

(No. 4460.)

“WARWICKSHIRE.”

The Merchant Shipping Acts, 1854 to 1876.

In the matter of a formal Investigation held at the Council Chamber, Richmond Terrace, Whitehall, on the 27th of January, and 1st and 2nd days of February 1892, before R. H. B. MARSHAM, Esquire, assisted by Captains KNOX, R.N., CASTLE, and CUNINGHAME, into the circumstances attending the stranding of the British sailing ship “WARWICKSHIRE,” near Camber, Rye Bay, on the 28th of December last, and the abandonment of the said ship off Dover on the 31st of December last, 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 cause of the stranding of the vessel was that the master, Mr. Charles Frederick Chapman, failed to keep a correct dead reckoning; and that the chief mate, Mr. Charles Valentine Mac Carthy, failed to inform the master immediately on his getting a sounding of 10 fathoms, about 4 p.m. on the 28th of December last.

Dated this eleventh day of February 1892.

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

We concur in the above report.

(Signed) HENRY KNOX, Captain R.N., } Assessors.
JOHN S. CASTLE, }
ANDW. CUNINGHAME, }

Annex to the Report.

This inquiry was held in the Council Chamber, No. 8, Richmond Terrace, Whitehall, on the 27th of January and 1st and 2nd days of February 1892, when Mr. Butler Aspinall and Mr. A. Russell represented the Board of Trade, and Mr. J. P. Aspinall the owners, master, and officers.

The “Warwickshire,” official number 45,407, is an iron sailing vessel, built at Liverpool in 1862 by T. Vernon & Son, and registered at the Port of London. Her length is 179.9 ft.; breadth, 29 ft.; and depth of hold, 18.65 ft.; her tonnage being 679.46 gross, and 646.50 net register.

She is rigged as a barque, and is owned by the Warwickshire Shipping Company, Limited, Mr. H. Chaplin being the managing owner. She was commanded by Mr. George Frederick Chapman, who holds a certificate of competency as master, and she was manned with a crew of 18 hands all told, five of whom were apprentices.

The vessel appears to have been in good condition and properly equipped for the intended voyage. She had two boats, a lifeboat and a gig, hanging in the davits; two compasses, viz., a standard, fixed on the fore-part of the mizen mast, about 20 ft. above the deck, which was said to be correct, and the steering compass, the latter being, according to the master's evidence, very erratic in its movements. The master had swung the ship on the last homeward voyage whilst waiting at Falmouth for orders, and he then found the standard nearly correct on all points. She had Admiralty charts of the English Channel, and Sailing Directions. There were two main pumps, a bilge pump and a portable pump, with hose complete, and all of these were in good condition.

At 9 a.m. on the 26th of December 1891, the “Warwickshire,” with a pilot in charge, left London in tow of a steam-tug, bound for Mauritius with a general cargo of about 1,000 tons, her draught of water being 17 ft. 6 in. aft, and 17 ft. 9 in. forward. On arriving at the Nore Light-vessel, they anchored for the night, and at

7.15 a.m. on the 27th they weighed anchor and proceeded on the voyage, arriving off Dover at 3.30 p.m. where they landed the pilot, and proceeded, still in tow, until 6.30 p.m., at which time they were off Dungeness Point. They then set the lower topsails, and the tug slipped the hawser, which was then hauled in, after which sail was made on the ship, including main top-gallant sail, there being at that time a fresh breeze from the S.W.

At 8.45 p.m. Dungeness Light bore north magnetic, distant about 4 miles, the tide being the last of the flood. The vessel was then on the starboard tack, making a S. by E. course, and at 10.30 p.m., the vessel having run about 8 miles, she was tacked, heading in about N.N.W. magnetic until 1 a.m. of the 28th, at which time Dungeness Light bore E.N.E. A cast of the lead was then taken in 17 fathoms. They then tacked to the S.S.W., and the wind having increased, the main top-gallant sail was taken in. At 3 a.m., having run 7 miles on this tack, she was put on the port tack again, heading N.N.W., and at 6 a.m. a cast of the lead was taken in 19 fathoms. At 7.15 a.m. the wind changed to the westward and the vessel was put on the starboard tack, heading S.S.W., but at this time the wind and sea having increased considerably, two points were allowed for leeway, thus making a south course magnetic. At the time of tacking the high land of Fairlight was stated in sight, bearing north, distant about seven miles. At 1 p.m., they having run according to the patent log 18 miles, the vessel was put on the port tack, heading in N.N.W., the weather being clear with a strong breeze from the westward. At 2.30 p.m. the master, who had been on deck from the time that the vessel left the Nore, went to his cabin to lie down for a short time, leaving instructions with the second officer, who was in charge, to call him, the master, if any land was seen, or if there was any change in the weather. The speed of the vessel was then about 3½ knots, and the master considered that he was 24 miles from the land, and about abreast of Hastings.

