

(No. 3929.)

“ROSEDALE” (S.S.)

The Merchant Shipping Acts, 1854 to 1876.

In the matter of a formal Investigation held at Westminster on the 11th and 18th days of November 1889, before R. H. B. MARSHAM, Esquire, assisted by Captains RONALDSON and BROOKS, into the circumstances attending the stranding of the British steamship “ROSEDALE,” near the Ytter Grund, off Husvalla, north-east coast of Oland, on the 31st day of August last.

*Report of Court.*

The Court having carefully inquired into the circumstances attending the above-mentioned shipping casualty, finds, for the reasons stated in the annex hereto, that the cause of the casualty was that the instructions of the master, Mr. Jestyn Winchcombe, as to altering the course, were not carried out by the mate, Mr. John Cooper.

Dated this 21st day of November 1889.

(Signed) R. H. B. MARSHAM, Judge.

We concur in the above report.

(Signed) A. RONALDSON, }  
ED. BROOKS, } ASSESSORS.

*Annex to the Report.*

This inquiry was heard at Westminster on the 11th and 18th days of November 1889, the Hon. A. Lyttelton appearing for the solicitor to the Board of Trade. The case was adjourned from the 11th till the 18th of November, in order that the chief officer, who had not had notice of the inquiry, should attend as a witness. On the 11th, Mr. Botterell represented the master; and on the 18th, Mr. Botterell not being able to attend, another advocate, Mr. Aspinall, appeared in his stead to represent both the master and the chief officer.

The “Rosedale” was an iron screw steamship, built at Sunderland in 1877, and owned by Mr. T. G. Beatley, of 18, East India Chambers, London, and others, Mr. T. G. Beatley being managing owner. She was registered at the Port of London, her official number being 68,963. Her gross tonnage was 935.79; net tonnage, 609.31; while her dimensions were: length, 211.8 feet; breadth, 30.6 feet; depth, 15.9 feet. She had three compasses on board, which were in good order and sufficient for the safe navigation of the ship.

The vessel left Sundsvall, in Sweden, on August 29th last, bound for West Hartlepool, having a cargo of deals and battens, and a deck-load about 8 feet high, and with a crew of 16 hands, including the master, Mr. Jestyn Winchcombe, who holds a certificate of competency as master. In addition to the crew there were on board the master's wife and three children. At about 2.20 p.m. of the 30th August the master sighted Koppar Stenarne bearing about S.E. and about 1 mile distant, whereupon he set the course S.W. by S.  $\frac{1}{2}$  S. to take the ship between the islands of Gottland and Oland.

About 7 p.m., land being seen too near ahead, the course was altered to S.W.

About 12.30 a.m. of the 31st of August, the Great Carlsö Light was about one point before the beam, distant about 6 or 7 miles.

On the course the ship was still going S.W. The master stated there was little or no deviation, at the most about 2° westerly.

The weather was fine and clear with no wind; and the master now gave up charge to the mate, Mr. John Cooper, who holds a certificate of competency as master, with the following orders, namely, to alter the course to S.W.  $\frac{1}{2}$  S. as soon as the light was abeam, and to call him, the master, at 4 a.m., or earlier if there were any change.

At 4 a.m. the mate called the master, reporting that the weather was fine and clear, the sea smooth, and the ship going right and well off the land; thereupon the master, who still remained below, ordered the mate to tell the boatswain, who had now charge of the ship, not to come within 4 or 5 miles of the land, and to call him, the master, at 6 a.m., or before that time if it became hazy. It was now daylight, and at 4.45 a.m. the boatswain, Charles Campbell, who was acting as second mate, and who holds no certificate, saw a point of land  $\frac{1}{2}$  of a point on his starboard bow, distant, as he stated, 18 or 20 miles. He then altered the course from S.W., which had been steered from the time—12.30 a.m.—the master went below, to S.W. by S. for five minutes; and then to S.W. by S.  $\frac{1}{2}$  S., which course the boatswain thought would clear everything.

About 5.30 a.m. he, the boatswain, felt the vessel grating; and thereupon rang the telegraph to stop the engines, which had been going full speed up to that time, and called out hard-a-starboard. The master also felt the grating, and immediately rushed on deck on to the bridge. The vessel appears soon to have passed over the shoal into deep water, when the master, finding that she was sinking, beached her. Before doing so, the boats had been got out; and the passengers with some of the crew had entered them. A salvage boat came to the assistance of the “Rosedale” at 5.30 p.m. of the same day, and after being temporarily repaired, the vessel proceeded to Oskarsharn. The salvage and temporary repairs amounted to 2,945l.; the repairs at Oskarsharn to 2,845l. The master stated that the vessel struck inside the Ytter Grund Shoal, about a mile or a mile and a half from the Island of Oland.

