

(No. 415.)

"J. H. LORENTZEN," (S.S.)

The Merchant Shipping Acts, 1854 to 1876.

IN the matter of the formal Investigation held at the Moot Hall Courts, Newcastle-upon-Tyne, on the 1st April 1879, before H. C. ROTHERY, Esquire, Wreck Commissioner, assisted by Rear-Admiral APLIN, R.N., and Captain CASTLE, as Assessors, into the circumstances attending the stranding and loss of the British steamship "J. H. LORENTZEN," on Whitby Rock, on the 12th ultimo, whilst on a voyage from Rochester to Sunderland.

Report of Court.

The Court, having carefully inquired into the circumstances of the above-mentioned shipping casualty, finds, for the reasons annexed,—

(1.) That the casualty was due to the "J. H. Lorentzen" having when about a mile to the northward of Whitby Rock Buoy fallen off to the southward and westward, and being unable to get her head round to the northward against the wind and tide, she drifted bodily down to leeward upon Whitby Rocks.

(2.) That the fact that her head would not come round may have been due either to her not having been sufficiently ballasted, or to her height out of the water, or to the low power of her engines, but that no blame attaches on account thereof to the master, who could have had no reason to suspect that she was not properly and sufficiently ballasted, having had an experience of five years in her first as mate, and latterly as master, without her having ever before refused to answer her helm.

(3.) That the said Evan Evans, the master, is not to blame in the following respects, in that—

(1.) He did not steer a course too near the shore, and that under the circumstances he gave Whitby Rock a sufficiently wide berth.

(2.) It would not have been proper for him after the vessel's head sheered towards the shore to wear her round to the southward, but that he did quite right to endeavour to bring her round to the northward by continuing his course full speed ahead, with her helm hard-a-port, his foreyard braced up, and his mizen set.

(3.) He did not neglect to drop his anchors as soon as it was necessary and right to do so.

The Court returns to the said Evan Evans his certificate. The Court makes no order as to costs.

Dated the 1st of April 1879.

(Signed) H. C. ROTHERY, Wreck Commissioner.

We concur in the above report.

(Signed) ELPHINSTONE APLIN, Rear-Admiral, } Assessors. JOHN S. CASTLE, }

MINUTES of PROCEEDINGS taken before HENRY CADOGAN ROTHERY, Esquire, Wreck Commissioner, with Admiral APLIN and Captain CASTLE, Assessors, at the Moot Hall, Newcastle, Monday 1st of April 1879, upon an inquiry into the stranding of the "J. H. LORENTZEN."

Mr. de Hamel appeared for the Board of Trade. Mr. Roche appeared for the master.

Mr. de Hamel was heard to open the case on behalf of the Board of Trade and called evidence. At the conclusion of the evidence Mr. de Hamel stated that the Board of Trade desired the opinion of the Court on the following questions:—

"1. What was the cause of the stranding of the 'J. H. Lorentzen' on the Whitby Rock on the 12th of March last?"

"2. Whether the vessel was sufficiently and properly ballasted for the time of the year?"

"3. Whether the stranding was caused by the wrongful acts and defaults of Evan Evans the master?"

"(1.) In steering a course too near the shore, and in not giving Whitby Rock a wider berth?"

"(2.) In neglecting, after the vessel's head sheered towards the shore, to wear her round to the southward instead of continuing her at full speed ahead?"

"(3.) In neglecting after it became apparent that her head would not come up to the wind to let go both anchors instead of waiting until the vessel was midway between Whitby Rock Buoy and the shore?"

"In the opinion of the Board of Trade the certificate of the master should be dealt with."

Mr. Roche was heard to address the Court on behalf of the master.

Mr. de Hamel was heard in reply.

Judgment.

The Commissioner.—This is an inquiry into the circumstances attending the stranding of the steamship "J. H. Lorentzen," of the Port of London, on Whitby Rock, on the 12th day of March ultimo. The circumstances are as follows:—

