

(No. 7481.)

“OSIRIS”

AND

“STIRLING CASTLE” (S.S.).

The Merchant Shipping Act, 1894.

In the matter of a Formal Investigation held at Poole, on the 5th, 6th and 7th days of September, 1911, before JOHN JOSEPH NORTON and STANLEY TATHAM, Esquires, assisted by ADMIRAL WILLIAM MARRACK, Captain F. C. A. LYON, and Captain H. E. BATT, into the circumstances attending the collision between the British sailing ship “OSIRIS,” of Swanage, and the British steamship “STIRLING CASTLE,” of Southampton, on the 5th day of July, 1911, whereby loss of life ensued and serious damage or loss occurred to the sailing ship “Osiris.”

*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 sinking of the sailing vessel “Osiris” and the loss of life was caused by the failure of the master of the steamship “Stirling Castle,” Mr. William Hewlett, to comply with Article 20 of the Regulations for preventing collisions at sea.

The Court therefore suspends his Certificate, No. 104377, as Master Home Trade, for a period of twelve months from this date.

On the application of Mr. Emanuel on behalf of Mr. William Hewlett, the Master, the Court recommends the Board of Trade to grant the said William Hewlett a Mate's Certificate during the suspension of his Master's Certificate.

Dated this seventh day of September, 1911.

JOHN J. NORTON,  
STANLEY TATHAM,  
Justices.

We concur in the above Report.

W. MARRACK,  
F. C. A. LYON, } Assessors.  
H. E. BATT, }

*Annex to the Report.*

This Inquiry was held at the Municipal Offices, Poole, on the forenoon of the 5th day of September, 1911, and at the Guildhall, in the afternoon of that day, and on the 6th and 7th September, 1911.

Dr. B. W. Ginsburg conducted the proceedings on behalf of the Board of Trade; Mr. S. H. Emanuel represented the owners of the “Stirling Castle,” and Mr. William Hewlett, the master of that steamer; Mr. J. R. Slade represented the mother of Robert Brown, who was drowned; Mr. E. S. Clark represented Mr. Richard Grant, owner and master of the “Osiris”; Mr. W. H. Curtis represented Mr. Watson, whose wife and two children were drowned in the disaster, and also Miss Mills, who was saved.

The “Osiris” was an unregistered vessel built of wood at Poole in 1903, and was cutter rigged. She was about 18 feet long, 8 feet beam, 2 feet 9 inches deep, and displaced about 4 tons.

The “Stirling Castle,” Official No. 109600, is a British paddle steamer built of steel at Kinghorn, Fife, by Messrs. John Scott & Co., in 1899. She is registered at the port of Southampton, is 170 feet in length, 24.2 feet beam, and 8.25 feet depth of hold from top of beam amidships to top of keel. She has one mast, sloop rigged, an elliptical stern, and is clincher built; she has six bulkheads and no water ballast; her displacement is 422 tons.

The “Stirling Castle” has two engines of the compound diagonal type, one steel boiler loaded to a pressure of 150 lbs. The engines and boiler were constructed by the builders of the ship in 1899, and were designed to give a speed of 15 knots per hour. Her gross tonnage is 273.83 tons, and her registered tonnage 47.3.

She carries two life-boats, 620 life-belts, and six life-buoys, and is steered by steam, the wheel being on the bridge.

She is owned by the Southampton, Isle of Wight and South of England Royal Mail Steam Packet Company (Limited), incorporated under the Act 7 and 8 Vic., c. 110, and her managing owner is Mr. Frederick John Burnett, of 2, High Street, Southampton, as per advice under his hand received the 14th May, 1907.

The “Stirling Castle” has a promenade deck extending from about 41 feet abaft the stem to about 20 feet the fore side of the taffrail, over the full breadth of the ship and over the sponsons, the length of this deck being about 115 feet.

The bridge and steering wheel are situated about the middle of the length of the promenade deck, and is about 7 feet above it and about 4 feet above the paddle-boxes. The bridge extends from side to side of the steamer, between the paddle-boxes, but is not carried over them.

Her two life-boats are placed one on either side on chocks under davits, and about midway between the after end of the bridge and the after end of the promenade deck. She has one funnel about six feet in diameter, its centre being about 16 feet before the fore end of the bridge, and it therefore obstructs the view from the bridge, as stated in answer to question 2.

The “Stirling Castle” was granted a Passenger Certificate by the Board of Trade, dated 31st March, 1911, remaining in force until 31st October, 1911. The total number of passengers and crew she is licensed to carry being 577.

