

(No. 7047.)

"ORMLEY" (S.S.).

The Merchant Shipping Act, 1894.

In the matter of a formal investigation held at Recorder's Court, Belfast, on the 13th, 14th, 15th, and 16th days of March, 1907, before GARRETT NAGLE, Esq., stipendiary magistrate, assisted by Captains WILLIAM H. SINCLAIR LOUTIT, and WILLIAM G. B. MELVILLE, into the circumstances attending the stranding of the British s.s. "ORMLEY," of the Port of Belfast, at or near Hope Point, coast of Kent, on or about the 26th of December, 1906.

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 serious damage was caused to the s.s. "Ormley," by the default of the master, but taking into account the difficult circumstances in which he was placed, the exceptional weather conditions prevailing at the time, and having regard to the fact of his long and meritorious service at sea during a period of thirty-five years, thirty-three years of which were passed in one fleet, from the owners of which he received a most excellent testimonial, the Court deems that a severe censure will meet the merits of the case without dealing with the master's certificate.

The Court makes no order as to costs.

Dated this 18th day of March 1907.

GARRETT NAGLE,
Judge.

We concur in the above Report.

W. H. SINCLAIR LOUTIT, } Assessors.
W. G. B. MELVILLE, }

Annex to the Report.

This Inquiry was held in the Recorder's Court, Belfast, on the 13th, 14th, 15th, and 16th days of March, 1907, when Mr. J. S. McTear, solicitor, appeared for the Board of Trade, Messrs. Nathaniel Tughan and Martin J. Burke, solicitors, for the master, and Mr. William J. C. Rea (Messrs. Carson and McDowell, solicitors), watched the case on behalf of the owners, who were not made parties to the Inquiry. The s.s. "Ormley," official number 110505, is a British screw steamship, schooner rigged, built of steel at Thornaby, Stockton-on-Tees, in 1899, by Messrs. Craig, Taylor and Company, of Thornaby, Stockton-on-Tees, and is registered at the Port of Belfast. Her dimensions are:—Length 360.2 feet, breadth 48.25 feet, depth of hold 28.3 feet. She is of 4158.29 gross and 2730.06 net registered tonnage, and is fitted with one triple expansion direct-acting inverted surface condensing engine of 360 n.h.p. Three cylinders 23½", 38½", and 68", with 48" length of stroke; three steel boilers of 200 lbs. pressure, all constructed by Messrs. William Allan and Company, Limited, Sunderland, and giving a speed of 9½ knots. She is owned by the North of Ireland Steamship Company, Limited,

Mr. William B. Rea, of 19, Donegall Quay, Belfast, in the County of Antrim, being designated manager, as per advice under the seal of the Company, received the 31st of July, 1899. She was fitted with steam steering gear, carried four boats, two of which were lifeboats with their requisite equipment, and was sufficiently provided with life-saving apparatus in accordance with the statute. In regard to navigating instruments, she had five compasses—one a Sir William Thomson's on the upper bridge, by which the courses were set and the vessel navigated, one steering compass about seven feet before the standard, by which the vessel was steered by steam, and one on the poop deck in front of the hand-steering gear. There were also two spare compasses in reserve. She was also furnished with a Sir William Thomson's patent sounding machine, the ordinary hand and deep-sea lead lines, and a patent log. In the matter of charts and sailing directions for the English Channel, she was not so well found. The Admiralty chart of Dungeness to the Thames including Dover Strait, in use by the master at the time of the casualty, being dated so far back as July, 1875, with corrections till May, 1899, the large scale chart of the Downs issued in July, 1898, with corrections till December, 1906, not being supplied. It may be here noted that herein lay (according to the master's evidence) one cause of the casualty, as the black and white striped can buoy marked Admiralty danger limit was not plotted on the chart in use, and led to the master mistaking it for the south-west Goodwin buoy which was duly marked. This of course is not a valid or satisfactory explanation, as the master had received due notice—when his vessel called at Port Said—of the placing of this buoy as per Notice to Mariners issued by the Board of Trade bearing date August 1, 1905, to April 1st, 1906, and had failed to have the corresponding corrections made on the chart he intended to use when navigating his vessel up the English Channel. As regards sailing directions, the master stated that he had a book of sailing directions, but did not know the date. It was not the latest.

