

(No. 6596.)

"VIOLA" (S.S.).

The Merchant Shipping Act, 1894.

IN the matter of a formal investigation held at the Guildhall, Newcastle-on-Tyne, on the 20th and 21st days of October, 1903, before ROBERT KNIGHT and JOHN BEATTIE, Esquires, two of His Majesty's Justices of the Peace, acting in and for the City and County of Newcastle-on-Tyne, assisted by Captains K. HORE and G. RICHARDSON (nautical assessors), into the circumstances attending the loss of the British s.s. "VIOLA," of North Shields, by stranding on Kettleness Point, Yorkshire, on the 19th day of September, 1903.

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 the "Viola" was caused by the master, John McGovern, navigating the vessel at full speed, in thick weather, towards the land, and neglecting to use the lead. The Court finds the master alone in default, and hereby suspends his certificate, No. 016259, for the period of three months from the date hereof.

Dated this 21st day of October, 1903.

R. KNIGHT, }
JOHN BEATTIE, } Judges.

We concur in the above Report.

KENNETT HORE, }
GEORGE RICHARDSON, } Assessors.

Annex to the Report.

This was an inquiry into the circumstances attending the loss of the British s.s. "Viola," and was held at the Guildhall, Newcastle-on-Tyne, on the 20th and 21st days of October, 1903, before Robert Knight and John Beattie, Esquires, assisted by Captains K. Hore and G. Richardson (nautical assessors).

Mr. Corder appeared for the Board of Trade, Mr. Temperley represented the owners and master, while the first and second officers appeared in person.

The "Viola," of North Shields, official number 79226, was an iron screw steamship, built at Willington Quay-on-Tyne in the year 1879, by the Tyne Iron Shipbuilding Company, Limited, and was of the following dimensions:—Length 280 ft., breadth 35 ft., and depth in hold 24.7 ft. She was schooner-rigged, fitted with two compound surface-condensing engines, of 180 h.p., constructed by the North Eastern Marine Engineering Company, Limited, at Sunderland, in the year 1879, and was of 1900.50 gross and 1204.88 net registered tonnage, and was owned by the Montauk Steamship Company, Limited, Mr. William Coupland, of 9, Queen Street, Newcastle-on-Tyne, being appointed managing owner on 14th August, 1900.

The "Viola" was, on the voyage in question, in good condition and well-found, and fitted with life-boats and life-saving appliances in accordance with the Act. She was supplied with Admiralty and T. Imray & Son and Norie & Wilson blue-backed charts, and sailing directions, and had, in addition to spare compasses, three compasses in use, particulars of which are hereafter given, the courses

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being set and the vessel navigated by the "Sir William Thompson" compass on the wheelhouse.

The vessel left Carthage on the 9th September last, bound for Eston Jetty-on-Tees, with a crew of 21 hands all told, and no passengers, under the command of Mr. John McGovern, who held a certificate of competency as master, No. 016259. She carried a cargo of 2,650 tons of iron ore, and her draught of water on leaving was 22 ft. 2½ ins. mean.

She proceeded on her voyage all well, and, having crossed the Bay of Biscay with fine, clear weather, was abeam of Ushant at 4.15 p.m. of September 16th, distant about 8 miles. Continuing her course up Channel, she passed Dungeness at 4 a.m. of the 18th, and rounded the Newarp light vessel at 7.45 p.m. of the same date. The weather now became dull and cloudy, but there was still a smooth sea, with light Easterly winds.

At 8 a.m. of the 19th, there was a slight haze, and the vessel was steering a N. by W. $\frac{3}{4}$ W. magnetic course. At 9.15 a.m. Flamborough Head was abeam, and the distance was estimated to be two miles off. No four-point bearing was taken to verify the actual distance and position of the vessel from the Head, although the weather was hazy, but the N. by W. $\frac{3}{4}$ W. course was continued at full speed (8 knots an hour) until 11.30 a.m., when the land was seen through the fog on the port bow, and estimated to be 1½ miles distant. The course was then altered to N. by E. for a short time, and to North to keep her clear of Robin Hood Bay and Whitby Rock. But if the master had consulted his chart he would have found that he had not made this course correctly (from 2 miles of Flamborough Head), as he supposed. For the vessel was then only 1½ miles off the shore, instead of 4½, being apparently, if the course were correct, under the influence of the flood tide. The weather was now so thick that a man had to be sent on to the fore-castle head, and another stationed at the telegraph, which was on the lower bridge. At noon, as the land was lost sight of, the course was altered back to N. by W. $\frac{3}{4}$ W., in the endeavour to pick it up again. A cast of the lead at this time would have been of the greatest assistance in verifying the position and distance of the vessel from the land. This precaution, however, was neglected, because the master, having seen the land, at once assumed his distance from it to be correct, without even taking the bearings, which would have also shown him he was much nearer the shore than he supposed.

From N. by W. $\frac{3}{4}$ W. the course was gradually altered to the Westward to N.W. by N.—N.W. by W., and, from the evidence of the man at the helm, as far as W.N.W. for a short time, when the land was again seen. The course was then altered back to N.W. by N., and it was this course the helmsman stated he passed on to the man who relieved him at 2 p.m. It was apparently soon after altered to N.N.W., as the master stated the vessel was so heading just before the stranding.

About this time several fishing boats were seen ahead, astern, and inshore of them, but this fact did not seem to convey any warning to the master of his proximity to the shore. The course and speed were still continued, but no use was made of the lead, when suddenly, about 2.15, the vessel struck the ground with a heavy grinding noise, near what proved to be Kettleness Point, on the Yorkshire coast, and remained fast. The engines were at once stopped, and then put full speed astern for half an hour, but without avail.

