

(No. 5432.)

“ONYX.”

The Merchant Shipping Act, 1894.

IN the matter of a formal Investigation held at Westminster Town Hall, on the 17th and 18th days of November 1896, before R. H. B. MARSHAM, Esquire, assisted by Captains RONALDSON and BRAGG, and Admiral LLOYD, C.B., into the circumstances attending the casualty to the British sailing ship “ONYX,” whereby loss of life ensued, and into the circumstances attending the stranding of the said ship at Chapel St. Leonards, Lincolnshire, on the 16th of October 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 loss of life was probably due to the swamping of the lifeboat of the “Onyx,” and the damage to the “Onyx” to her stranding on the beach near Chapel St. Leonards coastguard station, Lincolnshire, after she was abandoned by her crew.

Dated this 19th day of November 1896.

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

We concur in the above report.

(Signed) A. RONALDSON,  
J. THRELFALL BRAGG,  
RODNEY M. LLOYD, } Assessors.  
R. Admiral,

Annex to Report.

This inquiry was held at the Town Hall, Westminster, on the 17th and 18th days of November 1896, Dr. Ginsburg appearing on behalf of the Board of Trade, whilst Dr. Raikes, Q.C., with whom was Mr. Kilburn, appeared on behalf of the owners of the “Onyx” and the “Samuel Laing,” and also the master and officers of the last-named vessel.

The “Onyx,” official No. 104,794, is a British vessel built of steel at Jarrow-on-Tyne in 1894, by Palmer’s Shipbuilding and Iron Company, and is registered at the port of London.

Her dimensions are: Length, 125 ft; breadth, 21.15 ft.; and depth of hold, 9.25 ft.; her registered tonnage being 196.68 tons, and gross tonnage 238.61 tons.

She was jury-rigged with two masts and lug-sails, also a square-sail forward, and one stay-sail on each mast.

She was owned by Mr. Henry Gamman, of 52, Mark Lane, London, E.C., he also being the managing owner.

She has three bulkheads, her decks are steel, and she was sheathed with wood on the bottom. The cargo hatch was 72 ft. long by 16 ft. wide, with steel coamings 2 ft. 3 in. in height. The hatches were of wood, 2½ in. thick, and were so fitted that they could be properly and efficiently secured from moving, the tarpaulin being secured in the usual manner.

She had a raised fore-castle, on which were fitted bollards and compressor for securing the tow-rope. She had a raised quarter-deck, on which was the wheel-house, which was built of steel, half of it being above the level of the deck and half below it, and its top so constructed that it could be opened or closed as required. On the fore-part there were two bull’s-eyes.

The accommodation for the crew was under the raised quarter-deck, in communication with the wheel-house. She had one lifeboat, and one jolly boat, two lifebuoys, and four lifebelts, in accordance with the Act of Parliament.

She had no bulwarks, but iron rails, supported by iron stanchions 2 ft. 2 in. in height, round the vessel.

The “Onyx” was one of a fleet of lighters built for the purpose of carrying cargoes from and to the north-

east ports and the Thames, and to be towed from port to port. She had no propelling power, the sails being intended to be used merely for the purpose of keeping her steady whilst in tow, or for the purpose of manœuvring in the event of the tow-rope breaking.

All the masters of these lighters have received notice from the owners warning them not to take their lighters to sea when they considered the weather to be threatening.

The “Onyx,” having loaded a cargo of 340 tons of chalk in the river Thames, and bound for Hull, drawing 8 ft. 3 in. aft, and about 7 ft. 10 in. forward, with a crew of four hands, was towed to the Nora by a tug, where she was picked up by the screw collier “Samuel Laing,” of London, on the 11th October at 1.45 p.m.

The “Samuel Laing” was built at Jarrow in 1854, her gross tonnage being 563 tons, and net tonnage 373 tons, with engines of 70 horse-power. She was stated to have had new engines and boilers in 1875. She was in water ballast, with some 148 tons on board; she drew 11 ft. 6 in. aft, and 6 ft. 6 in. forward. She was fitted with a hook, about 6 ft. abaft the mizen-mast, for towing purposes, and there was a steel spring to ease the strain when towing. The rail aft was covered with bullock’s hide to prevent the hawser chafing; and it was owing, the master stated, to these fittings that the vessel could carry a mizen.

