

(No. 3746.)

"ROSENEATH."

The Merchant Shipping Acts, 1854 to 1876.

In the matter of a formal Investigation held at Glasgow on the 1st and 2nd days of March 1889, before ALEXANDER ERSKINE MURRAY, Esquire, Advocate, Sheriff-Substitute of Lanarkshire, assisted by Captains WILSON, PICKARD, and RICHARDSON, into the circumstances attending the stranding of the British sailing ship "ROSENEATH," of Glasgow, near Port Patrick, on 2nd ult., whereby loss of life ensued.

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 casualty was caused by the parting of the towing gear of the tug "Defiance," and subsequent stranding and capsizing of the "Roseneath," owing to the heavy sea south of Port Patrick harbour. The Court finds the master of the "Roseneath" in default, but for the reasons annexed does not deal with his certificate.

Dated this 4th day of March 1889.

(Signed) A. ERSKINE MURRAY, Judge.

We concur in the above report.

(Signed) R. WILSON,
BENJ. S. PICKARD, } Assessors.
GEO. RICHARDSON,

Annex to the Report.

The "Roseneath" was an iron barque, built at Glasgow in 1857, official number 20,194, registered tonnage 734.99, and gross, 758.27. Her dimensions were—187 feet long, 31.7 feet broad, 19.35 feet depth of hold. She was owned by Mr. James Spencer and others, Mr. Spencer being appointed managing owner 12th August 1882, and resided at 316, Paisley Road, Glasgow. After discharging a cargo of wheat at Dublin, she took in, according to the evidence of the master, 150 tons of rubbish or soil for ballast, and he had also 3 tanks of water containing 8 tons, and also a quantity of dunnage wood, the whole said to amount to about 180 tons. She had 3 boats—a lifeboat, a gig, and a dingy—stowed on deck, on skids over her quarter-deck, with davits and tackle ready for hoisting them out. She left Dublin on the 1st February last, at 5 a.m., in tow of the paddle steam-tug "Defiance," for the Clyde, under the command of Mr. Robert A. Browne, who holds a certificate of competency as master, No. 011,362, and a crew consisting of 9 hands all told, viz., master, mate, boatswain, apprentice, and five seamen or runners, and two passengers, the mate's wife and child, with a moderate breeze from the S.W., and her mean draught of water being 10 ft. 7 in. She kept well in with the Irish coast, and when abreast of Dundalk, set fore and main topmast and mizen stay-sails, the weather gradually getting more unsettled, with squalls and snow showers, and wind veering to the W.N.W. All went well until about 2 a.m. on the 2nd, when Cope-land Light bore S.W. 5 miles; a heavy squall from the W.N.W. coming out of Belfast Lough struck the ship and caused her to take a very great sheer, which brought an extra strain on the tug's towing gear, causing the ring to which the towing hawser was attached to snap in two. The first intimation of the accident to the master of the "Roseneath," who was on deck at the time, was seeing the tug on the port bow, when he told the man at the wheel to starboard the helm; the tug hailed, and told him the towing hawser was gone. The master hailed the tug to come alongside and take the ship in tow again, and although many attempts were made until 7 a.m., a period of 5 hours, they could not succeed in doing so, owing, as the evidence goes, to the heavy sea then running, and all this time the ship was drifting towards

the Scotch coast under her stay-sails, and no attempt was made to get the ship under command by setting her square sails. The hawser was left towing overboard until 5 a.m. on the 2nd, when it was slipped, the crew not having sufficient means to haul it in. At daylight, the ship drifting fast to leeward on the Wigtownshire coast, she hoisted her ensign union down as a signal of distress, and the tug then steamed round her, but was unable to communicate, owing to the severity of the gale, with heavy sea. The tug, having been a good deal damaged herself by the bad weather, and finding she was unable to render further assistance, made the best of her way to Loch Ryan, which she reached in safety. A snow shower then came on, and when the weather cleared up the ship was found to be within 2 miles of the shore, Port Patrick Harbour being about E.S.E. He then set his lower foretop-sail and lee clue of foresail, intending to gain Port Patrick Harbour; when within 200 or 300 yards of the South Pier head, the back wash of the breakers caught her and caused her to become unmanageable. The master gave orders for the helm to be put down; she came up a point, but fell off again and drifted past the harbour's mouth with the strong flood tide then running, striking the ground 100 yards south of the South Pier head. She then bumped along the rocks for another 100 yards and became fast, with her stern swinging in to the shore. By this time the rocket apparatus was brought down abreast of the ship, a rocket fired, and communication established between the ship and the shore, and the line made fast to the foresheet bolt. Her stern then swung off and she came broadside on, and fell over on her beam ends, and the sea made a complete breach over her, her deck seaward. It appears that at this time all the crew were thrown into the water, but, from the master's account, he immediately afterwards found himself on the wheel-house, and also two men, the boatswain and one of the runners. The master and boatswain succeeded in getting on the ship's side through a port, but the runner who was with them was washed away and drowned. Previous to his gaining the ship's side the master saw the apprentice struggling in the water, and went down with a rope to endeavour to save his life, but he failed in doing so. He and the boatswain then crawled forward to where the rocket line was made fast, and found three others of her crew there. They then succeeded in gaining the shore by means of the rocket apparatus, the master being the last man to leave the ship, and after landing became insensible. Unfortunately, six lives were lost, viz., chief mate, his wife and child, an apprentice, and two runners. The ship eventually became a total wreck.