On the 5th July, 1911, the sailing boat “Osiris” was hired at Swanage by Mrs. Watson to take herself, her two children and governess for a pleasure cruise, with the intention of going either to Studland Bay or Poole Harbour, to land and have tea either at Studland or the Sandbanks, and then return to Swanage.

They left at 3.15 p.m., the weather being fine and clear, sea smooth, with light variable winds from S.S.W.

After tea had been partaken of at the Haven Hotel, the “Osiris” returned on her homeward journey. The wind failing, the oars were got out; as the men were standing up (the boom having been topped to allow them to do so), the “Osiris” was practically steered by the oars; as the men were facing forward, they were keeping a good look-out. The “Osiris” was kept heading off and along the land in order to get the advantage of any light airs, and because the tide was setting the vessel in towards the shore. When off Old Harry Head, Mr. Grant first saw the “Stirling Castle,” about a mile and a quarter away, heading to seaward, in the neighbourhood of Ballard Head. Shortly after this the “Stirling Castle” headed towards the “Osiris,” on her voyage to Poole, being then about three-quarters of a mile off. It being the duty of the steamer to keep out of the way of the sailing vessel, Mr. Grant did not alter his course, but when the “Stirling Castle” was about 600 yards away Mr. Grant began to get anxious, but still thought the steamer would alter her course, he remarking to his assistant, Brown, that the best thing they could do was to keep rowing, and told the ladies in the boat they had better wave their parasols. This they did, and all commenced shouting and screaming at the same time. Then, seeing collision imminent, the two men pulled as hard as they could, thus preventing the “Osiris” being struck by the steamer's stem.

The steamship “Stirling Castle” left Swanage for Poole on July the 5th at 6.57 p.m. with a crew of 15 hands all told, including the master, Mr. William Hewlett, who was in charge. She carried about 300 passengers at the time of her departure. The master was on the bridge, the mate was at the wheel, the deck crew employed clearing up ropes, &c. When the vessel was clear of the pier, the mate was relieved by Burrows, A.B., and the course set and steered was north-east, the vessel proceeding at full speed, about 12 knots. The weather at the time was very fine, clear, with light variable winds and calm, the sea being smooth with no swell. When off Ballard Head a sailing boat was sighted by the master, bearing about a

point on the starboard bow, distant about three-quarters of a mile approximately (it may be mentioned here, there was no man stationed on the look-out forward), the master was standing on the starboard side of the bridge when he first saw her; he did not alter his course, but walked over to the port midship side, remaining there about three minutes; the funnel being placed about 16 feet before the bridge, the boat was obscured from view in that position. Suddenly his attention was drawn by hearing shouts and screams from people; he at once went to the telegraph and reversed the engines, and ordered the helm to be put hard a starboard. He then found that the "Stirling Castle" had collided with the sailing boat that was observed by the master about four minutes previously, which subsequently proved to be the "Osiris."

It was stated in evidence that the "Osiris" was not struck by the stem of the "Stirling Castle," but cleared it by about 7 or 8 feet; the starboard sponson caught the mast, carrying it away, and the paddle smashed up the starboard side of the sailing boat, sinking her, and throwing the occupants into the water. The steamer being stopped, the port life-boat was lowered and rescued two of the people—namely, Mr. Grant, the owner of the "Osiris," and Miss Mills, Mrs. Watson's governess—the remainder, Mrs. Watson, her two children, and one man (Robert Brown, assistant to Mr. Grant), were unfortunately drowned, and the Court expressed their deep sympathy with the relatives of the deceased.

The Court is strongly of opinion that all excursion steamers like the "Stirling Castle" should have the bridge placed before the funnel, and not abaft it, as in this case.

As mentioned in answer to question 2, the vision of the officer in charge is entirely obscured when he is in certain positions, necessitating him being always on the move, by walking from side to side of the bridge, as a good look-out cannot be kept without this constant movement. This must cause a great physical strain during the long hours he is on duty. This emphasises the absolute necessity of always having a man placed on the look-out forward when the vessel is under way, not only on this account, but for the reason that these steamers are constantly in the track of small craft and proceed at a high rate of speed.

At the time of the collision it was stated no life-buoys were thrown overboard. The vessel complied with the Board of Trade Regulations—namely, six life-buoys; they were placed two on each side forward and one on each side aft, therefore none were on the bridge.

The Court begs to draw the attention of the Board of Trade to the small number of life-buoys carried in the "Stirling Castle," and respectfully suggests that a far greater number should be compulsorily carried in excursion steamers of this class plying on the coast, some of which should be placed on the bridge and others about the decks available for immediate use.

It may be mentioned that the Court, on the suggestion of Mr. Emmanuel, counsel for the owners of the "Stirling Castle," went on board that steamer and had an opportunity of seeing the position of the bridge and her general arrangements, and verified the statements as before mentioned with respect to the obstruction caused by the position of the funnel.

