

(No. 6043.)

“R.M.” and “GOSFORTH” (S.S.).

The Merchant Shipping Act, 1894.

In the matter of a formal investigation held at the Moot Hall, Newcastle-upon-Tyne, on the 11th and 12th days of May, 1900, before WILLIAM ANGUS and WILLIAM COWELL, Esquires, two of Her Majesty's Justices of the Peace acting in and for the City and County of Newcastle-upon-Tyne, assisted by Captains CUNINGHAME and LOUITT and Rear-Admiral BOYES (Nautical Assessors), into the circumstances attending the collision between the British steamship “Gosforth,” of Newcastle, and the sailing ship “R. M.” in the River Tyne, on the 28th day of March, 1900.

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 collision, whereby loss of life occurred, was caused by the “Gosforth” taking a sudden sheer against her helm and running into the “R. M.,” which immediately sank. The Court finds the master, chief officer, and pilot of the “Gosforth” not in default, but censures the master, Christopher James Laws, for not leaving the anchor ready for immediate use and for leaving the bridge. The Court finds that no blame attaches to the “R. M.”

Dated this 12th day of May, 1900.

WM. ANGUS, }
WM. COWELL, } Judges.

We concur in the above Report.

ANDW. CUNINGHAME, }
W. H. SINCLAIR LOUITT, } Assessors.
G. T. H. BOYES, }

Annex to Report.

This was an inquiry into the circumstances attending the collision between the British steamship “Gosforth,” of Newcastle, and the wherry “R. M.,” whereby loss of life occurred, and was held at the Moot Hall, Newcastle-upon-Tyne, on the 11th and 12th days of May, 1900, before William Angus and William Cowell, Esquires, assisted by Captains A. Cuninghame and W. Sinclair Loutit and Rear-Admiral G. T. H. Boyes (Nautical Assessors).

Mr. Burton appeared for the Board of Trade, Mr. Temperley represented the owners and master of the “Gosforth,” Mr. Charlesworth the owners and survivor of the crew of the “R. M.,” the chief officer of the “Gosforth” and the pilot appearing in person.

The “Gosforth,” of Newcastle, official number 106,642, was a steel screw steamship, built at Bill Quay-on-Tyne, in the year 1898, by Messrs. Wood, Skinner & Co., Limited, and was of the following dimensions:—length, 220 ft.; breadth, 33·1 ft.; and depth in hold, 14·3 ft. She was schooner-rigged, fitted with triple-expansion inverted engines of 120 N.H.P., constructed by the North-Eastern Marine Engineering Company, Limited, of Wallsend-on-Tyne, in the year 1898. She was of 1051·33 gross and 661·59 nett registered tonnage, and owned by “The Burnett S.S. Co., Limited, and others whose names appear in the transcript of the vessel's register, Messrs. John Walter Burnett and Norman Burnett, both of Newcastle-upon-Tyne, being appointed managing owners on the 12th February, 1900. She was, on the voyage in question, in good condition and well found, fitted with lifebelts and life-saving appliances in accordance with the Act.

The “R. M.” was a clinker built wherry of the type familiar on the Tyne. Her length was about 60 ft. overall, her breadth about 20 ft., and depth from keelson to

underside of deck, about 7 ft. She had a carrying capacity of about 92 tons, and a registered capacity of about 42 tons. She was of extra strength to enable her to carry heavy material.

She had a hatchway 26 ft. 6 ins. long by 18 ft. 6 ins. forward and 17 ft. aft. There was a cabin in the fore part, with a hatchway 18 ins. square, for spare ropes, &c. In the after part was a “huddock,” or cabin, for the accommodation of the crew, which consisted of two men. This was 12 ft. long and 16 ft. in breadth forward, tapering away aft, and two lifebelts were kept there.

