(No. 5903.)

"VIOLANTE" (S.S.).

The Merchant Shipping Act, 1894.

In the matter of a formal investigation, held at Aberdeen, on the 9th and 12th days of June, 1899, before Sheriff Burnet, assisted by Captains Absolom Anderson and George Richardson, into the circumstances attending the stranding of the British steamship "Violante," of Aberdeen, about half a mile South of Souter Lighthouse, County Durham, on the 24th May, 1899.

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 master continuing at full speed in densely thick weather on an improper course, and failing to use the lead. The Court finds the master, Peter Smith, in default, and suspends his certificate (No. 013,043) for nine months from this date; but on the application of Mr. Aitken, the Court recommends that the master be granted a mate's certificate during the term of his suspension. The Court makes no order as to costs.

Dated this twelfth day of June, 1899.

Geo. Wardlaw Burnet, Judge.

We concur in the above report.

Absm. Anderson,
George Richardson, } Assessors.

Annex to the Report.

This inquiry was held in the Court House, at Aberdeen, on the above-mentioned days, when Mr. Henry Peterkin, solicitor, appeared for the Board of Trade, and Mr. G. M. Aitken, solicitor, appeared for the master. The chief and second officers were present, but were not represented by either counsel or agent.

The "Violante" (Official number 86,496) was a British screw steamer, built of iron, at Chepstow, in the year 1883, by Messrs. Edward Finch and Company, Limited. Her dimensions, as per register, were:—Length, 199·3 ft.; breadth, 30 ft.; and depth in hold from tonnage deck to ceiling at midships, 15·2 ft. She was fitted with two inverted compound surface condensing engines of 80 horse power combined. Her gross tonnage was 863·01, and after deducting 308·23 for engine room and crew space, her registered tonnage was 554·78 tons. She had three compasses and the necessary boats and life-saving appliances in accordance with the Statute. At the time of the stranding, which forms the subject of this investigation, the "Violante" was the property of Messrs. James and Alexander Davidson and Mr. John C. Bennett; Mr. Alexander Davidson, of Aberdeen, being the duly appointed managing owner.