She had towed these lighters before, seventeen trips up and fifteen trips down. The tow-rope was given from the “Onyx” to the steamer; it consisted of about 35 fathoms of steel-wire rope and 35 fathoms of manilla.

There was a light breeze from the N.W. All appears to have gone well until the time when the vessels arrived off the Dudgeon Light-vessel, when the wind chopped round to the N.E. About 6 a.m. of the 12th October the wind had increased to a gale, and at 7 a.m. the vessels bore up for Yarmouth Roads. The master stated that there was not much sea on then, and that the “Onyx” was steering sometimes well, at other times badly.

On nearing the Roads the steamer was stopped for the purpose of shortening the tow-rope, and on going ahead the wire rope parted close to the “Onyx,” on which the lighter rounded to and let go her anchor. The steamer was obliged to go ahead for some time for the purpose of getting the hawser in, lest it should foul the propeller.

On Thursday, the 15th October, the weather having moderated—the barometer high, and a light southerly air—the “Onyx” was again taken in tow, at about 1.45 p.m. When nearly up to the Dudgeon Light-vessel, about 5 a.m., the wind again went round to the N.E. The swell of the late gale had not quite gone down; the gale returned. The “Samuel Laing” made very little way, and, owing to the force of the wind, could not keep her course of N. by W., falling off to N.W. by W., and only coming to N.W. by N., the “Onyx” keeping on her starboard quarter. The gale from the N.E. blew the steamer’s bow off through its being so high out of the water. The sea ran over the vessel, and twisted the keel of the jolly boat out of her, which was on chocks and on deck.

About 7 a.m. the master seems to have had a consultation with his mate and boatswain, when, finding that both vessels were drifting bodily on to the coast of Lincolnshire, and that they could not make headway, they determined to cast the “Onyx” off, she appearing to make better weather than their own vessel. They now therefore gave, in accordance with the fleet’s code of signals—which, however, the master said had not been before used—six short blasts with their steam whistle, signifying, “I am letting you go!” the hook was knocked up, and the hawser slipped. The Inner Dowsing Light-vessel was at this time believed to be bearing about S.W., distant 2½ miles; the weather was thick with rain and mist. When the signal was given, three of the crew of the “Onyx” were seen to come up from below, and one to wave his hands. Then they were observed to go forward and to set the fore stay-sail. The sea, according to the master’s statement, did not break over the “Onyx,” and he thought she would run before the wind and get up into the Wash for shelter.

The steamer came up about a point more, and could make little or no way. Eventually the master was

obliged to wear her round on the off-shore tack and arrived off the Spurn at 3 a.m. on the morning of the 17th, and at Hull about 11 a.m., when on reporting that he had cast off the "Onyx" he was informed that she had drifted ashore.

The only evidence we had in regard to this was the following:—

About 2 p.m. of the 16th October the coastguard at the Chapel St. Leonard Station saw what proved to be the "Onyx" drifting before the gale, about one mile N.E. from their station. They watched it with their glasses, and warned the lifeboat people. She appeared to be in good condition, with the hatches and tarpaulins on, and was taking no water on board. She had only her mizen staysail set, and there was a white light up on the stay. There was no appearance of anyone being on board; one boat was lashed aft to the deck; the davits on the port side were swung out; and the falls overhauled down as though the lifeboat had been put out.

At this time it was thick with rain, there was a north-easterly gale, and there was a heavy sea on.

The "Onyx" eventually struck very heavily, with her stern right abreast of their box, and the mizen-mast went overboard. She bumped heavily along the beach for about a quarter of a mile, when, the sea having washed the hatches off, she filled with water. It was then high water, and at low water, about 9 p.m., the coastguard examined her, when they found that she was full of water, and had the wheel-house door open.

The coastguard men that gave evidence expressed their opinion that had anyone been on board before she got into the breakers, and had let go her anchors, she would have ridden the gale out.

The lifeboat was subsequently found on the beach near Burnham in Norfolk, and a body, identified to be the master's, Mr. Edward Watson, was found at Burncaster; but the remains of the mate, H. Seddon, of A. Johnson, and of Alfred Brooks have not been recovered.