The "J. H. Lorentzen" was a screw steamship of 883 tons gross and 567 tons net register, and was fitted with engines of 98 horse-power. She was built at Sunderland in the year 1872, and at the time of her loss was the property of Mr. John Storey Barwick, of Sunderland, and others. She left Rochester on the 11th of March last bound to Sunderland in ballast, and having a crew of 17 hands all told. Shortly before noon of the 12th the vessel was approaching Whitby Rock Buoy, steering by compass N.W. by N., which was equivalent to N.N.W. magnetic, there being one point easterly deviation; and she was going at from 8 to 8½ knots. At this time the wind, which had been W.N.W., shifted more to the northward, so that it became necessary to take in all the sails, after which the captain and the chief officer went below to dinner, leaving the deck in charge of the second officer. On the master coming up again, which he appears to have done at about half-past 12 o'clock, he observed that the vessel was not steering very steadily, and he accordingly ordered the first officer to go into the wheel-house, and see to the steering, and the vessel was then brought back again to her course N.W. by N. by compass. At about a quarter past 1 o'clock Whitby Rock Buoy bore about S. by W., distant rather more than a mile; at this time, the wind having come away still further to the northward so as to be on the vessel's starboard bow, her head fell off to about W.S.W. or S.W. by W., pointing directly for the shore, and she began to drift bodily towards the Whitby Rock with her starboard broadside to the wind and sea. The captain immediately ordered the helm to be put hard-a-port, the foreyard to be braced up, and the mizen set, for the purpose of bringing her head round to the north; but she continued to drift down towards Whitby Rock. After keeping the engines going full speed ahead for about five minutes, finding that she was getting rather too near the shore, the captain ordered the mizen to be hauled down, and the engines to be put full speed astern; and according to the man at the wheel, the helm was at the same time put hard-a-starboard. The vessel, however, continued to drift down before the wind and sea in the direction of Whitby Rock, and after three or four minutes, finding that she would not clear the Whitby Rock Buoy, the master ordered the engines to be again put full speed ahead. In the meantime he had ordered the starboard anchor to be got ready, and as soon as it was ready it was let go, and at first 30 fathoms and afterwards 15 fathoms more of chain were payed out. By the head way the vessel had on her she brought the anchor on her starboard beam, and the captain finding that the starboard anchor did not hold, shortly afterwards let go the port anchor, which had also been got ready. In the meantime the vessel was again nearing the shore, upon which the master ordered the engines to go half speed astern, but finding that she was going stern foremost on to the rocks he again ordered them to go ahead easy, and almost immediately afterwards the vessel struck the rocks about 300 or 400 yards outside the South Pier of Whitby. The sea at once began to make a clean breach over her, and the Whitby lifeboat having come out to their assistance, the master and the crew left her, and in about five hours from the time of striking she went to pieces.

Now the first question on which our opinion has been asked is, what was the cause of the stranding? and to this I think we shall have no difficulty in finding an answer. The vessel, it seems, drew only 7 feet forward and 11 feet 4 aft; and the master has told us that she stood some 12 to 14 feet out of the water both forward and aft, the after part of the vessel being much deeper than the fore part. It seems too that on the day in question it was low water at Whitby at about noon, and, therefore, at a quarter after one

she would be meeting the first quarter flood. At about the same time the wind, we are told, went round more to the northward, according to some of the witnesses, even as far as to N. by E. or N.N.E. The effect then would be that the wind and tide acting on her starboard bow would cant her head towards the shore. Once with her head inshore, and drifting before the wind and sea, the master appears to have found it impossible, whether owing to her light draught, to her height out of the water, or to the small power of her engines, to get her head to the northward. Finding the vessel getting too near the shore for which she was heading he ordered the engines to go astern, still trying to get her head round to the northward, the vessel, however, all the time drifting down before the wind and sea in the direction of the Whitby Rock. Not being able to clear the rock he puts her engines ahead again, drops his anchors, which, however, do not hold; and the vessel continuing to drift before the wind and sea, and unable to come round, goes upon the rock. It was to the master's inability to bring the vessel's head round against the wind and tide that the casualty is to be attributed.

But then the question necessarily arises, and upon which our opinion is asked, whether the vessel was or was not sufficiently and properly ballasted for the time of year? It seems that the ballast which this vessel had on board consisted entirely of water contained in three tanks, an after, a middle, and a fore tank, holding respectively 130, 68, and 45 tons, or a total of 243 tons; in addition to which there would be the weight of her engines, boilers, and bunker coal, which we may estimate at about 100 tons, or at about one ton for every horse-power. This would give us a total weight of 350 tons, and seeing that the gross tonnage of the vessel was 883 tons, and her net tonnage only 567 tons, the assessors are not prepared to say that she was either insufficiently or improperly ballasted. At the same time here is a vessel which having got broadside to the wind and sea is unable, owing either to the little hold she had of the water, or to the height of her side, or to the low power of her engines, to get her head round against a wind and sea which is not described by her master as being exceptionally violent. The fact does not speak very highly for the seaworthy qualities of the vessel. On the other hand, we have the fact that this master has been in her for five years, first as mate, and latterly as master; during all which time she had been in the same trade, carrying coals from Sunderland, and returning in water ballast; she had, we are told, been making some 50 voyages a year, her trim on her return voyage being always within an inch or two the same. The master tells us that he had never on any previous occasion found the vessel unwilling to answer her helm; and it would be hard, therefore, to hold the master, after so long an experience, responsible, if even it should turn out that she was not thoroughly seaworthy; and it is on this ground we understand that Mr. de Hamel has not made it one of the charges against him.

