

(No. 5506.)

"ORCHIS" (S.S.) and a Boat.

The Merchant Shipping Act, 1894.

In the matter of a formal Investigation held at Westminster Town Hall on the 25th and 26th days of March 1897, before R. H. B. MARSHAM, Esquire, assisted by Captains RONALDSON, KIDDLE, R.N., and HUGHES, into the circumstances attending the collision between the British steamship "ORCHIS," and a boat belonging to the French man-of-war "DÉVASTATION," off Smyrna, on the 2nd day of January 1897, 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 casualty and the consequent loss of life was that the s.s. "Orchis" did not comply with Article 17 of the Regulations for Preventing Collisions at Sea, inasmuch as she did not keep out of the way of a sailing ship, namely, the said boat belonging to the French man-of-war "Dévastation."

The Court finds the master of the "Orchis," Mr. George Gordon King, in default, and suspends his certificate for the space of six months.

Dated this 30th day of March 1897.

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

We concur in the above report.

(Signed) A. RONALDSON, }
JAMES KIDDLE, } Assessors.
E. M. HUGHES, }

Annex to the Report.

This inquiry was held at the Town Hall, Westminster, on the 25th and 26th days of March 1897, when the Hon. A. Lytton appeared on behalf of the Board of Trade, Mr. Nelson on behalf of the master of the "Orchis," and Mr. Roberts on behalf of the owners of that vessel.

Mr. Gabriel Astoul, acting legal adviser to the French Embassy, was present during the proceedings.

The "Orchis," official number 63,327, is an iron screw steamer, built by J. G. Lawrie, of White Inch, near Glasgow, in 1871. Her dimensions are:—Length, 280'3 ft.; breadth, 33'8 ft.; and depth of hold, 24'9 ft. Her gross tonnage is 1765'41 tons, and her registered tonnage 1138'01 tons, and she is fitted with two compound vertical direct-acting engines of 200 horsepower combined.

She is owned by Mr. William George Westcott, of 9, Fenchurch Street, London, and others, Mr. William George Westcott being the managing owner, and she is registered at the port of Liverpool.

She had four boats, three of which were lifeboats; six lifebuoys, four being on the bridge and two aft, and all the life-saving appliances required by the Act of Parliament.

On the 2nd January last, at 4.15 p.m., the wind being strong from the N.N.E., the "Orchis" left Smyrna, bound for Odessa, under the command of Mr. George Gordon King, holding a master's certificate, No. 13,078, and who had a crew of 22 all told. She was drawing 12'10 ft. forward and 17'6 ft. aft, and was in charge of a pilot, who left her at 4.29 p.m. just inside the pierheads.

Before going out the master blew a long blast with the steam whistle; she then proceeded at half speed (at 4.30 p.m.) and full speed (at 4.31 p.m.), passing out at 4.32 p.m. At 4.33 p.m. she was again put at half speed.

Outside the pierheads there were some ten men-of-war anchored in two lines, being about 400 yards broad, while immediately outside the entrance was a torpedo boat, to pass under whose stern the master of the

"Orchis" said he starboarded the helm, after which he said he ported until the head of his vessel was about N. by E. or N.N.E., when he steadied. An American man-of-war, the "Cincinnati," and a French man-of-war, the "Dévastation," which was about 450 yards ahead of the "Cincinnati," were on the port side of the passage between the ships, while an Italian man-of-war was on the starboard side of the passage and abreast of the "Dévastation."

Just about the time that the "Orchis" quitted the pierhead, the French admiral's barge, under sail with 17 men in her, left the "Dévastation" for the purpose of taking up the admiral at the landing place to the northward of the entrance to the harbour, but was unobserved by the master of the "Orchis" until, as he stated, she shot out clear of the "Cincinnati," heading to the eastward and about three or four points on his port bow, distant about 150 to 200 yards.

The master states he then ported a little and put the engines, which were still going half speed, at full speed in order to give the "Orchis" better steerage way, and also to clear the barge. He further states that at this time he blew one blast of his whistle to signify he was porting, being under the impression that the barge would pass on his port side. This blast was, however, not heard by the first lieutenant of the "Dévastation," M. de Fleury, who was ashore on the pierhead carefully watching both the "Orchis" and the admiral's barge, as he judged from the way they were approaching one another that a collision was inevitable. No whistle was, in fact, heard by this gentleman until the moment of the collision.

Monsieur Auguste Piet (second maitre de manœuvre), the coxswain of the barge, stated to the Court that on leaving the "Dévastation" he had a mainsail and foresail up, with a reef in each sail, and was on the port tack, standing in to the shore; that there were two men forward on the look-out, but that nothing was reported to him until the barge was within ten yards of the "Orchis," when one of the two men reported a steamer ahead. Lifting the sail up, M. Piet perceived the "Orchis," and immediately afterwards the collision occurred, the steamer striking the barge amidships on her starboard side, cutting her in half and throwing all the men in her into the water.

