

(No. 7203.)

“VERAJEAN.”

The Merchant Shipping Act, 1894.

In the matter of a Formal Investigation held at the Law Courts, Cardiff, on the 13th, 14th, 15th and 17th days of October, 1908, before EDWARD MILNER JONES, Esq., Deputy Stipendiary Magistrate, assisted by Captains JENKIN THOMAS and DAVID DAVIES, into the circumstances attending the stranding of the British sailing ship “VERAJEAN,” of London, at Rhooose Point, Bristol Channel, on the 1st day of September, 1908.

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 stranding was due to the loss of the vessel's starboard and port anchors and cables, and her head sails, whereby she drifted on to the shore.

Dated this 17th day of October, 1908.

E. MILNER-JONES,
Judge.

We concur in the above Report.

JENKIN THOMAS, } Assessors.
DAVID DAVIES, }

Annex to the Report.

This Inquiry was held at the Law Courts, Cardiff, on the 13th, 14th, 15th and 17th days of October, 1908. Mr. Ivor Vachell appeared for the Board of Trade, Mr. Miller for the master of the “Verajean,” Mr. Gilbert Robertson for the masters of the tugs “Lady Morgan” and “Salvor,” and Mr. Lewis Noad, barrister-at-law, for the managing owner.

The “Verajean,” Official Number 98990, is a steel three-masted sailing ship, built at Dumbarton, N.B., in 1891, by A. McMillan and Son, Limited. She is 266 feet in length, 40.15 feet in breadth, and 23.65 feet in depth of hold. Her gross tonnage is 1945.88 tons and registered tonnage 1823.54 tons. She is owned by the sailing ship “Verajean” Company, Limited, and Mr. James McMillan, of 46, Leadenhall Street, City of London, was designated the person to whom the management of the vessel was entrusted by advice under his hand as Manager of the Company, received 30th September, 1891.

The vessel had two lifeboats, one pinnace, one dinghy, and a proper complement of lifebelts and lifebuoys. She had a standard compass on the bridge abreast of the lifeboats and a steering compass about four feet from the wheel. The compasses were examined before the vessel sailed.

She had three bower anchors, one heavy kedge anchor, one light kedge anchor, and a stream anchor. Two of the bower anchors were kept on the fore-castle head and the other was set through the fore-castle deck. She was in good condition and well found.

About 9 p.m. on the 29th August last the “Verajean” left Cardiff with a cargo of 3,171 tons of patent fuel bound for Chili. Her draught of water in

the Roath Basin was 21 feet 6½ inches on an even keel. She had a crew of 25 hands all told, and was under the command of Mr. Charles Ritchie, who held a certificate of competency as master. She proceeded to sea in charge of a pilot and in tow of the steam tugs “Lady Morgan” and “Salvor” which were under a contract to tow her to Lundy Island. The “Lady Morgan” is 71.6 feet in length, 15.35 feet in breadth, and with two direct-acting inverted compound surface-condensing engines of 45 horse power (combined). The “Salvor” is 75 feet in length, 15 feet in breadth, with one pair of compound surface-condensing direct-acting inverted engines of 50 nominal horse power.

About 10 p.m. the “Verajean” was off Barry when the masters of the tugs stated that there was too much wind to tow her down channel; and it was then decided to anchor her in the Roads for the night. The tugs left her and returned on the 30th about 9 a.m. They took the ship in tow and proceeded down channel. The pilot was discharged in the Roads. The “Lady Morgan” was towing on the port bow and the “Salvor” on the starboard bow. The weather was fine with a light and moderate breeze. The wind gradually increased and about 3 a.m. on the 31st there was a strong S.W. to W.S.W. breeze with a choppy sea. The towing hawser of the “Lady Morgan” then parted, and another was connected.

