated that he did not see the light when it was first reported, but as soon as it was reported a second time he saw and knew at once that it was the Owers Light and not the Nab Light. He cannot therefore be accused of having mistaken the one light for the other.

The sixth question which we are asked is, "When the mistake was discovered, were prompt and proper measures taken to prevent the vessel stranding?" When the light was reported the second time and the course of the vessel was altered, the master ordered the helm to be starboarded in order to bring her on the port tack. He did that in the belief that he was at a considerable distance from the Owers Light, but as a matter of fact he must have been very close to it. Had he put the vessel about on the other tack, she would not have struck on the Middle Owers, and that no doubt would have been the proper course to take.

The seventh question which we are asked is, "Was the vessel navigated with proper and seamanlike care?" The master appears to have neglected all the ordinary and proper precautions for the safe navigation of the vessel. He told us that he had the tide tables on board and yet he never consults them, and the result is that he imagines the tides to be setting one way, when in fact they were setting the other. He admits that the night was thick with rain, and that it was very difficult to determine the distance of a light, and yet he acts,

when he makes out this light, on the assumption that it was at a distance of from four to five miles, when it was probably not a mile off. Being, too, a dark and hazy night, when lights and objects could not be seen except at a very short distance, he takes no cast of the lead to ascertain his true position. In fact he does nothing which a seaman ought to do, but goes blundering on amongst these dangerous sands without taking the smallest precautions to verify his position.

The last question which we are asked is, "Does any blame attach to the master or mate, or either of them, in respect of the stranding of the vessel?" and it is added that "the Board of Trade are of opinion that the certificate of the master should be dealt with." So far as the mate is concerned, no blame seems to attach to him; he was acting throughout under the master's orders. The whole blame of this casualty rests with the master; he has neglected every precaution which a seaman should take for the safe navigation of his ship; and the result is that the vessel has been seriously damaged, and the lives of all on board have been placed in imminent peril. It may be said that his mistake has arisen rather from ignorance than from negligence or misconduct, but ignorance in such a case is in our opinion culpable; nor can the master say that he has not been guilty of negligence, for he had the tide tables on board, and he neglected to consult them. We cannot think that a master has the right to navigate his vessel as this master has done, at the imminent risk of the lives of all on board. Under all the circumstances of the case, the assessors are of opinion that this master's certificate should be suspended for six months.

The Court was not asked to make any order as to costs.

(Signed) H. C. ROTHERY,
Wreck Commissioner.

We concur.

(Signed) CUTHBERT VAUX, R.N.R. } Assessors.
D. R. COMYN, R.N.R. }