Steering on the weather-side, the sails prevented the coxswain seeing the "Orchis," which was to leeward.

The master of the "Orchis" stopped his engines some thirty seconds before the collision (which was at 4.39 p.m.), he did not reverse them because (as he stated) seeing a man in the water, who he and other witnesses from the "Orchis" declared had jumped overboard just before the collision, he thought the propeller might injure him.

The mate of the "Orchis," with the crew, were up to this time busy on the fore-castle with the anchor, fishing it.

The carpenter, hearing the whistle, looked up and saw the barge on the port bow, half the ship's length off. He reported this to the mate, adding that there would be a collision, whereupon the mate hailed the barge, but received no answer. Immediately afterwards the steamer was on the top of the barge, when ropes were thrown over the bows, but no boat was lowered.

It is quite clear from the evidence that had the master of the "Orchis" starboarded but very little instead of porting, he would have gone clean astern of the barge. The "Orchis," being on the starboard side of the passage, there was plenty of room to do this, otherwise the master should have stopped and let the barge cross his bow.

After the collision the master of the "Orchis" stated he stopped about three minutes, when, fearing he should drift across the ram of the "Dévastation," he put the engines full speed ahead, then, seeing some of the men-of-war's boats going to the assistance of the men in the water, he proceeded on his voyage.

Thirteen of the men in the barge were rescued by the boats from the men-of-war; the remaining four were unfortunately drowned, M. Piet expressing an opinion that as three of them were good swimmers they must have been stunned by the force of the collision.

The Court begs to thank the French Government for having directed the two French officers above-mentioned to attend and give evidence at the inquiry.

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

1. What number of boats had the "Orchis," and were they so kept as to be at all times fit and ready for use? What number of lifebuoys were on board, and where were they carried?

2. Was it necessary for the master of the "Orchis" to pass through the channel between the warships at anchor after leaving Smyrna Harbour on the 2nd January last? Was it advisable or proper for the vessel to be navigated on the starboard side of such channel, and, if so, was she so navigated?

3. Whether on the afternoon of the 2nd January last, when the "Orchis" was approaching a sailing ship or boat belonging to the "Dévastation" off Smyrna Harbour, proper measures were taken by the master of the "Orchis" to keep out of her way, in accordance with Article 17 of the Regulations for Preventing Collisions at Sea?

4. Whether, when approaching the said ship or boat so as to involve risk of collision, the speed of the "Orchis" was slackened, and were her engines stopped and reversed?

5. Was a good and proper look-out kept on board the "Orchis"?

6. What was the cause of the casualty and loss of life?

7. Was the "Orchis" navigated with proper and seamanlike care?

8. Was the casualty to the "Orchis" and loss of life caused by the wrongful act or default of the master and chief officer of that vessel, or of either of them?

Mr. Roberts, Mr. Nelson, and the Hon. A. Lyttleton then respectively addressed the Court, and judgment was given as follows:—

1. The "Orchis" had four boats, three of which were lifeboats. They were so kept as to be at all times fit and ready for use. She had six lifebuoys on board, four being on the bridge, two aft.

2. It was not necessary for the master of the "Orchis" to pass through the channel between the warships at anchor after leaving Smyrna Harbour on the 2nd January last, but the Court thinks that no blame attaches to the master for having done so. The "Orchis" was navigated between the lines of men-of-war and nearer to those on the starboard side, which

being to windward, the Court thinks this a prudent course.

3. On the afternoon of the 2nd January last, when the "Orchis" was approaching the sailing-ship or boat belonging to the "Dévastation" off Smyrna Harbour, proper measures were not taken by the master of the "Orchis" to keep out of her way, in accordance with Article 17 of the Regulations for Preventing Collisions at Sea.

4. When approaching the said ship or boat so as to involve risk of collision the speed of the "Orchis" was increased, the master stating that he put the engines to full speed with the view of clearing the ship or boat and getting more steerage way.

He further stated that he did not stop the engines till about 20 or 30 seconds before the collision, and that he did not reverse the engines because he was afraid of his propeller striking a man whom he saw in the water.

5. A good and proper look-out was not kept on board the "Orchis," inasmuch as no one was placed forward with that special object.

6. The cause of the casualty, and the consequent loss of life, was that the s.s. "Orchis" did not comply with Article 17 of the Regulations for Preventing Collisions at Sea, inasmuch as she did not keep out of the way of the sailing-ship.

The Court is also of opinion that if the "Orchis" had been reported earlier to the officer in charge of the sailing-ship he might possibly have taken some steps to avoid the collision.

7. The "Orchis" was not navigated with proper and seamanlike care.

8. The casualty to the "Orchis," and the consequent loss of life, were caused by the default of the master of that vessel, Mr. George Gordon King, and the Court suspends his certificate for six months.

The chief officer is not in default.

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

We concur.

(Signed) A. RONALDSON, }
JAMES KIDDLE, } Assessors.
E. M. HUGHES, }

(Issued in London by the Board of Trade on the 8th day of April 1897.)

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