

(No. 3041.)

“ W A V E ” (S.S.)

The Merchant Shipping Acts, 1854 to 1876.

In the matter of the formal Investigation held at West Hartlepool, on the 3rd of November 1886, before H. C. ROTHERY, Esquire, Wreck Commissioner, assisted by Captains ANDERSON and PATTISON, as Assessors, into the circumstances attending the stranding and loss of the steamship “ WAVE,” near Romsö Light, in the Great Belt, on the 9th of October 1886.

*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 and loss of the said ship was due to the wrongful acts and defaults of William Levitt, the master, and it accordingly suspends his certificate for six months, but recommends that during the period of the suspension of his master's certificate, a first mate's should be granted to him.

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

Dated this 3rd day of November 1886.

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

We concur in the above report.

(Signed) ABM. ANDERSON, } Assessors.  
JOHN L. PATTISON, }

*Annex to the Report.*

This case was heard at West Hartlepool, on the 3rd of November 1886, when Mr. Dendy appeared for the Board of Trade, and Mr. Forster for the master of the “ Wave.” Nine witnesses having been produced by the Board of Trade, and examined, Mr. Dendy handed in a statement of the questions upon which the Board of Trade desired the opinion of the Court. Mr. Forster then addressed the Court on behalf of the master, and Mr. Dendy having been heard in reply, 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 “ Wave ” was an iron screw steamship, belonging to the port of West Hartlepool, of 957 tons gross, and 617 tons net register, and was fitted with engines of 99 horse-power. She was built at West Hartlepool in the year 1871, and at the time of her loss was the property of Mr. Robert Ropner, of Albion Chambers, West Hartlepool, and others, Mr. Robert Ropner being the managing owner. She left West Hartlepool on the 6th of October last, with a crew of 17 hands, and a cargo of about 1,100 tons of coals, bound to Wismar; and at about 4.30 p.m. of the 9th arrived off Reefness Point, in the Great Belt, when she was put on a S. by W.  $\frac{1}{2}$  W. course to make the Romsö Light. We are told that at this time the weather was rather hazy, and that there was a moderate breeze from the S.S.E., with a smooth sea, and the vessel continued her course, with her engines going at full speed, making about 9 knots an hour, until about 5.30 to 5.45 p.m., when Romsö Light came in sight. What were the courses which were afterwards steered is a matter on which there is some discrepancy between the witnesses, but at half past 6 or a quarter to 7 the vessel suddenly struck, upon which orders were at once given to stop the engines. Finding that the water was fast gaining upon them, the master ordered the boats to be got out, and in about ten minutes after striking all hands left her, and in about another ten minutes or a quarter of an hour the vessel sank. The crew then pulled for the shore, and landed upon Romsö Island. There was a question as to where the vessel had struck, the master stating that it was upon a rock some  $2\frac{1}{2}$  to 3 miles

S.E.  $\frac{1}{2}$  S. of Romsö Light, but there is no such rock on the chart, and there can in our opinion be no doubt that the place where the vessel struck was on the outer edge of the reef of rocks, which extends for about a mile to the south and S.E. of the Island of Romsö, and which are known as the South East Flats.

These being the facts of the case, the first question on which the Board of Trade has asked for our opinion is, “ What was the cause of the stranding of “ the vessel ? ” In our opinion the stranding of the vessel was due to her having been kept on a course to pass too close to Romsö Island, and without making sufficient allowance to clear the rocks, which lie to the south and S.E. of the island.

The second question which we are asked is, “ What number of compasses had she on board; where were they placed; and when and by whom were they last “ adjusted ? ” The vessel, we are told, had two compasses; a pole compass just forward of the bridge, and by which the courses were set, and the vessel steered; and another on the lower bridge before the midship wheel, but which it seems was not used, as it was said to be sluggish. The master told us that his compasses had been adjusted in 1885; but he was not able to produce his deviation cards, as they are said to have gone down with the vessel.

I will take questions 3 and 4 together, they are as follows:—(3.) “ Did the master ascertain the deviation “ of his compasses by observation from time to time ? ” and (4.) “ Were the errors of the compasses correctly “ ascertained and the proper correction applied ? ” The master stated that he took every opportunity of ascertaining the deviation of his compasses, or rather perhaps I ought to say of his pole compass, that being the only one which was used, and of applying the necessary corrections; but we have only the master's own word for it, all his books and papers having gone down with the vessel.