At 4 p.m. the chief officer came on deck and took charge. At the same time he passed the hand lead forward to take a cast, and the second officer having the line took the soundings in 10 fathoms of water; the second officer then went below, and the soundings were not then reported to the master.

The weather at this time was clear to the southward, but it was hazy over the land, which was then visible a little on the weather bow.

At about 4.15 p.m. the chief officer called the master and told him there was land in sight, and he also reported to him the soundings he had found at 4 p.m. As soon as the chief officer returned to the deck he saw the Rye Harbour Lights. The master, who had been looking at the chart, arrived on deck about the same time, and he at once gave the order for the helm to be put down, which was done, the vessel's head coming up to W.N.W., at which time she took the ground.

All the sails were thrown aback, but she remained fast. The lifeboat was then lowered and a kedje anchor carried out in a S.W. direction, with 120 fathoms of 4 inch line, which was hove taut.

In the meantime rockets had been sent up, and the coast-guard boat came to render assistance, followed by the Winchelsea and Camber lifeboats. After heaving in the line, and finding they could not move the vessel stern first, the line was passed forward and hove upon, upon which she commenced to turn with her head to the westward. As soon as they got the wind on the starboard bow, the yards were braced round, but she remained fast. About 8.40 p.m. the “Crusader” tug came to their assistance, and a rope was given from the port bow. She commenced to tow, but without success, and she left between 9 and 10 p.m. The Winchelsea lifeboat remained alongside the whole of the night, and at 6.30 a.m. on the 29th, the crew of the “Warwickshire” wished to leave, as it had been blowing a hard gale during the night. They left accordingly in the Winchelsea lifeboat, with the exception of the master and the steward, who remained on board until between 8 and 9 a.m., when they were compelled to take to the rigging. After this they made an attempt to land in their own lifeboat, which capsized, and they then swam ashore.

At low water the ship was nearly dry, and the starboard bower anchor was carried out with 75 fathoms of chain.

On the following morning Captain Groves, from the Salvage Association, went alongside with the master in a cart, between 3 and 4 a.m., and boarded the vessel. They sounded the main well and found 9 ins. of water, and in the after-peak 2 ft. The rudder was gone, and all steering gear, the sternpost twisted to port, and several rivets and butts started on the starboard side. The master and Captain Groves remained on board for about one hour, and then proceeded to Rye, where they procured a four-inch pump, and engaged the services of 16 fishermen to assist, and made arrangements with the "Lady Vita" tug, which had arrived from Dover, and the "Crusader" to tow the "Warwickshire" to London.

About 10 a.m. she was towed off, and after having slipped the 75 fathoms of cable, she proceeded, the "Lady Vita" being ahead, and the "Crusader" astern for the purpose of steering her; but it appears they had great difficulty in so doing, the "Crusader's" ropes constantly breaking and being made fast again. When off Dungeness, Mr. George Bell, Trinity House pilot, took charge. At about 6.30 p.m. of the 30th, South Foreland Lights bore North, distant about 4 miles. The "Lady Vita" broke her sheer and had to slip the hawser; the ship was then anchored in 15 fathoms of water, with 75 fathoms of chain outside the hawser. The "Lady Vita" then went alongside for orders, when the master was told to proceed to Dover to procure hawsers and a pump, as the one they got at Rye was useless, and they were told to send off the lifeboat. She returned between 10 and 11 p.m., towing the lifeboat; and the master of the "Warwickshire" asked the crew of the lifeboat to remain by the ship, which they refused to do. Some of the crew then wished to leave, and permission was given for them to do so. The lifeboat was got alongside, and the men commenced to jump into her. One of the able seamen—Arthur Swanson—in jumping struck the gunwale of the boat and fell overboard. A rope was thrown to him which he reached, and he was pulled up close to the rail, so near that the master caught hold of his sleeve, when he slipped and again fell into the water. He had a life-belt on, a life-buoy was thrown to him, and the lifeboat went astern to search for him, but he was not seen again. About one-half of the crew left in the lifeboat; those remaining continued to work the pumps. At 1.0 a.m. of the 31st the tug "Granville" came off to them and remained until daylight, and as the "Lady Vita" and the "Crusader" had not returned, the master held a consultation with Captain Groves and the pilot, and they decided to leave the vessel and land at Dover to procure more assistance and pumping gear, which was done; and having procured the pump, &c., at 1.0 p.m. they proceeded in the "Granville" in search of the "Warwickshire," the crew of the lifeboat having informed them that she was missing. They communicated with the different light-vessels as they passed them, and ultimately found her near the "Tongue" Light-vessel, in tow of the tugs "Anglia" and "Robert Bruce." The master, chief officer, and steward, and Captain Groves boarded her and proceeded to the Tilbury Docks, where they arrived on the first day of January 1892.