On the 28th of March last, the day of the casualty, the “R. M.” lay moored with ropes to Messrs. Swan & Hunter's wharf at Wallsend, on the north side of the Tyne. She was close up against the wharf and was nearly shut in by other craft lying either moored or at anchor. Her crew consisted of John Henderson and Thomas Forster, and they turned-in to sleep in the “huddock,” over which was a loose hatch, about 7 p.m. Henderson lay on the starboard side and Forster on the port side. The “R. M.” carried no lights, nor were any necessary under the Tyne Port Regulations, as she was not a vessel at anchor, nor the outside of a tier of vessels moored, nor had the Harbour Master, as he had a discretion to do, left any notice requiring her for the safe navigation of the river to exhibit a light. In fact she was out of the river traffic altogether, close up, as already stated, to the north bank of the river.

The “Gosforth” left Pelaw Main, on the south side of the river, at 8.30 p.m. of the 28th March, bound for London, with a crew of 16 hands all told, under the command of Mr. Christopher James Laws, who held a certificate of competency as master, No. 07697. She had a cargo of 1452 tons of coal, and her draught of water was, according to the master, 14 ft. forward and 15 ft. 11 ins. aft, and, according to the first officer, 14 ft. 6 ins. forward, and 15 ft. 10 ins. aft. As the official log was not produced, the Court had no means of verifying these figures. She was in charge of Mr. John Watson, an experienced Tyne pilot, who was engaged to take the vessel down the river to North Shields. The master had been in the “Gosforth” since she was built, and had had over 12 years' experience in small colliers in and out of the Tyne.

The weather was fine, calm, and clear, but dark, there being no moon, and the tide first quarter flood. In about 5 minutes after casting-off the master went below for the purpose, as he said, of filling up the pilot's certificate and the sailing telegram to his owners.

The pilot was alone on the bridge, the chief officer keeping a look-out on the fore-castle and John William Scenson, an A.B., who had been in the vessel since July last, at the wheel.

The “Gosforth” was steered by steam in a wheelhouse on the bridge, and it was stated that she was not a particularly good steering vessel. The engines were put “slow ahead,” and the vessel proceeded down the river on the south side of mid channel till abreast the Tyna Pontoons and Dry Dock Company's Works, when, for the purpose of rounding the bend, she was taken a little to the north of mid channel, there being at the time no craft coming up river.

The helm was then ported and the engines put half speed, in order to bring her back to the south side.

The pilot then found that instead of answering her helm she was paying off athwart the stream towards the north bank. He ordered the helm “a-port” and “hard a-port,” reversed the engines “full speed astern,” and sang out for the anchor to be let go. This last order was not executed, as the chief officer stated it could not be let go within a minute and a half. The vessel was at this time so near the north bank (the channel being only some 600 ft. wide) that it is extremely doubtful whether the letting go of the anchor would have enabled them to avoid the collision. The second officer called the master, who immediately came on the bridge, and found the ship athwart the river, heading to the north, and very close to the bank forward. He stated the engines were then going “full speed astern” and the helm was “hard a-port.”

Immediately afterwards the “Gosforth” struck the “R. M.,” which had not been seen; in fact, those on board the “Gosforth” imagined they had crashed into the wharf.

The "R. M." was practically cut in two, and immediately sank, carrying down the two men, one of whom, John Henderson, rose to the surface, and was rescued by the "Gosforth's" jolly boat, which had been promptly lowered. The body of the other unfortunate man, Thomas Forster, was discovered in the wreckage when the "R. M." was raised two days afterwards.

Every effort was made by the master and crew of the "Gosforth" at the time to find the other man, but their efforts proving unavailing, the vessel proceeded on her voyage.

The casualty was probably due to a combination of circumstances.

Possibly the "Gosforth" was nearer the north bank than the pilot imagined, and there may have been some little delay in carrying out his instructions.

It was contended, on behalf of the master, that he was relieved of all responsibility for the navigation of the vessel while she was in charge of the pilot. The Court was, of course, unable to adopt this view, being of opinion that the master was primarily responsible for the safety of his vessel, and should have been on the bridge so as to assist the pilot, whose undivided attention was required for the navigation of the vessel through the comparatively narrow channel of the river.

