

(No. 7930.)

S. S. "RUMORE"

THE MERCHANT SHIPPING ACT, 1894

REPORT OF COURT

In the matter of a Formal Investigation held at the County Buildings, Glasgow, on the 14th, 15th and 16th June, 1939, before George Wilton Wilton, Esq., K.C., Sheriff-Substitute of Lanarkshire, assisted by Captain Frederick John Thompson, O.B.E., R.D.; Captain Clarence Arthur Wilson, and Robert Buchanan Reith, Esq., M.I.N.A., Marine Surveyor, as Nautical Assessors, into the circumstances attending the loss of the s.s. "Rumore," a coasting vessel, with all her crew, on or about the 28th January, 1938, while on a voyage in ballast from Waterford to Barry.

Upon the evidence led at the Inquiry and for the reasons stated herein and in the Annex to this Report, the Court finds that the vessel was presumably lost somewhere in St. George's Channel, while encountering very heavy weather some time after leaving Passage East at about 11 p.m. on the 27th January, 1938; but the Court is unable in the state of the evidence to determine the precise cause of her disappearance.

The Court answers the Questions submitted by the Board of Trade as follows:—

Q. 1. By whom was the s.s. "Rumore" owned at the time of her loss? For how long had she been in such ownership?

A. The Point Steamship Company, Limited, having its registered office at 31, St. Vincent Place, Glasgow, owned the vessel; her registered manager was Mr. John Urquhart, now of 45, Renfield Street, Glasgow.

Q. 2. Did the vessel suffer any damage while at Waterford?

A. The evidence indicates the negative.

Q. 3. On what day and at what time did the vessel leave Waterford on her last voyage?

A. On Thursday, the 27th January, 1938, at about 10 p.m. she left Waterford with a pilot on board, and reached Passage East at the mouth of the river about an hour later. There the pilot, as stated in his sworn declaration, left the vessel on the assumption that the vessel was then proceeding to sea.

Q. 4. Was there a pilot on board? If so, when and where did he leave the vessel?

A. Yes. At Passage East about 11 p.m. on the 27th January, 1938.

Q. 5. If a pilot was taken on board, did the vessel suffer any damage while he was on board?

A. His declaration is negative.

Q. 6. On what day and at what time did the vessel put to sea?

A. On the 27th January, 1938, about 11 p.m. from Passage East.

Q. 7. Had she on board any, and if so, what, cargo?

A. She carried no cargo.

Q. 8. How many crew were on board her?

A. Seven men. These were the master, William Heggen; the mate, A. S. Hamilton; first engineer, Alexander Christie; second engineer, J. Gaucie; two able seamen, James Curran and Samuel Boyd; and a fireman, Said Ali, an Indian.

Q. 9. When the vessel left Waterford, had she a sufficient margin of stability for the contemplated voyage?

A. Yes.

Q. 10. When the vessel left Waterford was she in good and seaworthy condition?

A. Yes.

Q. 11. When the vessel was at sea (a) were any, and if so, what, messages received from her; (b) was she sighted by any, and if so, what, other vessels?

A. (a) No messages were received from her; she carried no wireless for such messages, and she was under no regulation to carry such wireless; (b) She was sighted by no vessel.

Q. 12. Did the vessel reach her destination? If not, why not?

A. She never reached her destination. She disappeared; but when and where the evidence gives no clue.

Q. 13. After she left Waterford on her last voyage was any, and if so, what, wreckage discovered?

A. No wreckage was reported or discovered.

Q. 14. What was the probable cause of the vessel's loss?

A. The vessel's loss was probably due to her unexpectedly encountering abnormal seas in St. George's Channel; but whether she foundered by being overwhelmed in a heavy sea; running aground; striking some rock or other obstruction in attempting to run straight across to the Bristol Channel or to run for shelter in some other direction; springing a serious leak; failure of her steering-gear; or from some other cause, can only be conjectured.

Dated this sixteenth day of June, 1939.

G. W. WILTON,

Judge.

We concur in the above Report.

