

(No. S. 330).

"PRINCESS LOUISE" (S.S.).

THE MERCHANT SHIPPING ACT, 1894.

In the matter of a formal investigation held at the Law Courts, Hull, on the 26th, 27th and 28th days of February and the 2nd and 3rd days of March 1914, before J. G. HAY HALKETT, Esquire, assisted by Commander A. S. HOUSTOUN, R.N.R., Captain W. A. FAUSSET and Mr. W. J. HEAD, into the circumstances attending the stranding of the British steamship "PRINCESS LOUISE" near Lodingen, Norway, on the 27th day of December 1913.

*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 causes of the stranding of the vessel were as follows:—

- (1) The failure of the skipper to give his vessel sufficient offing before setting the S.W. by S. course.
- (2) His inadequate instructions to the second hand before going below.
- (3) His neglect to haul her out at once considerably when he returned to the wheelhouse.
- (4) The failure of the second hand to attend to the instructions which the skipper did give.
- (5) His neglect to keep a good and proper look out and to see that the course set was steered. The Court finds the skipper, Mr. Herman Dettman, and the second hand, George Henry Batty, both in default and suspends their certificates—No. 6483 (renewed) and No. 10696 as skipper and as second hand respectively—for three months from this date.

Dated this third day of March 1914.

J. G. HAY HALKETT, *Judge.*

We concur in the above Report.

A. S. HOUSTOUN, *Assessor.*

W. A. FAUSSET, *Assessor.*

W. J. HEAD, *Assessor.*

ANNEX TO THE REPORT.

This inquiry was held at the Law Courts, Hull, on the above-mentioned days when Mr. H. Leicester Saxelbye appeared for the Board of Trade and Mr. H. Colbeck for Mr. Herman Dettman, the skipper. George Henry Batty, the second hand, appeared in person not being represented by counsel or solicitor. Dr. A. E. Jackson watched the case on behalf of the owners, and, on his application, the underwriters—the Hull Steam Trawlers Mutual Insurance and Protecting Company Limited—for whom he also appeared, were made a party to the inquiry.

The "Princess Louise," Official Number 121,084, is a steam trawler built of steel at Beverley in 1905 by Messrs. Cook, Welton and Gemmell and her respective dimensions are:—Length, 133·6 feet; breadth, 22·55 feet; depth of hold 12·32 feet; gross tonnage 289·22 tons and registered tonnage 113·24 tons. She was fitted by Messrs. C. D. Holmes & Company Limited, of Hull, with triple expansion engines of 70 h.p. (nominal) the diameters of the cylinders being 13 inches, 22 inches and 37 inches respectively, and her speed is given in the register as 10½ knots. She is owned by Armitage's Steam Trawling Company Limited, Mr. George Thomas Armitage, Ivy House, Boulevard, Hull, being her registered manager. She had one boat of the size and description usually carried by vessels of her class which was placed aft on chocks and she was supplied with three life buoys, which were kept hung in brackets on the verandah outside the wheelhouse, and a sufficient number of life-jackets for the ship's company. Copies, the

accuracy of which was admitted by the skipper, of the deviation cards supplied by the compass adjusters, were produced at the inquiry. The skipper stated that he had Admiralty charts covering the distance from England to the White Sea, a Norwegian chart and three charts published by Messrs. Imray, Laurie, Norie & Wilson Ltd., of the north west coast of Norway. He also had the Admiralty sailing directions—"Norway Pilot" part 2 published in 1905—the Admiralty list of lights for Norway and also the sailing directions which Messrs. Imray & Co. supply with their charts. The vessel was also provided with Walker's patent cherub taffrail log and in other respects she was well fitted and found for the trade in which she was engaged.

The "Princess Louise" left Hull on the 15th November last bound for the fishing grounds off the coast of Lapland with a crew of twelve hands all told under the command of her skipper who held a certificate of competency, as skipper, No. 6483 (renewed) and dated 19th January 1900. The vessel arrived at the fishing grounds in due course and after having been engaged more or less successfully in fishing she left the neighbourhood of Sem Islands on the 23rd December on her homeward voyage. A pilot was picked up at Honningsvaag—which is slightly to the westward of the North Cape—and the vessel proceeded under pilotage charge through the fiords of the north west coast of Norway. The skipper, who had been seized with an acute attack of inflammation of the bowels when fishing off the Sem Islands, was seriously indisposed during the whole of the return voyage and it was necessary to obtain medical assistance for him at Gibostad a place in the fiords about 70 miles north of Lodingen.