I propose to take the three next questions together; they are follow:—(5) “ Whether a safe and proper “ course was set and steered after passing Reefness “ Buoy at or about 4.30 p.m. on the 9th October; and “ whether due and proper allowances were made for “ the tides and currents ? ” (6) “ Whether proper “ measures were taken from time to time thereafter to “ ascertain and verify the position of the vessel ? ” and (7) “ And whether safe and proper alterations were “ made in the courses at or about, and after, 5.45 p.m.; “ and whether due and proper allowance was made for “ tide and currents ? ” The statement of the master is that from 4.30 p.m., when they passed Reefness Point, the vessel was kept on a S. by W.  $\frac{1}{2}$  W. course; that at 5.30 Romsö Light came in sight, bearing about S.W.  $\frac{1}{2}$  S. or S.W. by S., distant from 5 to 6 miles; that he continued the same course, S. by W.  $\frac{1}{2}$  W., until 5.45, when Romsö Light bore S.W., distant from 4 to 5 miles, upon which the course was altered to S. by W., and that that course was continued till 6.15, when Romsö Light bore west, distant about  $2\frac{1}{2}$  to 3 miles; that he then altered the course to south, and that at 6.45, when the vessel struck, Romsö Light bore N.W.  $\frac{1}{2}$  N., distant  $2\frac{1}{2}$  to 3 miles. Let us see how far the master's evidence is confirmed as to the courses steered, and the bearings of the Romsö Light, and what evidence there is that that light was, as the master said, at a distance of between  $2\frac{1}{2}$  to 3 miles, both when they passed it and when the vessel struck. And first, as regards the courses steered. According to the master, the course steered from 4.30 to 5.45 was S. by W.  $\frac{1}{2}$  W., and from 5.45 to 6.15 S. by W.; but Mr. Jackson, the chief officer, who had the watch from 4 to 6, told us that the course steered from Reefness Point to 6 p.m., when he left the deck, was S. by W.  $\frac{1}{2}$  W., and that he gave that course to the second officer, who relieved him. The second officer, who came on duty at 6 p.m., told us that the course which he received from the chief officer was S. by W.  $\frac{1}{2}$  W., that that course was steered for about ten minutes, when it was altered by the master's orders to S. by W., and that about a  $\frac{1}{4}$  of an hour afterwards it was again altered to south. Herbert Styles, the man who was at the wheel from 4 to 6, told us that from Reefness Point until 6, when he went below, the course steered was S. by W.  $\frac{1}{2}$  W., and that he gave that course to Oscar Olsen, who relieved him. Oscar Olsen also told us that the course which he received from Styles was S. by W.  $\frac{1}{2}$  W., that he steered that course for about

ten minutes, when he altered it, by the master's orders, to S. by W., and about a quarter of an hour afterwards it was again altered to south, and that they had only been a very short time on that course when the vessel struck. The evidence, therefore, of the master is not supported by any of the other witnesses, and it is quite clear to us that the vessel was kept for a much longer time, than the master was willing to admit, on a S. by W.  $\frac{1}{2}$  W. course, and that that course was not altered to S. by W. until about 10 minutes after 6, instead of at 5.45, as stated by the master, which would have the effect of setting the vessel more to the westward, and therefore towards the Island of Romsö. Secondly as to the bearings of Romsö Light. According to the master, at 5.45 it bore S.W., at 6.15 it bore west, and at 6.45 it bore N.W.  $\frac{1}{2}$  N. Here again the master is distinctly in conflict with the rest of the witnesses. The officers indeed were not prepared to say what the bearings of the Romsö Light were, except that the chief officer said that, when he came on deck after she had struck, the light appeared to him to be about abeam. But David Hart, the man who was on the look-out from 5 to 6, told us that at a quarter to 6 the light bore about a point and a half on the starboard bow, that it was kept on that bearing until 6 o'clock, when he was relieved; and that having occasion to come on deck again at about a quarter or twenty minutes after 6, he again saw the light, and that it then bore about two points on the starboard bow. Herbert Styles also, the man who was at the wheel from 4 to 6, told us that he did not see the light whilst he was at the wheel, but that having come on deck some 10 minutes after 6 he saw it, and that it was then about 1  $\frac{1}{2}$  points on the starboard bow. Oscar Olsen also, the man who relieved Styles at the wheel, said that when he came on deck at 6 o'clock the light was between the davits and the forerigging on the starboard side, and that when she struck it was right abeam. It will thus be seen that the master is at issue with the rest of the witnesses, both as to the courses steered, and as to the bearings of the Romsö Light.