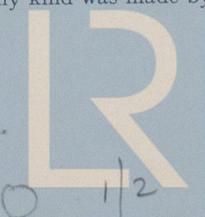
FRED J. THOMPSON,
C. A. WILSON,
R. BUCHANAN REITH, } Assessors.

Annex to Report.

In this Inquiry, Mr. Thomas Walter Donald, solicitor, of Messrs. McGrigor, Donald & Company, Solicitors, Glasgow, appeared for the Board of Trade. Mr. Hugh B. Spens, solicitor, of Messrs. MacLay, Murray & Spens, Solicitors, Glasgow, appeared for the Point Steamship Company, Limited, the owners of the vessel. At the request of the owners, they were made parties to the investigation. Mr. D. Wright Smith, solicitor, Glasgow, represented the Mercantile Marine Service Association, and as such he attended in the interests of the representatives of the late master and mate of the vessel.

The s.s. "Rumore" was registered at the port of Glasgow, her official number being 145,447. Her gross tonnage was 325.12, and, after deducting for propelling power and crew space, her net tonnage was 123.45. She was a single-screw vessel, and fore and aft schooner-rigged. The engines were aft. She was owned by the Point Steamship Company, Limited, of Glasgow. The registered manager was Mr. John Urquhart, 45, Renfield Street, Glasgow. The registered office of the owners was at 31, St. Vincent Place, Glasgow. She was built of steel at Leith.

The Board of Trade alone led evidence. The witnesses adduced before the Court included Mr. John Urquhart, the registered manager. No suggestion of any kind was made by the Board of Trade



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against the owners or their manager throughout the Inquiry. It was agreed that the owners had complied with all Board of Trade and other regulations and maintained the vessel in proper condition and repair. The Court was well impressed by the straightforward evidence of Mr. Urquhart, and by the facts, vouched by documents and otherwise, to which he spoke, upon the value, management, and insurance of the vessel, while owned by his company. The evidence, documentary and otherwise, satisfied the Court that the owners maintained the vessel in good, seaworthy condition. The market value of the vessel at the time she was lost was about £5,500. She had, by that time, passed Lloyd's survey after the most of the expenditure had been made. Mr. Ernest George Perkins, ship surveyor, of the Consultative Branch of the Mercantile Marine Department of the Board of Trade, gave skilled evidence after considering all plans, registers and documents available to him. The Court accepted his evidence as in all respects correct. The Waterford pilot and harbourmaster, respectively, were not brought to Glasgow and could not, therefore, be examined by the Court. The Court does not believe that the pilot, although he was the last person in touch with the master, from the terms of his sworn declaration, could have materially assisted the investigation by his personal attendance.

At the time of her loss she was classed 100 ✕ A1 in Lloyd's Shipping Register. There were no structural defects in her design and construction. Her length was 130.2 feet, her breadth was 22.6 feet; and her depth was 9.6 feet. She was a small vessel of the well-deck type, with her engine and boiler room aft, and intended for coasting trade.

The vessel was divided into four compartments, a forepeak tank, a hold, an engine and boiler room and an afterpeak tank, and had three watertight bulkheads. There were no double-bottom tanks. Her machinery consisted of a direct-acting compound engine, with cylinders 15 inches and 32 inches in diameter, and a stroke of 24 inches. The boiler was coal-fired, and had a working pressure of 130 lb. per square inch. Her indicated horse-power was 400, said to give the vessel a speed of 9 knots. There were bunkers at the fore end of the machinery space, and a hatch on the level of the casing-top leading down into the bunkers, and at the fore end of the machinery casing. The steering gear was of the rod-and-chain type, and was steam operated. She carried two lifeboats in davits, one on each side of the vessel, each boat capable of carrying 12 people. In addition, she had seven standard cork lifejackets and the requisite number of lifebuoys.

The builders having gone out of business, no plans have been recovered throwing any light upon the stability of the vessel when built. She was not lost until 1938. During most of the 17 years since she was built, she was trading under different owners and masters around the coasts of Britain, and had been periodically surveyed by Lloyd's surveyors.

Her name was changed three times from "Brunton," as originally registered. She became successively known and registered as "Millocrat," and "Dhooon Glen." Her present owners at the beginning of 1937 changed her name to "Rumore."