About 11.30 a.m. the second hawser of the “Lady Morgan” parted and she thereupon went alongside the “Verajean” and attached a portion of her hawser to a coir spring belonging to the “Verajean.” It was then blowing a moderate gale from the S.W. to W.S.W., and was squally. According to the evidence of the witnesses from the “Lady Morgan,” the master of the latter asked the master of the “Verajean” if he had any letters for the shore, and also for the towing order, as he (the master of the “Lady Morgan”) states that they were then under the lee of Lundy and in comparatively smooth water. The master of the “Verajean,” however, denies that any such request was made to him, but states that he asked the master of the “Lady Morgan” to take him to the westward of Lundy. The tugs continued towing until about 1 p.m., when the “Lady Morgan” slipped her tow rope and steamed away, leaving her tow rope and without making any signal to the “Verajean.” The “Salvor” continued towing until about 1.30 p.m., when the master blew her whistle several times, which, he states, was a signal to the “Verajean” to set sails and cast off tow rope. The master of the latter hoisted flag signals denoting “What are you about?” and the “Salvor” then came within hailing distance of the “Verajean.” The master of the “Salvor” states that he asked the master of the “Verajean” to make sail and to let go the hawser as the contract was fulfilled. The master of the latter, however, states that he did not hear what was said but that he requested him (the master of the “Salvor”) to fulfil his contract and to take the vessel to Lundy. He further states that he was then about seven miles E. by N. of Lundy. The master of the “Salvor,” however, states that the northern end of Lundy then bore S.S.E., distant about five miles, and that he could see the Shutter Rock open to the west of Lundy. The “Salvor” then slipped her hawser and steamed away leaving her hawser on the “Verajean.” The master of the latter made no request to be taken to Lundy Roads for shelter. It was then blowing a fresh gale from the S.W. with a heavy sea. The tugs took shelter in Lundy Roads, where they remained about two days.

After the tugs had left, the master of the “Verajean” decided to return to Barry Roads for shelter from the gale. The vessel was then under bare poles. Considerable delay was caused in taking on board the towing hawsers. Afterwards the lower topsails and fore topmast staysail were set and about 3 p.m. a course E. by S. was steered to make Bull Point. The gale was increasing in violence.

About 8 p.m. Bull Point was abeam and about four miles distant. The course was then altered to E. but no allowance was made for the strong ebb tide (which was about four knots) on her starboard bow nor for a westerly deviation.

About 10.30 p.m. the vessel was at the entrance of Swansea Bay. The chief officer then sighted Scarweather light which bore S. $\frac{1}{2}$ E. He informed the master of this light. She had thus proceeded about 16 miles and was about eight miles out of her course. About 11 p.m. Port Talbot light was made bearing N.E. by E., distant about seven miles. The vessel was then within one mile of Scarweather Sands. She was hauled out S.S.E. and upper topsails were set. She passed about half a mile inside of Scarweather lightship and continued on this course until 0.30 a.m. of the 1st September when she was well out in the channel. The course was then altered to E. by S. $\frac{1}{2}$ S. for Breaksea lightship. It was then blowing a strong gale with occasional heavy rain squalls.

At 1 a.m. the gale had increased in violence and the upper topsails were stowed. About 2.30 a.m. Nash lights were abeam, bearing about N. by E. $\frac{1}{2}$ E., distant about five miles. It was then blowing a very heavy gale. The master ordered a cast of the lead to be taken. About 3 a.m. Breaksea light was seen, about six miles distant. The lower topsails were clewed up but they were blown to ribbons. About 4 a.m. the vessel was rounded to the northward with a view to anchoring her, as the master states that he considered this the most prudent course to adopt. She was then in 11 fathoms of water and it was blowing a gale of exceptional violence. The starboard anchor was let go but in a very short time the cable ran out and carried away the lashings in the locker. The port anchor was then let go but the cable also ran out in a similar manner. An attempt was made to get out a spare anchor, but it was found that this would be useless. About 5 a.m. the head sails were set to bring the ship's head round before the wind, but they were blown away, and she thereby became unmanageable and drifted towards the shore. Rockets were sent up and the lifeboats were got out and manned. About 5.45 a.m. the port watch was sent away in one of the boats and shortly after the vessel struck on the beach. The seas broke over her fore and aft and she was then abandoned. All the crew got ashore, and one of the lifeboats was smashed on the beach. The vessel was found to have stranded about 50 yards from the cliffs at Rhoose Point. She was badly holed and some of the plates were burst in. The main topmast fell overboard. The hold was full of water at high tide. She was subsequently salvaged and towed to Barry Dock, where she is now discharging her cargo.