During the early morning of the 27th December last the vessel arrived off Lodingen with the object of discharging the pilot. The skipper stated that he then felt better and capable of taking his vessel through the remainder of the fiords although he usually kept the pilot on board as far as Skraaven. It was said that this particular pilot was required for another vessel and that he had to remain at Lodingen but there was, of course, nothing to prevent the skipper from taking another pilot at Lodingen if not well enough to take charge himself. After discharging the pilot—which occupied about ten minutes—the vessel at about 4.30 a.m. (ship's time) proceeded on her voyage her draught being about 9 feet forward and 15 feet aft. The night was fine and clear there was no moon but the snow-covered and, generally speaking, high land was visible for a considerable distance. There was a light breeze from the eastward and the water was smooth. The skipper then set a S.E. course by compass (S.E. ½ E. magnetic) with the view of placing his vessel half way across the entrance to Tjel Sund before setting a course in the direction of Vest Fiord. The engines were put at full speed—which under the then conditions was said to be about 9 knots—and the south easterly course was continued for, according to the skipper, about 6 or 7 minutes, when, for no very adequate reason, he considered that his vessel was in mid-channel. A compass course of S.W. by S. (no deviation) was then set and the vessel duly passed across the red sector of Lodingen Light into the white fixed sector of that light—which was on the starboard quarter—and across a part of the white and into the red sector of Baro Light—which was on the port bow. After the vessel was on the new course for about four minutes the skipper was suddenly attacked by pain and left the wheelhouse but before going below to the chart room he drew the second hand's attention to the fixed white light of Lodingen and told him to "Keep it where it is and see that she goes straight on her course" to which the second hand replied "All right, skipper." About a minute after the skipper went below the second hand, who had been at the wheel since the vessel left Lodingen, handed it over to Clarkson (deck hand), who, with the spare deck hand (who was in the galley making cocoa during all material times), formed the watch. The second hand then went to the only open window in the wheelhouse ostensibly to keep a look out. The window in question was the one out of four windows in front of the wheelhouse which was nearest the starboard side. The first thing the skipper did on returning to the wheelhouse in about ten minutes was to look at the compass which he said, although heading S.W. by S.

was on the swing. He stated that he at once saw that the Lødingen white flashing sector and not the white fixed sector was in view almost astern. He then accused the second hand of allowing the vessel to get off her course which accusation the second hand denied. The skipper also said that after looking aft and speaking to the second hand he then told him to haul the vessel out to S.S.W., but, according to the second hand and deck hand, his first order was S.W. but, before it could be executed, he gave the further order S.W. by S. (which was the course) and then the order S.S.W. The Court finds some difficulty, owing to discrepancies in the evidence, in coming to an exact conclusion as to what length of time elapsed between the skipper's return to the wheelhouse and the order to put her S.S.W. but is decidedly of opinion that some valuable time was lost before even hauling her out one point in the direction of safety. Had he promptly given the order "hard a starboard" till he regained the white fixed sector the casualty would in all probability have been averted.

Almost immediately after the order had been given to put her S.S.W. the vessel struck heavily amidships and again further aft when she heeled over to starboard and remained fast. When the vessel took the ground, which was at about 4.50 a.m. (ship's time), the skipper gave the order to stop the engines but the effect of the blow had already stopped them. A second or so afterwards the skipper ordered the engines half speed astern but the engineers were not able to get them to move and reported this fact to the skipper who said nothing. After this the skipper gave the order "Down anchor" but it was also impossible to execute this order as the chain cable was frozen on to the windlass. A cast of the lead by the boatswain at 5 fathoms abreast of the wheelhouse was then reported. As soon as the vessel struck, water quickly began to rise in the stoke hold which fact was at once reported to the skipper. The engineers—it was the second engineer's watch but the chief engineer came out of the engine room immediately after the casualty—remained in the engine room until the water came up to their waists as they stood on the platform when they were obliged to come on deck without being able to draw the fires. The skipper then ordered the boat to be got out and she was got out and all hands got into her with some of their effects. The boat remained close to the vessel—the men hanging on to the davit tackle fall as she sank—until the wheelhouse wholly disappeared and the funnel partially disappeared. She then canted her head up and went down by the stern almost perpendicularly leaving some few feet of her stem above water. The ship's company then tried to pull to the shore but did not succeed and eventually they sighted a small Norwegian passenger steamer in which they proceeded to Svalvær.