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

1. Was any difficulty experienced in steering the "Onyx" when in tow, and if so, what was the cause of it?
2. Was the "Onyx" in good and seaworthy condition when she left the Thames on the 11th October last, and was any difficulty thereafter experienced in towing her?
3. Was the late master of the "Onyx" informed by the owners or their representative that he was not to proceed with the vessel to sea when the weather appeared to be threatening?
4. Was the "Samuel Laing" sufficiently ballasted and in proper trim for the voyage from the Thames to Hull, and in the opinion of the Court are ships of her class suitable vessels for the purpose of towing loaded lighters between British ports during the winter months?
5. Whether, having regard to the state of the weather at noon on the 15th October, the master of the "Samuel Laing" was justified in proceeding on the voyage from Yarmouth Roads to Hull with the "Onyx" in tow?
6. Whether, having regard to the state of the weather, to the direction of the wind, and the position of the vessels on the morning of the 16th October, the master of the "Samuel Laing" was justified in casting off the "Onyx"?
7. Did the master of the "Samuel Laing" make any attempt to follow or stand by the "Onyx," and, if not, was he justified in neglecting to make any such attempt?
8. Whether, on the morning of the 16th October, the master of the "Samuel Laing" made proper efforts to tow the "Onyx" into a sheltered position or otherwise to ensure the safety of that vessel and her crew?
9. What was the cause of the damage to or loss of the "Onyx" and loss of life?

10. Whether serious damage to or loss of the "Onyx" and loss of life was caused by the wrongful act or default of the master and officers of the "Samuel Laing," or either of them?

Dr. Raikes and Dr. Ginsburg then respectively addressed the Court, and judgment was given as follows:—

1. According to the evidence there was no difficulty experienced in steering the "Onyx" when in tow.
  2. The "Onyx" was in good and seaworthy condition when she left the Thames on the 11th October last. Difficulty was thereafter experienced in towing her.
  3. The late master of the "Onyx" was informed by the owners' representative that he was not to proceed with the vessel to sea when the weather appeared to be threatening.
  4. In view of the many previous voyages made by the "Samuel Laing" under similar conditions of ballast and trim, the Court is of opinion that, had she not been going to tow the "Onyx," she was sufficiently ballasted and in proper trim; but the Court considers that vessels of her class are quite unsuitable for towing loaded lighters between British ports during winter months, from not having sufficient engine power.
  5. Having regard to the state of the weather at noon on the 15th October, the master of the "Samuel Laing" was, under all the circumstances, justified in proceeding on the voyage from Yarmouth Roads to Hull with the "Onyx" in tow.
  6. Having regard to the state of the weather, to the direction of the wind, and to the fact that the "Onyx" was hampering the steamer, and that both vessels were driving dead on to a lee-shore, the master of the "Samuel Laing" was justified in casting off the "Onyx."
  7. The master of the "Samuel Laing" made no attempt to stand by the "Onyx," and he was not justified in neglecting to make any attempt whatever.
  8. On the morning of the 16th October the master of the "Samuel Laing" made no attempts to tow the "Onyx" into a sheltered position, or otherwise to ensure the safety of that vessel and her crew.
  9. There was no evidence how the loss of life occurred, but the Court thinks it probable that shortly after the "Onyx" had been cast off, two miles N.E. of the Inner Dowsing Light-vessel, the crew, believing themselves to be in danger, launched and got into their lifeboat, which was subsequently swamped and came ashore at Burnham, in Norfolk.
- The Court thinks it right to add that in their opinion there would have been no loss of life if the crew had remained on board the "Onyx." Serious damage to the "Onyx" was caused after she was abandoned by the crew, by driving ashore and bumping on the sands near Chapel St. Leonards coastguard station.
10. Neither the serious damage to the "Onyx" nor the loss of life was caused by the wrongful act or default of the master and officers of the "Samuel Laing," or of either of them; but great blame attaches to the master of the "Samuel Laing" for leaving the "Onyx" without satisfying himself that the "Onyx" did not further require his attendance, and for not taking any steps to ensure the safety of the crew. No blame attaches to any other officer of the "Samuel Laing."

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

We concur.

(Signed) A. RONALDSON,  
J. THRELFALL BRAGG, } Assessors.  
RODNEY M. LLOYD,  
R. Admiral, }

(Issued in London by the Board of Trade on the 3rd day of December 1896.)

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