These were the facts of the case, and on the conclusion of the evidence Mr. Butler Aspinall, on behalf of the Board of Trade, put to the Court the following questions:—

1a. What compasses had the vessel on board, where were they placed, and were they sufficient for the safe navigation of the ship?

1. Whether safe and proper courses were set and made good at and after 8.45 p.m. 27th December, and whether due and proper allowance was made for tide, currents, and leeway?

2. Whether proper measures were taken to ascertain and verify the position of the vessel at noon of the 28th December, and from time to time thereafter?

3. Whether the second officer was justified in neglecting to report to the master the sounding obtained at 4 p.m. of the 28th December?

4. Whether the chief officer was justified in keeping the vessel heading to the N.N.W., having regard to the sounding obtained at 4 p.m.?

5. Whether the master was on deck at a time when the safety of the vessel required his personal supervision?

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

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

8. What was the cause of the stranding of the vessel?

9. What was the nature of the damage sustained by the vessel through stranding?

10. What were the circumstances in which Swanson, A.B., was drowned, and was every effort made to render him assistance?

11. Was the vessel prematurely abandoned?

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

Mr. J. P. Aspinall and Mr. B. Aspinall then respectively addressed the Court, and judgment was given as follows:—

1a. There were two compasses, a standard compass on the mizen mast, about 20 ft. above the deck, and a steering compass. They were sufficient for the safe navigation of the ship.

1. The ship was steering by the wind after 8.45 p.m. on 27th December. Proper allowance was not made for tide and leeway.

2. No measures were taken to ascertain and verify the position of the vessel at noon of the 28th December. In consequence of the state of the weather, it was not possible to take observations then for latitude.

A cast of the lead was taken at 4 p.m. by the chief officer.

3. The second officer was justified in not reporting to the master the sounding obtained at about 4 p.m. of the 28th December, as the chief officer was in charge of the ship when the cast of the lead was taken.

4. The chief officer ought to have at once reported to the master the soundings taken at about 4 p.m. Having failed to do this, he was not justified in keeping the vessel heading to the N.N.W.

5. The master was justified in leaving the deck at the time he did, and he appears to have returned to the deck within a reasonable time after he was called.

6. A good and proper look-out was kept.

7. The vessel was not navigated with proper and seamanlike care.

8. The cause of the stranding of the vessel was that the master failed to keep a correct dead reckoning, and that the chief mate failed to inform the master immediately on his getting a sounding of 10 fathoms.

9. The vessel sustained very serious damage to her bottom, the sternpost was started, and the rudder and the steering gear were carried away.

10. Swanson, A.B., in jumping from the vessel into the Dover lifeboat, struck the gunwale of the lifeboat and fell in the sea.

A line was thrown to him from the vessel, which he got hold of, but when close up to the rail he lost his hold and fell back in the sea. Every effort was made to render him assistance.

11. The master committed an error of judgment in leaving the vessel at the time when he did.

12. The master is not in default, but the Court considers he committed serious errors of judgment in the navigation of the vessel. The chief officer is not in default, but the Court considers that he committed a grave error of judgment in not calling the master on getting the sounding of 10 fathoms. The second officer is not in default.

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

We concur.

(Signed) HENRY KNOX,
Captain, R.N.,
JOHN S. CASTLE,
ANDREW CUNINGHAME, } Assessors.