The vessel was bought by the Point Steamship Company, Limited, in January, 1937, for £3,200. Between the date of that purchase and the date of loss, the owners spent about £2,200 on her in alterations and repairs. She was insured for £4,000 on hull and machinery. There were also increased value policies amounting to £1,200, and a policy of freight of £300. The owners received £5,148 under these policies in respect of the total loss of the vessel.

The machinery space of the vessel was 26 feet long. Her machinery, being aft, her draught would vary according as she was loaded or light. Her moulded depth was about 10 feet 6 inches. The fore-castle was about 21 feet long. The hold was 66 feet long. The bridge proper was about 8 feet long. There was a raised quarterdeck aft, about

48 feet long and about 3 feet 3 inches above the deck. The cargo hatchway was divided into eight bays of 4 feet 3 inches long each. There were alterations made upon the "Rumore" after she was built, and, some time before the owners acquired her, an after derrick and an after winch and samson-post were all removed, the derrick post being cut to the deck at 5 feet 6 inches and was used as a ventilator. Their removal was advantageous to the seaworthiness of the vessel.

The vessel carried no wireless telegraphy set. She carried a wireless receiving set.

William Heggen, the master, had been with the vessel for about 10 months. She made over thirty voyages, both loaded and light, during the last six months of that time. The owners had complete confidence in his seamanship. No complaints were ever made to the owners by him about her stability or seaworthiness.

The vessel had been trading for the owners from January, 1937, until January, 1938, continually, in a similar trade to what she had previously been in for 17 odd years, mainly between Ayrshire ports, the Mersey, the Bristol Channel, and to Ireland principally; occasionally round the English Channel, as far east as London. Her main freights were coal to Ireland. She carried 270 tons of dead-weight cargo. She was accustomed to leave Free State of Ireland ports in ballast condition. There were practically no return cargoes from Ireland.

The last communication received by the owners from the master was a telegram from Waterford on the 27th January, 1938, stating: "'Rumore' sails Barry five this evening unless otherwise instructed—shipbroker. Heggen." No other instructions were sent. Her draught as she left Waterford was 10 feet. Although weather in Glasgow was then very bad, no undue anxiety was felt by the owners for a day or two on account of the rough weather reported at sea. But, after January had passed, the owners got in touch with the Waterford harbour office, and on the 3rd February, 1938, a harbour official reported to the owners that the vessel had not been sighted anywhere after leaving Passage East at 11 p.m. on the 27th January—his telegram stating "28th" being obviously an error.

It was suggested in the course of the evidence from the Board of Trade's brief that the "Rumore" had delayed sailing from Passage East for some 24 hours. But this appears to have been solely based upon the mistake made in the harbour office telegram of the 3rd February, despatched a week after the pilot left her on the 27th January, as he reported, proceeding to sea. No evidence of any kind was led upon which any such prolonged standing-by could be reasonably inferred or justified. The weather was much more favourable for sailing at 11 p.m. on the 27th January than it was at the same time on the 28th January. The pilot declared that the weather at 11 p.m. on the 27th January was then rainy, with the wind S.W. moderate. It seemed so obvious that the date of putting to sea had been inadvertently misstated in the telegram that the Court considered no further inquiries of the harbour officials or pilot were necessary.

With regard to her light condition when she sailed from Waterford, the position according to the owners was that at Barry she had loaded 39 tons 14 cwt. of bunker coal, which was more than necessary for her requirements back again to the Bristol Channel. Her next cargo was not then arranged, and it might have been that she would have been ordered to the Mersey, or even possibly to Ayrshire, in which case provision had to be made for such a voyage. At the time she left Passage East, she could have used only about 10 tons; she had ample reserve for all contingencies.