The Court, however, was unable to say that any further efforts could have been made to avoid the collision, and was consequently unable to fix the responsibility of the casualty upon any one individual.

The sudden sheer taken by the vessel was probably due to the flood tide catching her on her starboard bow and forcing her across the river, and, in the particular circumstances of place and tide, the trim of the vessel may possibly have contributed to that end. The Court desires to impress upon masters the necessity of being upon the bridge with the pilot while proceeding up and down the river, and of seeing that the anchor is ready for immediate use, in accordance with the Port Regulations.

At the conclusion of the evidence the following questions were submitted on behalf of the Board of Trade, Mr. Temperley and Mr. Charlesworth addressed the Court for their respective clients and Mr. Burton replied:—

(1.) Whether having regard to the position of the "R. M." about 8.30 p.m. on the 28th March last she was required to exhibit a light, and, if so, was a light exhibited from that vessel?

(2.) Whether after leaving Pelaw Main the "Gosforth" was navigated to the southward of mid channel, in accordance with Byelaw No. 19 of the Tyne Improvement Commissioners' Byelaws, and was she kept to the southward of mid channel on approaching Wallsend?

(3.) Was the "Gosforth's" anchor kept ready to be let go, in accordance with Byelaw No. 37 of the said Byelaws?

(4.) Was the "Gosforth" carefully navigated, and was a good and proper look-out kept?

(5.) What was the cause of the collision and loss of life?

(6.) Was the loss of the "R. M." and loss of life caused by the wrongful act or default of the master and chief

officer of the "Gosforth," or either of them, or was it caused by the neglect of the pilot of that vessel or of the master of the "R. M."

To which the Court replied as follows:—

(1.) At 8.30 p.m., on the 28th March last, the "R. M." lay moored to the wharf off Messrs. Swan and Hunter's yard, at Wallsend-on-Tyne. She was not required by the Tyne Improvement Commission Byelaws, for the regulation of the Port, to exhibit a light.

(2.) There was no infringement by the "Gosforth" of Byelaw No. 19 of the Tyne Improvement Commission Byelaws. She was, after leaving Pelaw Main, navigated to the southward of mid channel except when rounding the bend, on approaching Wallsend, when she was navigated slightly to the northward of mid channel in accordance with the usual custom, there being at the time no craft proceeding up river.

(3.) In the opinion of the Court the "Gosforth's" anchor was not kept ready to be let go in the event of emergency in accordance with Byelaw No. 37 of the said Byelaws.

(4.) A good and proper look-out was kept. The master went below soon after leaving Pelaw Main, leaving the pilot alone on the bridge. While the Court is emphatically of opinion that the master should have been on the bridge with the pilot it is not prepared to say that the "Gosforth" was improperly navigated.

(5.) The collision was caused by the "Gosforth" taking a sudden sheer against her helm and running into the "R. M.," which was moored on the opposite shore, and immediately sank carrying down the two men who were asleep on board. One, John Henderson, was rescued by the "Gosforth's" jolly boat, which was immediately lowered, but the other, Thomas Forster, was drowned, his body not being recovered till the "R. M." was raised two days afterwards. In the opinion of the Court the sudden sheer was due to the flood tide catching the "Gosforth" on her starboard bow as she came round the bend of the river. Possibly this tendency to sheer may have been accentuated by the vessel being considerably by the stern. Whether the collision could have been avoided, even if the anchor had been let go, when the pilot so ordered, is doubtful.

(6.) No blame attaches to those on board the "R. M." While the Court is unable to say that the casualty is due to any wrongful act or default of the master or chief officer of the "Gosforth" or to the neglect of the pilot, it is of opinion that the master, Christopher James Laws, is deserving of censure for not having the anchor ready for immediate use and for not being on the bridge when the vessel was proceeding down the River Tyne.

WM ANGUS, }
WM. COWELL, } Judges.

We concur.

ANDW. CUNINGHAME, }
W. H. SINCLAIR LOUITT, } Assessors.
G. T. H. BOYES, }

(Issued in London by the Board of Trade on the 8th day of June, 1900.)

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