The s.s. "Ormley" left Kurrachee on the 10th day of November, 1906, bound for Hull, under the command of Mr. Donald McVicker, with a crew of twenty-nine hands all told and no passengers. She was loaded with 6,600 tons of wheat in bags, her draught of water being 24 feet 8 inches forward, and 25 feet 2 inches aft. She called at Perim for bunker coal and passing through the Suez Canal, left Port Said, refilling her bunkers there on December 1st; after a rough passage in the Mediterranean she reached Algiers on the 13th December, and, after receiving 352 tons of bunker coal, left the same day for Hull. All went well, and on the 26th day of December, at 11.10 a.m., the vessel passed Dungeness lighthouse, distant two miles; a course was then set N. 65° E. (magnetic) and continued to 2.30 p.m. when the vessel was abreast of Dover pier works light vessel, which was passed at an estimated distance of half a mile to one mile; by this time the weather had changed greatly for the worse—a fresh north-west gale had sprung up with blinding snowstorms, rendering it impossible at times to see anything over a quarter of a mile distant, and the vessel's speed had to be reduced occasionally. The master now determined to run for shelter to the Downs, and at about 3.15 p.m. a momentary glimpse was caught of the South Goodwin light vessel and also of the South Foreland, but a bearing was not obtained of either, owing to a snow squall shutting them in. The vessel was now put to half speed, and at about 3.30 p.m. the course was altered to N.E. ½ N. At about 3.45 p.m. it was again altered to N.N.E. on sighting the black and white striped can Admiralty danger limit buoy bearing N. 20° E. (true) less than half a mile distant, this buoy the master passed closely on his starboard hand, mistaking it for the South West Goodwin buoy, and altered the course to north which course was continued until about 4.5 p.m. when the vessel grounded off Hope Point and remained fast. It may be here mentioned that although the

hand lead was stated by the master to have been frequently hove, no bottom had been obtained from the time that the vessel passed Dover up till the time of the grounding. All efforts to float the vessel by working the engines proving ineffectual, signals were made for assistance, in response to which the Kingsdown lifeboat came alongside and gave assistance in carrying out an anchor to get the vessel off. At about 7 p.m., the Dover tug came alongside and passed tow lines but was unable to move her, seeing which the master commenced to jettison cargo and continued doing so all night. During the ensuing days many efforts were made to tow the vessel off, and after transhipping some 400 tons into lighters and jettisoning about 150 tons, the vessel was floated at 2.30 p.m. on the 29th December and proceeded to Dover under her own steam accompanied by the tugs. After the vessel's bottom had been examined in Dover by a diver, she reloaded the cargo that had been discharged and, having taken sufficient bunker coal, left on the 31st December for Hull arriving there on the 2nd of January, 1907. On the vessel being placed in dry dock it was seen that she was seriously damaged; upwards of 230 bottom plates required to be dealt with, besides the injuries to her hull and machinery, the aggregate cost of repairing which would amount to from £11,000 to £12,000. As to the question whether the vessel carried a sufficiency of coal, the Court is of opinion that if the quantity said to have been supplied was duly placed in the bunkers, it would, under ordinary circumstances, have been enough to take the vessel from Algiers to Hull, but owing to the bad weather she experienced on the voyage and the very foul state of her bottom through not being docked since January, 1906, the amount of coal received at Algiers proved insufficient.

At the conclusion of the evidence, the following questions were submitted by the solicitor for 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) Was the vessel supplied with proper and sufficient charts and sailing directions?

(4) Before the vessel last left the United Kingdom on or about the 7th January, 1906, did the master obtain a copy of the latest issue of the Notice to Mariners?

(5) Were proper measures taken to ascertain and verify the position of the vessel when off the Pier Works lightship, Dover, at or about 2.30 p.m. of the 26th December last? Were safe and proper courses thereafter steered, and was due and proper allowance made for tide and currents?

(6) Having regard to the state of the weather after 2.30 p.m. of the 26th December last:—

(a) Was the vessel navigated at too great a rate of speed?

(b) Was the lead used; if not, should it have been used? If it was used, were the casts taken with sufficient frequency and accuracy?

(6A) Was sufficient coal taken in at Algiers, and was the master justified in proceeding into the North Sea in bad weather with the quantity of coal he had on board?

(7) What was the buoy seen at or about 4.5 p.m. of the 26th December last? Was the master justified in taking it for the south-west Goodwin buoy?