The tanks were sounded, and, at first, it was found the vessel was making no water. With the assistance of the local fishermen, a kedge anchor was run out, and they hove on it, working the engines astern. At 3 p.m., however, they had to stop, as the water was making headway rapidly in bunker and engine room, notwithstanding all efforts to keep it down. The fires were drawn and steam blown off, and, at 4.30 p.m., the crew left in the Runswick Bay life-boat, which had promptly come to their assistance. The master, chief officer, and chief engineer remained on board, but the vessel

began to break up, the engines canting over, and, at 6.30, they were also taken off by the life-boat.

The vessel eventually became a total wreck; no lives were lost.

At the conclusion of the evidence, the following questions were submitted on behalf of the Board of Trade. Mr. Temperley addressed the Court for the master, and Mr. Corder replied.

(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) Was the vessel supplied with proper charts and sailing directions?

(4) Were proper measures taken to ascertain and verify the position of the vessel at or about 9 a.m. of the 19th September last? Was a safe and proper course then set and thereafter steered, and was due and proper allowance made for tide and currents?

(5) Were safe and proper alterations made in the course at, or about, and after 11.30 a.m. of the 19th September last, and was due and proper allowance made for tide and currents?

(6) Were proper measures taken to ascertain and verify the position of the vessel at or about 1.45 p.m. of the 19th September last, and from time to time thereafter?

(7) Having regard to the state of the weather after 8 a.m. of the 19th September last, was the vessel navigated at too great a rate of speed?

(8) Was the lead used after 8 a.m. of the 19th September last, if not, should it have been used?

(9) Was a good and proper look-out kept?

(10) What was the cause of the casualty, and was the vessel seriously damaged thereby?

(11) Was the vessel navigated with proper and seamanlike care?

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

To which the Court replied as follows:—

(1) The vessel had three compasses in use, viz.:—A "Sir William Thompson" on top of the wheelhouse, by which the courses were set and the vessel steered, one in the wheelhouse, and a third aft. There were, in addition, three spare compasses. They were all in good condition, and sufficient for the safe navigation of the vessel, and were last adjusted in April, 1900, off the Tyne, either by Mr. Ainslie, or Messrs. Wilson & Gillies, of South Shields.

(2) The master stated he ascertained the deviation of his compasses by observation from time to time, that the errors were correctly ascertained and the proper corrections to the courses applied. No observations were taken, after rounding Cape St. Vincent, for N.W. courses upon which the vessel was being navigated after 8 a.m. of the day of the casualty. The master stated that from N. to N.W. points there was no deviation on his compasses.

(3) The vessel was supplied with proper charts and sailing directions.

(4) Proper measures were not taken at or about 9 a.m. of the 19th September to ascertain and verify the vessel's position when off Flamborough Head. No four-point bearing was taken, the distance at 9.15, when the lighthouse was abeam, being only estimated at 2 miles. The course set at 9 a.m., N. by W. $\frac{3}{4}$ W., was safe and proper, and sufficient allowance appears to have been made for tide and currents.

(5) The alteration stated by the master to have been made in the course at 11.30 a.m. of the 19th September, viz., from N. by W. $\frac{3}{4}$ W. to N., was safe, but the subsequent alterations, which were towards the land, were not safe and proper. Up to noon sufficient allowance appears to have been made for tide and currents, but afterwards, when the courses were altered to the West, the allowance made was insufficient, the tide being broad on the bow.

(6) No means were taken to ascertain and verify the position of the vessel at any time on the 19th September last.

(7) Had steps been taken to ascertain the distance of the vessel off the land by the use of the lead, she was not navigated at too great a rate of speed. But, having regard to the state of the weather, and to the fact that nothing was done to verify the vessel's position, the speed was too great.

(8) The lead was not used at any time. After altering the course towards the land at noon and thereafter, the use of the lead was imperative.

(9) A good and proper look-out appears to have been kept.

(10) The casualty, by which the "Viola" became a total wreck, was due to the master navigating the vessel at full speed, in thick weather, towards the land, and neglecting to use the lead in order to verify her position.

(11) The vessel was not navigated with proper and seamanlike care after noon of the 19th September.

(12) The loss of the vessel was caused by the wrongful act and default of the master, John McGovern, alone, and the Court hereby suspends his certificate, No. 016259, for the period of three months from the date hereof.

As will be seen, the casualty was entirely due to the neglect of the master to use the ordinary precautions in thick weather. In suspending his certificate for the short period of three months, the Court had regard to his age and previous good character.

R. KNIGHT, }
JOHN BEATTIE, } Justices.

We concur.

KENNETT HORE, }
GEORGE RICHARDSON, } Assessors.

(Issued in London by the Board of Trade on the 10th day of November, 1903.)

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HAY HALKETT, Esqu
E. BROOKS, W. COW
into the circumstance
of the British s.s.
Hayburn Wyke, ab
Scarborough, on the
1903.

Report

The Court, having care
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casualty, finds, for the r
hereto, that the causes
of the vessel were as foll

(1) The failure of the
to verify the position of
of the 18th September.

(2) The vessel being
thick weather, on a cou
The Court finds the skip
default, but in considera
high personal character
with his certificate. Th
him.

Dated this 15th day of

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We concur in the abo

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Annex to

This inquiry was held
the above mentioned da
appeared for the Board
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The "Prime Minister,"
a steam trawler, built
Messrs. Cook, Welton &
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being her registered ma

The "Prime Minister"
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James Sellers, who hold
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ing Boats) Act, 1883,
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The "Prime Ministe
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