From Svalvær the skipper and chief engineer returned to Lødingen whence, on board a salvage steamer, they proceeded to the stranded vessel which they found to be lying out of sight in 10 fathoms of water a few yards to the west of Rot Vær her position in their opinion affording some chance of her being ultimately salvaged. The skipper, although he admitted that he was not aware of the precise spot where he left his vessel when the ship's company took to the boat, seemed to have come to the conclusion when he returned to her in the salvage vessel that she had shifted some distance to the westward i.e. to the westward of Flagskallen. The Court is of opinion that although the vessel may have, and probably did, slip into deeper contiguous water she could not, in her then condition, have moved any distance and that her position is somewhere to the westward of Rot Vær and to the eastward, not westward—for the skipper shewed obvious confusion about locality—of Flagskallen.

Through the action of the British Consul at Svalvær the crew were sent via Bergen and Newcastle to Hull.

The outstanding feature of the case is the fact that a vessel should have gone ashore off a coast which was clearly visible and within the range of two lights—fully equipped with sectors—in about 4 miles and the causes of this unusual event may shortly be summarised as follows:—(1) Insufficient offing when the S.W. by S. course was fixed. (2) Inadequate instructions by the skipper when he went below for

a short time. (3) Delay in hauling the vessel out when he returned to the wheelhouse. (4) Inattention by the second hand to such instructions as the skipper did leave and (5) Bad look out and careless steering when the second hand was in charge in the wheelhouse.

As to the first point the skipper tried to make out that he had been about a mile on the south easterly course before he set the S.W. by S. course. If that were the case he would have set a considerably finer course with reference to the only nearly adjacent land—that on the starboard side—than that which is marked on the charts which is a mid-channel course from the entrance to Tjel Sund. But the Court is of opinion that his distance from Lødingen was somewhat less than he said. According to his own statement he only steered S.E. for 6 or 7 minutes. This was from a stationary position after dropping the pilot. Full speed, according to the engineers in charge, would on the early morning in question, be about 9 knots and if allowance is made for the time that would elapse before full speed could be attained after the engines were first set in motion in about 6 minutes the vessel could not have proceeded more than from half a mile to three quarters before the S.W. by S. course was set. When this course from such a position is laid off on the chart it is apparent that it would take the vessel dangerously near Rot Vær indeed so near that comparatively small tidal influences or rough steering might easily put her there. The Court therefore concludes unhesitatingly that the skipper did not give her sufficient offing. As to the second point the skipper was well aware when he left the wheelhouse that if the white flashing sector of Lødingen Light came into view astern his vessel was in imminent danger yet he neglected to draw the attention of the second hand to this fact. The third point requires no demonstration—valuable moments were lost and inadequate steps eventually taken. As to the fourth point the second hand was informed by the skipper that his duty was to keep the white fixed sector of Lødingen Light in sight astern and yet he lost it without calling the skipper or taking any other step. As to the fifth and last point if the second hand had kept a good and proper look out from the starboard window he ought to have seen that the snow-covered land which by this time was quite near on the starboard side was too near and he ought to have detected the careless steering for the insufficient offing could not quite account for everything. There was no tide or current to speak of and there must have been careless steering or the vessel could not have got inside Rot Vær.

There is no doubt that the skipper of this vessel is ordinarily a careful and experienced man and that his share of blame for the casualty was largely due to his state of health. The Court, however, feels that in the physical condition in which he was on leaving Lødingen, he ought to have shipped another pilot in lieu of the one who was leaving him particularly in view of the fact that he usually had a pilot as far as Skraaven. If he were not able, as he obviously was not, to use ordinary care in the navigation of his vessel he should have devolved his duties upon another or have remained off Lødingen till daylight. Under all the circumstances of the case the Court feels, with regret, that it is unable to hold him altogether excused on account of his illness.

The second hand is in another category. He shewed no spark of intelligence whatever in giving his evidence and evinced the most crass ignorance about everything in connection with the navigation of his vessel. He indeed was a broken reed for the skipper to rely upon and the blame for this may not be wholly his for the skipper does not seem to have given him easy access to charts and sailing directions about which he knew, and seemed not ashamed of knowing, nothing. However, holding as he did, a second hand's certificate it was inexcusable in him that he should have wholly disregarded a definite instruction and been so careless about the look-out and steering—particularly, in the case of the latter, when he had so ignorant and unobservant a watch mate as Clarkson the deck hand showed himself to be.

Having regard to the singular want of co-operation which existed between the skipper and the second hand which in the then state of health of the former

involved serious make the following the duty of skipper with the view of take an intelligent their vessels. directions should the other hand opportunity of perform their duty with the ultimate themselves.

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involved serious consequences the Court desires to make the following general observations:—That it is the duty of skippers to adopt all reasonable steps with the view of encouraging their second hands to take an intelligent interest in the navigation of their vessels. For example, charts and sailing directions should be easily accessible to them. On the other hand second hands should take every opportunity of making themselves competent to perform their duties with ability and thoroughness with the ultimate aim of being fit to command vessels themselves.