The evidence of the master was in direct conflict with that of the mate. According to the master, the Great Carlsö Light was at 12.30 a.m. one point before the beam, distant 6 or 7 miles; whereas the mate stated that what he took to be the Great Carlsö Light, was one point before the beam at 4 a.m., when he gave up charge to the boatswain.

The Court is of opinion that the master's evidence was correct, and that the vessel was abreast of the light about quarter past 1 a.m., when the mate should have carried out the master's orders, and altered the course to S.W.  $\frac{1}{2}$  S. If he had done so the casualty would not have occurred.

The boatswain was also to blame for not immediately calling the master upon altering the course at 4.45 a.m., in consequence of the vessel being close to the land.

These were the facts of the case, and on the conclusion of the evidence, the Hon. A. Lyttelton, on behalf of the Board of Trade, put to the Court the following questions:

1, 2, and 3. What number of compasses had she on board; where were they placed; and were they in good order and sufficient for the safe navigation of the ship? When and by whom were they last adjusted? Did the master ascertain the deviation of his compasses by observation from time to time? Were the errors of the compasses correctly ascertained, and the proper correction to the courses applied?

4. Whether proper measures were taken to ascertain and verify the position of the vessel at or about midnight of the 30th August, and from time to time thereafter?

5. Whether, before going below at midnight of the 30th August, the master left proper and sufficient instructions with the chief officer; and whether, when the chief officer went below, he left proper instructions with the second officer?

6. Whether a safe and proper course was steered after midnight of the 30th August?

7 and 8. Whether the second officer was justified in altering the course given him, and in not calling the master? Whether the alterations in the course made by the second officer were safe and proper?

9. Whether the master was justified in leaving the vessel in charge of an uncertificated person?

10. Whether a good and proper look-out was kept?

11. Whether the total neglect of the lead was justifiable?

12. What was the cause of the casualty?

13. Whether the vessel was navigated with proper and seamanlike care?

14. Whether the master and officers are, or either of them is, in default?

And stated that the Board of Trade was of opinion that the certificate of the master should be dealt with.

Mr. Aspinall having addressed the Court on behalf of the master and the chief officer, and Mr. Lyttelton having replied, judgment was given as follows:—

1, 2, and 3.—She had three compasses on board—a pole compass, a steering compass, and a third aft. They were in good order and sufficient for the safe navigation of the ship. They were last adjusted in April 1889 by Mr. James Morton, of South Shields. The master did not ascertain the deviation of his compasses by observations from time to time.

4. At about midnight of 30th August the master took the only measures he could take to ascertain the position of the vessel. No measures were subsequently taken to ascertain the position of the vessel.

5. Before going below about midnight of the 30th August the master left proper and sufficient instructions with the chief officer. When the chief officer went below he did not leave proper instructions with the second officer as to the course to be steered, inasmuch as the vessel could not have been in the position the chief officer thought her to be.

6. A safe and proper course was steered till about 1 a.m. of the 31st August, but not afterwards.

7 and 8. The second officer was justified in altering the course, but he did not alter it sufficiently to ensure the safety of the ship, and he ought to have called the master immediately.

9. Considering the circumstances that the boatswain, who has been referred to as the second officer in the previous questions, had been about 14 years at sea, that the chief officer reported to the master at 4 a.m. that the weather was fine and clear, the sea smooth, and the ship going right and well off the land, and also that it was daybreak; the master was justified in leaving the vessel in charge of the boatswain. But the Court is of opinion that the master ought to have gone on deck at daybreak to verify the position of the ship.

10. A good and proper look-out was not kept.

11. No danger was anticipated until it was too late to use the lead.

12. The cause of the casualty was that the master's instructions as to altering the course were not carried out.

13. The vessel was not navigated with proper and seamanlike care after about 1 a.m.

14. The master is not in default. The chief officer is highly to blame for not having carried out the master's instructions as to altering the course. The boatswain is also to blame for not having called the master when he found the ship too close to the land and altered the course.

(Signed) R. H. B. MARSHAM, Judge.

We concur.

(Signed) A. RONALDSON, } Assessors.  
Ed. Brooks, }

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