

No. 7945

s.s. "ASHBURY"

THE MERCHANT SHIPPING ACT, 1894

REPORT OF COURT

In the matter of a Formal Investigation held at Aberdeen, on the 22nd and 23rd days of July, 1947 before Alexander James Louttit Laing, Esq., Advocate, Sheriff-Substitute of Aberdeen, Kincardine and Banff, assisted by Captain H. A. Moore and Professor L. C. Burrill, Assessors, into the circumstances attending the foundering of the Steamship "Ashbury" near Black Rocks, Talmine Skerries, at the mouth of the Kyle of Tongue to the West of Rabbit Islands, off the North of Scotland, on the 8th day of January, 1945, with the loss of all the crew.

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 casualty was not caused or contributed to by the wrongful act or default of her owners or master, and that the loss of the vessel was due to stranding in exceptionally heavy weather on a lee shore.

Dated this 24th day of July, 1947.

A. J. Louttit Laing, Judge.

We concur in the above Report.

H. A. Moore	}	Assessors.
L. C. Burrill		

QUESTIONS AND ANSWERS.

The Court answers the Questions submitted by the Ministry of Transport as follows:—

Q. 1. By whom was the s.s. "Ashbury" owned?
A. Alexander Shipping Company, Limited, 4, St. Mary Axe, London, E.C.3, and managed by Messrs. Capper, Alexander & Company of the same address. At the time of her loss she was held on a requisition Charter T 99A under the Ministry of War Transport.

Q. 2. With what compasses was the s.s. "Ashbury" fitted?
A. Three compasses. One steering compass in wheelhouse. One standard compass on top of wheelhouse. One emergency compass aft.

Q. 3. When were the compasses last professionally adjusted?
A. 4th October, 1944, off Middlesbrough.

Q. 4. Did the s.s. "Ashbury" carry a wireless transmitter?
A. Yes.

Q. 5. With what charts and publications was the s.s. "Ashbury" supplied?
A. Admiralty charts and publications as required for voyage.

Q. 6. At what time on the 31st December, 1944, did the s.s. "Ashbury" leave Workington?
A. 1 p.m.

Q. 7. With what anchors and cables was the s.s. "Ashbury" equipped when she left Workington on the 31st December, 1944?
A. Two bower anchors fitted and ready for use. One spare bower anchor on deck. One stream anchor aft. 280 fathoms of chain cable.

Q. 8. Did the s.s. "Ashbury" lose an anchor whilst at Lock Ewe?
A. Yes.

Q. 9. With what anchors and cables was the s.s. "Ashbury" equipped when she left Loch Ewe on the 6th January, 1945?
A. One bower anchor fitted and ready for use. One spare bower anchor on deck. One stream anchor aft. Starboard bower anchor lost with 60 fathoms cable. Only five shackles on port bower anchor available for use.

Q. 10. What were the draughts of water of the s.s. "Ashbury" when she left Workington on the 31st December, 1944?
A. 8 feet 0 inches forward, and 15 feet 0 inches aft.

Q. 11. Did the s.s. "Ashbury" sail from Loch Ewe on the 6th January, 1945, in convoy, and was she then sailing for the Tyne?
A. Yes.

Q. 12. Did the s.s. "Ashbury" fail to maintain her Convoy Station on or about the 7th January, 1945?
A. Yes.

Q. 13. On the 7th and 8th days of January, 1945, did wind, weather, and sea conditions deteriorate so as to affect the navigation of the s.s. "Ashbury"?
A. Yes.

Q. 14. At what time and where did the s.s. "Ashbury" run aground and founder?
A. Between 3 a.m. and 4 a.m., on 8th January, 1945. Position Latitude 58 degs. 32.8' N. Longitude 04 degs. 24.3' W.

Near Black Rocks, Talmine Skerries, at mouth of Kyle of Tongue to the West of Rabbit Islands, off the North Coast of Scotland.