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

(9) What was the cause of the stranding of the vessel, and was she seriously damaged thereby?

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

(11) Was serious damage to the s.s. "Ormsley" caused by the wrongful act or default of the master?

Mr. Tughan then addressed the Court on behalf of the master, Mr. McTear replied for the Board of Trade, and the Court gave judgment as above, and returned the following answers to the questions submitted:—

(1) The vessel had five compasses, one a Sir William Thomson's on the upper bridge, by which the courses were set and the vessel navigated, one steering compass about seven feet before the standard, by which the vessel was steered by steam, and one on the poop in front of the hand steering gear, there were also two spare compasses in reserve, they were in good order and sufficient for the safe navigation of the vessel, and were last adjusted by Messrs. Thomas Cook & Son, at Hull, on the 7th January, 1906.

(2) The master did ascertain the deviation of his compasses by observation from time to time. The errors were correctly ascertained and the proper corrections to the courses applied.

(3) The vessel was not supplied with the latest issue of the Admiralty charts for the locality of the Goodwin Sands and the Downs. The Admiralty chart of Dungeness to the Thames, including Dover Strait, in use by the master at the time of the casualty being dated July, 1875, with corrections to May, 1899. The vessel was not supplied with a large scale chart of the Downs issued in July, 1898, with large corrections, dated July, 1902, and other corrections up to December, 1906, nor were the latest sailing directions supplied.

(4) Before the vessel left the United Kingdom on or about the 7th January, 1906, the master did obtain a copy of the latest issue of the Notice to Mariners, and he was supplied before his departure from Port Said on the 1st December, 1906, with the Notices to Mariners issued by the Board of Trade, dated 1st August, 1905, to 1st April, 1906.

(5) Proper measures were not taken to ascertain and verify the position of the vessel when off the Pier Works lightship, Dover, at about 2.30 p.m. of the 26th December last. As the lead was not then used, a four-point bearing was not taken nor was the distance indicated by the patent log noted for guidance. Safe and proper courses were not steered after about 3.30 p.m., when a passing glimpse was caught of the South Foreland and the South Goodwin light vessel. Due and proper allowance was not made for tide and currents.

(6) Having regard to the state of the weather after 2.30 p.m. of the 26th December last:—

(a) The vessel was at times navigated at too great a rate of speed for proper soundings to be obtained, more particularly after sighting and passing the black and white can buoy marked "Admiralty danger limit," exhibiting an occulting white light every ten seconds.

(b) The lead was used, but not with sufficient frequency and accuracy.

(6A) Sufficient coal was taken at Algiers to take the vessel to Hull under ordinary conditions of weather. The master would not have been justified had he proceeded into the North Sea with the quantity of coal he had remaining on board after passing Dover.

(7) The buoy seen at or about 4.5 p.m. of the 26th of December last was the black and white can buoy marked "Admiralty danger limit." It was not marked on the chart by which the master was navigating, but he was not justified in taking it for the south-west Goodwin buoy.

(8) A good and proper look-out was kept.

(9) The stranding of the s.s. "Ormsley" was caused by the default of the master in mistaking the black and white can buoy marked the "Admiralty danger limit" for the south-west Goodwin buoy, and thereafter steering a wrong course to take his vessel to an anchorage in the Downs during a north-west gale, with frequent snow squalls, which obscured the leading marks. A contributory cause to the casualty was the neglect of the master to stop his vessel to obtain reliable soundings, the lead, although used, was not

hove with sufficient frequency or accuracy. The vessel was seriously damaged thereby.

(10) The vessel was not navigated with proper and seamanlike care.

(11) Serious damage was caused to the s.s. "Ormley" by the default of the master, as detailed in answer to question No. 9, but, taking into account the difficult circumstances in which he was placed, the exceptional weather conditions prevailing at the time, and having regard to the fact of his long and meritorious service at sea during a period of thirty-five years, thirty-three years of which were passed in one fleet, from the owners of which he received a most excellent testimonial, the Court deems that a severe

censure will meet the merits of the case without dealing with the master's certificate.

GARRETT NAGLE,
Judge.

We concur.

W. H. SINCLAIR LOUTIT, } Assessors.
WM. G. B. MELVILLE, }

(Issued in London by the Board of Trade on the
9th day of April, 1907.)