And now let us see what ground the master had for supposing that he was from 2  $\frac{1}{2}$  to 3 miles from the light when he passed. He told us that he ascertained this by a four point bearing of it, and that he took it in this way. He said that at 5.45 the light bore S.W., that he then put the vessel on a S. by W. course, and that he continued that course till 6.15, when the light bore west; and that, as the vessel was all that time going from 5 to 6 knots an hour, he estimated that the distance run in that half hour would be from 2  $\frac{1}{2}$  to 3 miles, and that that would give him his distance from the light when it bore west. Taking however the master's evidence as he gave it, it may be doubted whether he really knew how to take a true four point bearing; for it will be observed that when he took his first bearing of the light it bore, as he says, S.W., which would be 3 points and not 4 points on his bow, his course being, as he has stated, S. by W.; so that the distance run from that time, until the light bore west, would not have shewn him his distance from the light when he passed it, but something less; and if his course during that time had been, as the other witnesses say, S. by W.  $\frac{1}{2}$  W., it would have brought him still nearer to the Island. It is also to be observed that, in estimating that he had run from 2  $\frac{1}{2}$  to 3 miles between 5.45 and 6.15, the master made no allowance for any current that might be setting against him, and which it is now admitted was very strong, the wind being from the S.S.E., so that, if instead of making 2  $\frac{1}{2}$  to 3 miles over the ground during that half hour, he only made 1 mile, his distance from the light, when it was abeam, even assuming that the four point bearing had been correctly taken, would be only 1 mile and not 2  $\frac{1}{2}$  to 3 miles.

It is abundantly clear then to us that no reliance whatever can be placed upon the master's statements, either as to the courses steered, or as to the bearings of the Romsö Light, or as to the distance at which that Light was from them when they passed it. And we are disposed to think from the evidence of the other witnesses, that the vessel was kept upon a much more

westerly course than the master was prepared to admit, and that instead of keeping her, as he should have done, on a mid-channel course between Romsö Island and the Elephant Ground, he took her too close to the Island, and thus put her on the rocks which lie to the South and S.E. thereof. In our opinion the courses steered were neither safe nor proper courses, nor did the master take proper measures to ascertain and verify his position.

The 8th question which we are asked is, "Whether the lead was used, and if not whether such neglect was justifiable?" It is admitted that the lead was not used before the vessel struck, but we are not disposed to blame the master for this, seeing that with the Romsö Light in view, he had a better mode of ascertaining and verifying his true position than by a cast of the lead, if he had thought fit to avail himself of it.

The 9th question which we are asked is, "Whether a good and sufficient look-out was kept?" There seems no reason to think that a good and proper look-out was not kept. The fault was in allowing the vessel to get too far to the westward and too near to Romsö Island.

The tenth and eleventh questions which we are asked are (10) "Whether the vessel was navigated with proper and seamanlike care?" and (11) "Whether the master and officers, or either of them, is in default?" and it is added that, "In the opinion of the Board of Trade, the certificate of William Levitt, the master, should be dealt with." That the whole blame for the casualty rests with the master, and with the master alone, admits of no doubt, for he was on deck directing the navigation of the vessel, and it was by his orders that the vessel was kept too far to the westward. It may, at first sight, be somewhat difficult to understand why the master should have taken the vessel so far to the westward, but the following appears to be a not unreasonable explanation of his conduct. It seems that, the next day being Sunday, the master would have no inducement to hasten his arrival at Wismar, and it was accordingly his intention, after passing Romsö Island, to bring up in Kerteminde Bay, and lie there until daylight. Having then this object in view it is only reasonable to suppose that, instead of keeping her, as he should have done, in mid-channel between Romsö Island and the Elephant Ground, he put her on a course to pass too near to Romsö Island, so to get all the more quickly into Kerteminde Bay and to come to an anchor, and this may account for his having kept her for so long a time on a S. by W.  $\frac{1}{2}$  W. course. But whether this was so or not, or whether he over-estimated his distance by not taking a proper four-point bearing of the light, it is clear to us that he has navigated this vessel in an improper and unseamanlike manner. The result is that the vessel as well as the cargo have been totally lost, and for which the master can make no compensation to the owners. We are told that he has had a master's certificate of competency since 1879, that he has commanded three sailing vessels, has been master of the "Wave" for the last seventeen months, and that during all that time he has not met with any casualty until this. He has, however, in our opinion, greatly aggravated his offence by making statements as to the courses steered, and the bearings and distances of the Romsö Light, which are manifestly untrue, and which were intended to mislead the Court. Under all the circumstances of the case, the Assessors are of opinion that his certificate should be suspended for six months.

On the application, however, of his solicitor, Mr. Forster, the Court agreed to recommend to the Board of Trade, that during the suspension of his master's certificate, he should be allowed a chief mate's.

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

We concur.

(Signed) ABM. ANDERSON, } Assessors.  
JOHN L. PATTISON, }

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