The Court desires to draw the attention of the Board of Trade to the brave conduct of Mr. Grant, the owner of the "Osiris," in keeping Miss Mills afloat, under what must have been very difficult and dangerous conditions, especially as he was injured in the leg during the collision.

It is worthy of remark that the boat of the "Stirling Castle," being so promptly lowered and manned, was the means of saving the lives of Miss Mills and Mr. Grant. Unfortunately the following were drowned:—Mrs. Watson, wife of Mr. Watson; Isabel Sarah Watson aged 7, Walter Watson aged 5, children of the above; and Robert Brown, boatman.

Dr. Ginsburg on behalf of the Board of Trade at the conclusion of the evidence submitted the following questions to the Court:—

*Question No. 1.*—At or about 7 p.m. on the 5th July last were the steamer "Stirling Castle" and the sailing vessel "Osiris" proceeding in such directions as to involve risk of collision within the meaning of Article 20 of the Regulations for Preventing Collisions at Sea? If so:

- (a) Did the "Stirling Castle" comply with that Article and with Articles 22 and 23 of the said Regulations?
- (b) Did the "Osiris" comply with Article 21 of the said Regulations?

*Question No. 2.*—Could an efficient look-out be kept from the bridge of the "Stirling Castle"? If not, should a look-out man have been stationed forward of the bridge?

*Question No. 3.*—Was a good and proper look-out kept on board both ships?

*Question No. 4.*—What was the cause of the collision and loss of life, and was every possible effort made by those on board the "Stirling Castle" to render assistance?

*Question No. 5.*—Were both vessels navigated with proper and seamanlike care?

*Question No. 6.*—Was serious damage to or the loss of the sailing ship "Osiris" and/or the loss of life caused by the wrongful act or default of the master of the "Osiris" and the master of the "Stirling Castle," or of either of them?

The Court was then addressed by Dr. Ginsburg on behalf of the Board of Trade, and by Messrs. Emanuel, Slade, Clark and Curtis on behalf of their respective clients, and at the conclusion of the addresses the Court adjourned to consider the questions, and returned the following answers:—

*Answer No. 1.*—At or about 7 p.m. on the 5th July last the steamer "Stirling Castle" and the sailing vessel "Osiris" were proceeding in such directions as to involve risk of collision within the meaning of Article 20 of the Regulations for preventing collisions at sea.

- (a) The "Stirling Castle" did not comply with Article 20. With regard to Article 22, as the "Stirling Castle" and the "Osiris" were not crossing ships, this Article does not apply. In regard to Article 23, the "Stirling Castle" did not comply with this regulation.
- (b) The "Osiris" did comply with Article 21.

*Answer No. 2.*—An efficient look-out could be kept from the bridge of the "Stirling Castle." The funnel, however, being about 16 feet before the bridge, it is absolutely imperative that the officer in charge should keep walking from side to side, as if he stands amidships his view is obstructed by the funnel from right ahead to ten degrees on either bow. If standing on the starboard side at the extreme end of the bridge the vision is obscured by the same object, from 25 degrees of the centre line to 42 degrees from the centre line, this obscuration therefore being over an arc of 17 degrees on the port side. If standing on the port side of the bridge there is the same arc of obscurity on the starboard side.

In any case a look-out man should have been stationed forward of the funnel.

*Answer No. 3.*—A good and proper look-out was kept on board the "Osiris." A good and proper look-out was not kept on board the "Stirling Castle."

*Answer No. 4.*—The cause of the collision and loss of life was due to the failure of the master of the "Stirling Castle" to comply with Article 20 of the Regulations for preventing collisions at sea.

The port boat of the "Stirling Castle" was smartly and promptly lowered, by means of which two lives were saved. It is to be regretted that no life-buoys were kept on the bridge so that they could have been available to throw overboard at the instant of the collision, and prior to the boat being lowered. As no life-buoys were thrown the Court is unable to say that every possible effort was made by those on board the "Stirling Castle" to render assistance.

*Answer No. 5.*—The "Osiris" was navigated with proper and seamanlike care. The "Stirling Castle" was not so navigated.

*Answer No. 6.*—The serious damage to the sailing ship "Osiris" and the loss of life was not caused by the wrongful act or default of the master of the "Osiris," but by the default of the master of the "Stirling Castle."

JOHN J. NORTON,  
STANLEY TATHAM,  
Justices of the Peace.

W. MARRACK,  
F. C. A. LYON, } Assessors.  
H. E. BATT,

(Issued in London by the Board of Trade on the 27th day of October, 1911.)