At the conclusion of the evidence Mr. Saxelbye, on behalf of the Board of Trade, submitted the following questions 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 skipper 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. After the pilot had been discharged at Lodingen at about 4.30 a.m. on the 27th December last (ship's time) was a safe and proper course steered out of the Harbour? Was a safe and proper alteration shortly afterwards made in the course and was due and proper allowance made for tides and currents?

5. Did the skipper leave proper and sufficient instructions, if any, with the mate just before he went below shortly after 4.30 a.m. on the 27th December last? Were those instructions, if any, carried out by the mate?

6. When the skipper found shortly before the vessel stranded that she was within the white flashing sector of Lodingen light, did he take prompt and proper measures for her safety?

7. Was a good and proper look-out kept?

8. What was the cause of the stranding of the vessel? Was she seriously damaged thereby?

9. Was the vessel navigated with proper and seamanlike care?

10. Was the stranding of, and serious damage to, the S.S. "Princess Louise" caused by the wrongful act or default of the skipper and mate, or of either of them.

Dr. Jackson and Mr. Colbeck having addressed the Court on behalf of the underwriters and skipper respectively, the second hand having said a few words and Mr. Saxelbye having replied on behalf of the Board of Trade the Court gave judgment and returned the following answers to the questions of the Board of Trade:—

1. The vessel had two compasses in position viz:—a spirit compass in the top of the wheelhouse by which the courses were set and steered and a pole compass which was only occasionally used for the purpose of comparison. She also carried a spare compass in the chart room which was not used. These compasses were in good order and sufficient for the safe navigation of the vessel and were last adjusted by Messrs. Castle & Co., Hull, on the 12th July 1913.

2. The skipper stated that he is unable to ascertain the deviation of his compasses by celestial or other observations but that since the adjustment he checked them from time to time by the manner in which the vessel made her way from point to point along the coast and up and down the River Humber. The errors shewn on the deviation cards supplied by the compass adjusters were applied to the courses and the skipper stated that he found the deviation shewn on the cards to be accurate.

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

4. After the pilot had been discharged at Lodingen at about 4.30 a.m. on the 27th December last (ship's time) a safe and proper course was steered out of the harbour. The alteration in the course made shortly afterwards was not a safe and proper one in view of the fact which is borne out by careful analysis of the evidence that the vessel had not proceeded far enough on the course to make this alteration safe. The skipper apparently made no allowance for tide or currents, and the Court is of opinion that none was necessary as it was practically slack water at the time.

5. The skipper left some instructions with the second hand just before he went below shortly after 4.30 a.m. (ship's time) on the 27th December last but these instructions were not sufficient in that they contained no reference to the danger of seeing the white flashing sector of the Lodingen Light. The instructions which the skipper did give were not carried out by the second hand in that he did not keep the white fixed sector of the Lodingen Light in view.

6. When the skipper found, shortly before the vessel stranded, that she was within the white flashing sector of Lodingen Light he at once, or very quickly afterwards, altered her course from S.W. by S. to S.S.W. This alteration was an alteration in the direction of safety but in the then position of the vessel which on so clear a night should have been realized the alteration was insufficient.

7. A good and proper look-out was not kept.

8. The causes of the stranding of the vessel were:—

- (1) The failure of the skipper to give her sufficient offing through his not proceeding long enough on the south easterly course.
- (2) His going below without telling the second hand to beware of the white flashing sector of the Lodingen Light and of the danger of steering to the westward of the course.
- (3) His inability on returning to the wheelhouse to realize the immediate necessity for hauling his vessel out considerably.
- (4) The second hand not attending to the skipper's instructions to keep the white fixed sector of the light in view.
- (5) His neglect to keep a good and proper look-out and to see that the course set was steered.

The vessel was seriously damaged by the stranding.

9. The vessel was not navigated with proper and seamanlike care.

10. The stranding of, and serious damage to, the S.S. "Princess Louise" was caused by the wrongful act and default of the skipper and of the second hand. As the skipper on the early morning in question was suffering from very severe indisposition, as he bears an exceptionally good character and as he gave his evidence with absolute straightforwardness the Court suspends his certificate (No. 6483 renewed) for three months only from the date hereof. The Court suspends the certificate (No. 10696) of the second hand, who in his evidence displayed both ignorance and indifference and did not adequately assist the skipper, at a time when he most needed it, for a like period.

J. G. HAY HALKETT, *Judge*.

We concur.

A. S. HOUSTOUN, *Assessor*.

W. A. FAUSSET, *Assessor*.

W. J. HEAD, *Assessor*.

(Issued in London by the Board of Trade on the 24th day of March, 1914.)