The "Violante" left Aberdeen in water-ballast on the 23rd day of May last, at noon, bound for Sunderland, her draught of water being 6 ft. forward, and 11 ft. aft. Her crew consisted of fourteen hands all told, and was under the command of Mr. Peter Smith, who held a certificate of Competency, number 013,043. At the time of leaving, the weather was clear, with a fresh wind from the S.E. and a moderate swell. The vessel appears to have been in good order and well found in every respect. At about 1 p.m., Girdleness was passed, whereupon a S. ¼ W. course was set and steered by the wheelhouse compass, upon which there was a ¼ of a point westerly deviation. After allowing this and ¾ of a point for wind and sea on the port bow the master informed the Court that he estimated the vessel was making a S. ¾ W. course magnetic. The patent log at this time was streamed, the engines going at full speed, and the vessel making about 9 knots per hour. At 11.50 p.m. the Longstone Light was abeam at an estimated distance of three miles. The weather at this time was still clear with a light breeze from the eastward, the patent log shewing a run of 94½ miles from Girdleness. At midnight the second officer relieved the chief officer, who was told by the latter to steer the same course, viz., S. ¼ W., and pointed out to him the Longstone Light, which was then on the starboard quarter. At about 1 a.m. of the 24th May, the master who had been on deck went below, leaving instructions with the second officer to be called if the weather came on thick. The weather shortly after this appears to have come on hazy, but at 1.50 a.m. the Coquet Light was seen by the second officer about two points before the beam and continued in sight until it was abeam, when he estimated that it was about four miles off. The log at this time showed a run of 110 miles. Shortly after 2 a.m. a dense fog set in, whereupon the whistle was sounded, and at 2.20 a.m. the second officer called the master, who at once came on deck and was told by the second officer the time and the estimated distance at which the Coquet Light was passed. The master remained on deck and admitted that he found the weather densely thick, so much so that he could see only about one ship's length, yet the speed of the vessel was never reduced, and the engines were kept at full speed. The S. ¼ W. course was still continued, and at about 4 a.m. the master stated it still remained densely thick. He heard the fog signal at Souter Point and thereupon altered the course for the first time to S. ½ W. Shortly after this, viz., about 4.5 a.m., he saw a boat not quite one ship's length off on the starboard bow. He hailed it and asked how far off Souter Point was? the reply was about one and a half miles. The master stated that this reply and the indistinct way in which he heard the Souter fog-signal confirmed him in the opinion which he had formed as to the position of the vessel: and that he at once altered the course to S.S.W. The engines were still kept at full speed, the weather continued densely thick, and the lead, which in this instance particularly would have been an excellent guide, was never used. Shortly after speaking the boat, viz., at about 4.10 a.m., breakers were seen, and reported ahead and on the starboard bow. The master immediately ordered the helm hard-a-starboard and the engines full speed astern, but before the way could be taken off the vessel she struck the rocks about half a mile South of Souter, the tide at the time being nearly half ebb. A boat came alongside (whether it was the one previously spoken does not appear) and was engaged to run out an anchor and hawser, which was done, and hove upon, and the water ballast was pumped out. The tide, however, continued to fall and all efforts were suspended until the next flood tide. In the meantime the engines were stopped and one of the ships's boats was lowered and manned by the chief officer and two men, who proceeded to Sunderland for assistance. Two tugs were engaged and proceeded to the wreck, but owing to the sea having risen on the flood tide, they were unable to get fast to the "Violante," which thereupon drove further in towards the shore. At mid-day the sea was increasing, and the master finding it dangerous to stay any longer on board decided to leave the ship. He and the crew thereupon left by the rocket apparatus and were in due course all safely landed. The Court was informed that the vessel has since become a total wreck.

It will be noticed in the answers appended that the Court have characterised the navigation of this vessel as reckless and negligent.

It was reckless to keep the vessel at full speed for fully two hours in a densely thick fog, and especially to do so at the time of passing the entrance to the Tyne, where incoming and outgoing vessels were likely to be met on a course at about right angles to the course of the "Violante." The only excuse the master offered for such conduct was, that he was anxious to save the tide into Sunderland. If this is so (and there seems no reason to doubt it) the Court are strongly of opinion that the practice which, in the experience of assessors in inquiries like the present, is now too common, of running vessels through crowded waters at top speed should, if possible, be stopped. It is not only his own vessel and the lives under his command that the master thus places in jeopardy, but lives often much more numerous and property of often much greater value upon other and larger ships. Fortunately, in this instance, the master ran clear of passing vessels, but the experience of the assessors of this Court in many similar

3119—180—6/99 Wt 99 D & S 1

investigations causes them to fear that the practice they disapprove is on the increase, and they think it right to say that, in their opinion, in the case of a coasting vessel like the present the mere suspension of the master's certificate is an insufficient deterrent.

Further, the master's conduct was negligent inasmuch as, while it was abundantly proved that the fog signal at Souter was heard some quarter of an hour before the stranding, he nevertheless altogether failed to use the lead. Had he taken one cast only after he heard the signal it would have clearly pointed out to him that he was much nearer the shore than he thought he was. The master candidly admitted there could be no two opinions about his duty in this respect, but for all that he pressed on in order to try and save water over the bar at Sunderland. He urged that, hearing the sound somewhat indistinctly he thought he was about one and half miles off. But it may be pointed out that the Board of Trade have for some time past issued repeated warnings to masters of the uncertainty which exists of defining the distance of a headland from the sound of signals alone during the prevalence of a fog. The fact is, that in the navigation of the "Violante" after 2 a.m. of the 24th of May, all safe and proper precautions were disregarded in order to reach and cross if possible Sunderland's bar before low water.