Our opinion is next asked as to whether the master was to blame for having steered a course too near the shore, and for not having given Whitby Rock a wider berth. It was said by Mr. de Hamel that on the occasion in question there was a heavy sea running, and the wind was blowing strongly from off the shore, and that the object of the master in bringing his vessel to within a mile or so of Whitby Rock Buoy was to endeavour to cheat the wind and the sea. No doubt this was so, but the assessors think that the master did quite right, with the wind off the land, and a heavy sea running, to keep as near the shore as possible, it being broad daylight, no fog or haze of any description, and the sea and land marks distinctly visible. They are also of opinion that a mile outside of Whitby Rock Buoy was a safe and proper distance under the circumstances for him to take.

The next charge against the master is for neglecting, after the vessel's head had sheered towards the shore, to

wear her round to the southward instead of continuing her full speed ahead. It seems to have been the master's object as soon as he perceived the vessel's head fall off towards the shore to endeavour by putting his helm hard-a-port, by bracing his foreyard up, and by setting his mizen, and at the same time keeping his engines going ahead full speed, to bring her round, with her head to the northward; and the assessors think that in so doing he acted in a proper and seamanlike way. He had been in her for five years, he tells us that she had never before failed to answer her helm, and he had, therefore, no reason to think she would not come round now. When at length he found that she would not come round with her head to the northward, she was then so near the shore that there was nothing to be done but to put the engines full speed astern, hoping thus to clear the rock buoy, but she drifted so fast to leeward that he found he could not thus clear the buoy, and was obliged to put the engines on ahead again to prevent her going stern foremost on the rocks. The assessors think that the master was quite right to endeavour in the first instance to bring the vessel's head round to the northward, and that when he found she would not come round, it was too late to wear her round with her head to the southward so as to clear the rock buoy. But whether this be so or not it is clear, as Mr. Roche has contended, that it would only amount to an error of judgment. The assessors, however, think that the master was quite right to endeavour to bring her head round to the northward, and that it would have been a great risk to have wore her round to the southward heading directly for the Whitby Rocks.

The last question upon which our opinion is asked is, whether the master was in default in neglecting, after it became apparent that her head would not come up to the wind, to let go both anchors, instead of waiting until the vessel was midway between Whitby Rock Buoy and the shore? It appears to us that there was no unnecessary delay in letting go the anchors. In the opinion of the assessors it would not have been proper to let them go when he was trying to bring her head round to the northward; it would also not have been proper to have let them go when he was tacking astern in hopes of clearing the rock buoy. It was only when he found that he could not bring her head round, and could not clear the buoy, that it became necessary to drop the anchors. In the meantime, however, orders had been given to get them ready, and as soon as the starboard anchor was ready, and the engines had been turned ahead so as to get clear of the rock buoy, the starboard anchor was let go, and very shortly afterwards the port anchor also. Neither of them however held, and in consequence the vessel went upon the rocks. In this respect also we think that the master is not to blame.

As then the only fault which could be laid to the master's charge is for not having starboarded his helm so as to bring the vessel's head round to the south, when he found that she would not come up under her port helm with her head to the north; and as this was, as I have said, a mere error of judgment, if indeed it was an error at all, we shall return to the master his certificate. At the same time, looking at the circumstances under which this vessel went ashore, we think that it was a very proper case for an inquiry, and we shall therefore not give any costs.

Mr. Roche.—I do not ask for any, sir.

Mr. de Hamel.—Nor I.

(Signed) H. C. ROTHERY,  
Wreck Commissioner.

We concur.

(Signed) ELPHINSTONE APLIN,  
Rear-Admiral, } Assessors.  
JOHN S. CASTLE, }

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