Mr. Vachell then submitted the following questions upon which he desired the opinion of the Court:—

(1) What number and description of anchors and cables were on board the "Verajean"? Were they in good condition, and were the cables properly secured? Was the windlass in good working order?

(2) What were the terms of the contract made for the towage of the "Verajean" from Cardiff on or about the 29th August last by the tugs "Lady Morgan" and "Salvor"?

(3) What was the position of the "Verajean" with regard to Lundy Island when:—(a) the "Lady Morgan," (b) the "Salvor" left her on the 31st August last?

In what circumstances did the "Lady Morgan" and the "Salvor" leave the "Verajean" on the 31st August last? Were the respective masters of the tugs justified in leaving her when and as they did?

(4) After the tugs had cast off on the 31st August last, were proper measures taken by the master of the "Verajean" for the safety of the vessel?

(5) What was the position of the "Verajean" when she let go the starboard and port anchors on the early morning of the 1st September last? How was it when the anchors were let go that they did not hold the ship?

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

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

(8) Was serious damage to the sailing ship "Verajean" caused by the wrongful act or default of the master? Does blame attach to Mr. William Henry Ford and Mr. Thomas George Taylor, masters of the tugs "Lady Morgan" and "Salvor" respectively?

The Court then considered the questions and answered as follows:—

(1) The "Verajean" had on board five anchors and three cables of the following description:—

Description.	Weight.			Proof Strain.			Breaking Strain.	
	cwt.	qrs.	lbs.	tons	cwt.	qrs.	lbs.	tons.
One Bower anchor with stock.	45	0	24	33	10	1	7	—
One Bower anchor with stock.	45	3	10	33	10	1	7	—
One Bower anchor with stock.	47	2	18	34	10	0	0	—
One Stream anchor with stock.	14	1	21	13	7	2	0	—
One Heavy Kedge anchor with stock.	7	2	14	8	5	0	0	—
One Light Kedge anchor with stock.	3	2	17	5	7	2	0	—
One Bower chain cable of 135 fathoms length (size 2 inch stud link).	274	1	26	..	..	..	..	100 8/10
One Bower chain cable of 135 fathoms length (size 2 inch stud link).	276	3	17	..	..	..	..	100 8/10
One Mooring chain of 90 fathoms length (size 1 1/2 inch stud link).	53	1	21	..	..	..	..	30 8/20

The anchors and cables were in good condition. The cables were secured to stringers by means of chain lashings, and it appears to the Court that they were properly secured.

The windlass was in good working order.

(2) By the terms of the contract made for the towage of the "Verajean" from Cardiff on the 29th August last, the tugs "Lady Morgan" and "Salvor" were required to tow her to Lundy Island.

(3) The evidence as to the position of the "Verajean" when the "Lady Morgan" and the "Salvor" left her on the 31st August last is of a contradictory character, but the Court is of opinion that she was left about four miles to the north of Lundy Island.

About 11.30 a.m. of the 31st, the second hawser of the "Lady Morgan" parted and she thereupon went alongside the "Verajean" and attached a portion of her hawser to a coir spring belonging to the "Verajean." It was then blowing a moderate gale from the S.W. and W.S.W., and was squally.

According to the evidence of the witnesses from the "Lady Morgan," the master of the latter asked the master of the "Verajean" if he had any letters for the shore, and also for the towing order, as they were then under the lee of Lundy Island and in comparatively smooth water. The master of the "Verajean," however, denies that any such request was made to him, but states that he asked the master of the "Lady Morgan" to take him to the westward of Lundy. The tugs continued towing until about 1 p.m., when the "Lady Morgan" slipped her cable and proceeded, according to the evidence of the master of the "Lady Morgan," in a S. by E. direction, and, according to the evidence of the master of the "Verajean," in a westerly direction. She was, however, lost

sight of in about ten minutes, owing to the rain squalls. She made no signal to the "Verajeau" that she intended leaving. The gale had increased in violence and there was a heavy sea. The master of the "Lady Morgan" states that he left the "Verajeau" as he had passed Lundy, and so had fulfilled his contract, and that in consequence of the shorter hawser which he was then using and the heavy seas experienced there was a great danger of fouling the "Salvor."