While giving credit to the master for his endeavours to save life, the Court cannot exonerate him from blame for leaving port with the ship in an unstable condition, in not being able to carry sails when the towing gear parted.

At the close of the evidence the following questions were handed in for the opinion of the Court, Mr. Spens addressing the Court on behalf of the owners and master of the "Roseneath," and Mr. Orkney for the master of the "Defiance." Mr. Donald having replied for the Board of Trade, judgment was given as follows:—

The Board of Trade desire the opinion of the Court upon the following questions:—

1. Whether when the "Roseneath" left Dublin she was properly and sufficiently manned?
2. Whether she was sufficiently ballasted?
3. Whether, when the tow-rope broke adrift, proper and sufficient sail was made on the vessel?
4. Whether the hawser was either slipped or hauled on board at the earliest practicable moment?
5. Whether at 7 a.m. on the 2nd February and thereafter proper measures were taken to navigate the vessel into Portpatrick Harbour?
6. Whether she was navigated with proper and seaman-like care?
7. Whether the towing hook and ring on board the "Defiance" were in good condition and sufficient for the purpose intended?
8. Whether, having regard to the weather on the morning of the 2nd February, the master of the "Defiance" took proper care to avoid bringing too sudden or too great a strain on the tow-rope.

9. What was the cause of the tow-rope carrying away?

10. Whether every possible effort was made by the master of the tug to get a line on board the "Roseneath," and what were those measures?

11. Whether he was justified in leaving the vessel when he did?

12. Whether the tug was navigated with proper and seamanlike care?

13. What was the cause of the loss of life?

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

In the opinion of the Board of Trade, the certificates of the master of the "Roseneath" and the master of the "Defiance" should be dealt with.

The Court gave judgment as follows:—

1. The "Roseneath" was rather under-manned when she left Dublin, considering the season of the year, and the probability of meeting rough weather.

2. She was not sufficiently ballasted, considering the season of the year.

3. There was not sufficient sail made on the "Roseneath" when the towing ring broke, if she had been sufficiently ballasted. Even considering the small amount of ballast, the captain of the "Roseneath" ought to have tried the effect of square sail.

4. The hawser ought to have been slipped when the captain of the "Roseneath" found it impossible to get it on board, as it would tend to make the ship unmanageable, dragging in the way it did.

5. After the tug left, the Court is of opinion that the master of the "Roseneath" took proper measures to navigate her into Port Patrick Harbour.

6. The Court is, on the whole, of opinion, for the reasons stated in former answers, that to the formerly mentioned extent the "Roseneath" was not navigated with proper and seamanlike care.

7. According to the evidence, the towing hook and ring on board the "Defiance" appear to have been in good condition and sufficient for the purpose.

8. In the circumstances, the master of the "Defiance" could have done no more than he did in this respect.

9. The breakage of the ring of the tow-rope was occasioned by the "Roseneath" taking a sheer in a heavy squall and thus causing a jerk, or throwing an extra strain on the ring.

10. The master of the tug made six attempts to get a line on board the "Roseneath," by heaving and by firing, and the Court considers he did all he could with the means at his disposal.

11. The master of the tug was justified in leaving the vessel when he did, considering that his own vessel itself was considerably damaged by the gale, and might have been in danger had he remained.

12. The tug was navigated with proper and seamanlike care.

13. The cause of the loss of life was the "Roseneath" stranding, and subsequently capsizing, owing to the heavy sea running at the time.

14. The Court considers that the master of the "Defiance" was not in default. As to the master of the "Roseneath," they consider that he was in default, but that the errors committed by him were mainly errors of judgment; considering, further, his conduct in endeavouring to save life, and being the last man to leave the ship, the Court, while reprimanding him, does not find it necessary to deal with his certificate.

(Signed) A. ERSKINE MURRAY, Judge.

We concur.

(Signed) R. WILSON,
BENJ. S. PICKARD, } Assessors.
GEO. RICHARDSON, }

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