There was evidence by the experienced master of a coasting vessel, s.s. "Thelma," of 374 gross tonnage, with regard to weather conditions on the 27th January. She left Waterford at 6.45 p.m. on the 27th January in light condition for Swansea, and reached there safely on the 28th January. She was slightly larger than the "Rumore." She had 60 tons of water ballast. After passing Hook Light,

the master experienced squally weather, with a heavy ground swell and an increasing gale from W.S.W. Another vessel of a similar type, s.s. "St. Aidan," was proved to have also left Waterford on the 27th January at 3.35 p.m. in light condition. Her master experienced a full gale, but kept right up the Irish coast as far as Carnlough Bay, in County Antrim, where, at about 7 p.m. on the 28th January, she was held for some time before crossing to the Scottish coast on 29th January. The gale was blowing practically all the 28th and 29th.

The Court had evidence submitted by the Board of Trade from former masters of the "Rumore" under previous owners. These masters found her satisfactory. One of these masters, and the last, had been with the vessel for five-and-a-half years. He had no criticism at all of her when loaded; but, when "light ship," she was apt to list, and at his instigation the derricks, winch, and samson-post were removed. That was in or about 1934. After that, stability tests were made at Liverpool. These were satisfactory. That last master left the vessel when she was sold to the owners. From 1934 to January, 1937, he had made no complaints to his owners in regard to the behaviour of the vessel, loaded or light. He had particular experience during that period of very heavy gales when sailing with cargo, and also light. When light, he took the vessel on one occasion back to port, as some rivets had loosened through strain. Single-bottom vessels of the type of the "Rumore," if trimmed well down by the stern, when steaming in ballast condition, head to high wind and sea, are liable to excessive strain and tend to become unmanageable.

As the vessel with all her crew, logs, and papers, was lost, the cause of her disappearance can be matter of surmise only. The weather was so abnormal that something must have happened. The seas in the St. George's Channel and the Irish Sea during the 28th and 29th January were tremendous. The vessel may have been overwhelmed by a heavy sea. She might have struck some submerged rock or other object, or been stranded.

Freeboard verification forms were duly completed in March, 1937, and a certificate was granted for the period to August, 1938. The last annual load-line report was made also in March, 1937, and it was in accordance with the Merchant Shipping Safety and Load Line Conventions Act, 1932. Hull and machinery had been duly inspected and reported upon annually right up to a Glasgow report, No. 58,718, in August, 1937, on the hull.

Inclining experiments in the vessel were made at Liverpool before the sale of the vessel to the owners, and these were found satisfactory. Mr. Perkins

made in Liverpool a similar experiment on the 19th November, 1938, upon s.s. "Kyle Rhea," built at about the same time as the "Rumore" and by the same builders. Allowing for differences between that vessel and the s.s. "Rumore" at the time of the loss, his experiments were satisfactory, and were made when the vessel was in light condition.

In addressing the Court on the 15th June, 1939, Mr. Donald expressed the view of the Board of Trade that, upon the evidence, the vessel had a sufficient margin of stability for her last voyage, and that she was in all respects seaworthy. The Court agrees with these views. Mr. Spens, for the owners, suggested that the loss of the vessel was due to the exceptional state of the elements, which the master encountered after setting out to sea, as shown by the "Thelma." The master seems to have had no reason to expect such bad weather on the night of the 27th January, as the wind rose to gale force only in the course of the 28th January.

There is no regulation made under the Merchant Shipping Act of 1894 or otherwise by the Board of Trade in regard to what ballast a vessel must carry. Some owners may lay down rules, but at present that is a matter solely lying within the discretion of the owners and the master.

No blame is attached to or suggested against the master or the mate in this case, in view of the long career of the s.s. "Rumore," sailing loaded and light, without apparently any serious misadventure, and of their own experience with her in the service of the owners.

In the opinion of the Court, the loss of this vessel suggests that regulations or provisions should now be made for proper and adequate ballast conditions to be observed by the owners of all vessels, thus ensuring safe handling in all weather conditions.

The Court recommends that consideration should be given to the question of fitting with wireless telephony, vessels not required by law to be fitted with wireless telegraphy.

The Court sat on the 16th June, 1939, and gave its decision.

Dated at Glasgow this sixteenth day of June, 1939.

G. W. WILTON,
Judge.

We concur in this Annex.

FRED J. THOMPSON,
C. A. WILSON,
R. BUCHANAN REITH, } Assessors.

(Issued by the Board of Trade in London
on Wednesday, the 19th day of July, 1939.)



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