The "Salvor" continued towing until about 1.30 p.m., when the master blew her whistle several times, which he states was a signal to the "Verajeau" to set sails and to cast off the tow rope. The master of the latter signalled, "What are you about?" and the "Salvor" then came alongside the "Verajeau." The master of the "Salvor" states that he asked the master of the "Verajeau" to make sail and to let go the hawser as the contract was fulfilled. The master of the latter, however, states that he did not hear what was said, but that he requested him to fulfil his contract and take the vessel to Lundy. The "Salvor" then slipped her hawser and proceeded, according to the evidence of her master, in a S.E., direction, and, according to the evidence of the master of the "Verajeau," in a westerly direction.

The tugs left the "Verajeau" without taking their hawsers and took shelter in Lundy Roads, where they remained for about two days. When the "Salvor" left it was still blowing a fresh gale from the S.W. with a heavy sea.

The master and chief officer of the "Verajeau" state that they do not blame the tugs for leaving her when they did. Having regard to the severity of the weather, to the danger of collision between the tugs after about 1 p.m., and to the "Verajeau" being at Lundy and in a safe position to proceed on her voyage, the Court is of opinion that the respective masters of the tugs were justified in leaving her when and as they did.

(4) After the tugs cast off on the 31st August last, the master of the "Verajeau" decided to return to Barry Roads owing to the violence of the weather. The two towing hawsers were taken on board, the lower topsails and fore topmast staysails were set, and at about 3 p.m. a course E. by S. was steered to make Bull Point. These measures were proper for the safety of the vessel.

(5) When the "Verajeau" let go her starboard and port anchors about 4 a.m. on the 1st September, she was about six to seven miles W. of Breaksea Lightship, in about 11 fathoms of water. It was then blowing a gale of exceptional violence from the S.W. The master states that, having regard to the state of the weather, he decided to anchor the vessel, as he considered it the most prudent course to adopt. The vessel was rounded to the northward. When the anchors were let go, the cables ran out and carried away the lashings in the lockers. The band friction brakes of the windlass were unable to cope with the great strain upon the cables. The master afterwards set the head sails, but they were blown away, and the ship then became unmanageable.

(6) The primary cause of the stranding of the vessel was the master's imprudent attempt to anchor her in an exposed situation, and the proximate cause was the loss of her starboard and port anchors and cables, and her head sails, whereby she drifted on to the shore and sustained serious damage.

(7) About 8 p.m. on the 31st, Bull Point light was about 4 miles distant, and the course was altered from E. by S. to E. The master made no allowance for the strong ebb tide (which was about four knots) on his starboard bow nor for a westerly deviation. About 10.30 p.m. the vessel was at the entrance of Swansea Bay, near the Scarweather Lightship, which bore S. $\frac{1}{2}$ E., having proceeded about 16 miles. She was thus about 8 miles out of her course. About 11 p.m., Port Talbot light was made, bearing about N.E. by E., distant about 7 miles. The vessel was then in dangerous proximity to the Scarweather Sands. She was safely hauled out to the S.S.E., and passed about half a mile inside of Scarweather Lightship. The master was unable to account for the vessel being so much out of her course except that he had made no allowance for the tide.

Having regard to these circumstances, the Court considers that the vessel was not navigated with proper and seamanlike care between 8 p.m. and 11 p.m. The Court, however, is of opinion that thereafter, except as hereinafter stated with regard to the anchorage of the vessel, she was navigated with proper and seamanlike care.

(8) The Court considers that, although it would have been more prudent to have proceeded to Barry or Penarth Roads, yet, having regard to this voyage being the first the master had made in the vessel, to his slight acquaintance with the Bristol Channel, and to the exceptional violence of the weather, it is of opinion that the anchoring of the vessel in such an exposed situation was an error of judgment of the master, and that the serious damage to the "Verajeau" was, therefore, not caused by his wrongful act or default.

For the reasons before mentioned, the Court is of opinion that no blame attaches to the masters of the tugs "Lady Morgan" and "Salvor," but it considers that there should have been a system of signalling arranged between the tugs and the tow before leaving port.

E. MILNER-JONES,
Judge.

We concur.

JENKIN THOMAS, } Assessors.
DAVID DAVIES, }

(Issued in London by the Board of Trade on the 6th day of November, 1908.)