At the conclusion of the evidence the following questions were submitted on behalf of the Board of Trade for the opinion of the Court :—

1. What number of compasses had the vessel, were they in good order and sufficient for the safe navigation of the vessel, and when and by whom were they last adjusted ?

2. Did the master ascertain the deviation of his compasses by observation from time to time, were the errors correctly ascertained and the proper corrections to the courses applied ?

3. Were proper measures taken to ascertain and verify the position of the vessel at or about 11.50 p.m. of the 23rd May ? Was a safe and proper course thereafter steered, and was due and proper allowance made for tide and currents ?

4. Were proper measures taken at or about 2 a.m. of the 24th May and from time to time thereafter to ascertain and verify the position of the vessel ?

5. Was a safe and proper alteration made in the course at or about 4 or 4.10 a.m. of the 24th May, and was due and proper allowance made for tide and currents ?

6. Was the lead used after 2 a.m. of the 24th May, and if not, should it have been used ?

7. Was a good and proper look-out kept ?

8. What was the cause of the casualty ?

9. Was the vessel navigated with proper and seamanlike care ?

10. Was the serious damage to the s.s. "Violante" caused by the wrongful act or default of the master, chief and second officers or of any of them ?

Answers.

1. The vessel had three compasses—one on the upper bridge ; one in the wheelhouse ; and one aft. They were in good order and were sufficient for the safe navigation of the vessel. They were last adjusted on 7th September, 1898, by Messrs. Berry & Mackay, of Aberdeen, who supplied the master with deviation cards applicable to each compass.

2. The courses were set by the wheelhouse compass alone. The master relied solely upon it and the deviation card applicable to it, and did not test the deviation by observations from time to time or in any other way. He applied only the corrections indicated in the deviation card. He swore that he never saw anything to indicate that the deviations indicated by the card were wrong.

3. The course was set S. $\frac{1}{4}$ W. when the vessel was about one mile off Girdleness. At 11.50 p.m., on 23rd May, the assumed position of the vessel was about three miles off the Longstone Light. No measures of any kind were taken to verify the position of the vessel at that time. A safe and proper course was thereafter steered and due and proper allowance made for tide and currents up to 4 a.m. of 24th May, but not after that time.

4. No measures were taken at or about 2 a.m. of 24th May, and from time to time thereafter, to ascertain the approximate position of the vessel. Shortly before 2 a.m. the Coquet Light was passed and seen, but owing to the weather being hazy it was not visible long enough to enable a four-point bearing to be taken.

5. A safe and proper alteration was not made in the course at or about 4 a.m., when it was changed to S. $\frac{1}{2}$ W. Shortly after that, when it was altered to S.S.W., it became still more dangerous and improper. Due and proper allowance appears to have been made for the tide.

6. The lead was not used at any time during the voyage. After the weather came in thick it ought to have been used. The neglect to use it at 4 a.m., when the foghorn at Souter Point was heard, was, in the opinion of the Court, a very grave omission.

7. So far as the evidence shows, a good and proper look-out was kept throughout.

8. The casualty was caused by the master continuing at full speed, in densely thick weather, on an improper course, and failing to use the lead.

9. The Court are of opinion that the vessel was not navigated with proper and seamanlike care on the part of the master in respect that he failed to reduce the speed of the vessel after a thick fog had set in, and that he failed in his duty as a navigator in omitting to ascertain and verify the approximate position of the vessel by the use of the lead. The Court think it right to record their opinion that the navigation of the vessel after 3 a.m. of 24th May was both reckless and negligent.

10. The stranding and loss of the s.s. "Violante" was caused solely by the wrongful act and default of the master. The Court find the master, Peter Smith, in default accordingly and suspend his certificate for nine months.

GEO. WARDLAW BURNET, Judge.

ABSM. ANDERSON,
GEORGE RICHARDSON. } Assessors.

(*Issued in London by the Board of Trade on the 4th day of July*, 1899)