Q. 15. Was the loss of the s.s. "Ashbury" accompanied by the loss of the master and all members of the crew?
A. Yes.

Q. 16. What was the cause of the stranding and loss of the s.s. "Ashbury"?
A. While the final cause of the stranding and loss of the s.s. "Ashbury" was her proximity to a lee shore in the wintry and stormy conditions of weather and sea which prevailed during the night of 7th and 8th January, 1945, when she had only one anchor left and was deficient in length of cable, the primary cause was that, being under Admiralty Orders during a critical period of the war, she was obliged to sail in convoy on a northerly route from Workington via Loch Ewe to the Tyne in a ballast condition which, in the abnormally heavy sea and weather conditions obtaining at the time, prevented her from maintaining speed and place in the convoy, and from keeping off the rocks on which she ultimately stranded. Except for the war conditions under which she was compelled to sail, the s.s. "Ashbury" would not have left Loch Ewe in her then condition.

Q. 17. Was the stranding and loss of the s.s. "Ashbury" caused or contributed to by the wrongful act or default of her owners or her master?
A. No. The owners adopted all measures permitted under wartime conditions to maintain the vessel in a seaworthy condition. The master was an able and experienced seaman, and the evidence does not suggest that the loss of the vessel was due to any fault or negligence on his part.

A. J. Louttit Laing, Judge.

H. A. Moore	}	Assessors.
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Annex to the Report.

The s.s. "Ashbury" was a steel, single deck, transversely framed cargo steamship of three island type, with steam reciprocating machinery situated amidships, and a single screw. She was built by Wm. Gray & Co., at West Hartlepool in 1924, to Lloyds highest class. The original name of the vessel was the s.s. "Nitedal" which was subsequently changed to s.s. "Cairnhill" and later to s.s. "Ashbury". She was owned by the Alexander Shipping Company.

Limited, of 4, St. Mary Axe, London, E.C.3, and was managed by Messrs. Capper, Alexander & Co. of the same address. At the time of her loss she was held on a requisition charter T.99A under the Ministry of War Transport.

Her registered dimensions were 356.5 feet long by 50.5 feet beam by 24.7 depth, and she was of 3901.21 tons gross and 2362.65 tons nett register tonnage. She was fitted with six transverse watertight bulkheads separating the following compartments:—

Fore Peak (84 tons capacity).
 No. 1 hold 65,269 cu. ft. capacity.
 No. 2 hold 115,857 cu. ft. capacity.
 Machinery space and side bunkers.
 No. 3 hold 70,175 cu. ft. capacity.
 No. 4 hold 49,729 cu. ft. capacity.
 After peak (118 tons W.B. capacity).

She had a double bottom extending from the fore peak bulkhead to the after peak bulkhead, and the capacities of the double bottom water ballast tanks were as follows:—

No. 1 double bottom tank	127 tons waterballast.
" 2 "	361 tons "
" 3 "	53 tons "
" 4 "	99 tons "
" 5 "	221 tons "
" 6 "	128 tons "

There was a centreline watertight division in Nos. 4 and 5 double bottom tanks only, the other tanks being not so divided. The capacity of the forepeak tank was 84 tons and that of the after peak was 118 tons. There were two fresh water tanks situated on the upper deck towards the after end of the bridge, the capacity of these tanks being 2,500 gallons each.

The vessel had a fore-castle, bridge and poop. On the bridge deck, and on the navigating bridge over, were deckhouses for the accommodation of the officers, engineers, galley, wireless room and wheelhouse. She was provided with closed bulwarks between the fore-castle and bridge and between the bridge and poop respectively. Accommodation for crew was provided within the poop. The ship had five main cargo hatchways and one coaling hatch. Battening down was effected by the usual arrangement of wood covers, tarpaulins, battens and wedges. The propelling machinery consisted of one triple expansion reciprocating steam engine and three multitubular Scotch boilers. The machinery was made by the Central Marine Engine Works of Messrs. Wm. Gray & Co. of West Hartlepool. The vessel's maximum loaded sea speed is stated to have been 8 knots in favourable weather. Bunker capacity was provided in the form of two side bunkers having a total capacity of 163 tons, and a 'tween deck bunker space having a capacity of 236 tons.

The vessel was fitted with steam steering gear of ordinary type with chains and rods. The life saving appliances were in accordance with the requirements of the Ministry of War Transport, and had been surveyed in Cardiff in July, 1943. There were four class 1A wood lifeboats, their capacity and position being as follows:—

One on port side of Bridge deck for 22 persons.
 One on starboard side of Bridge deck for 14 persons.
 One on port side of Boat deck for 30 persons.
 One on starboard side of Boat deck for 30 persons.

It appears that one of the above lifeboats was fitted with a motor.

She was also fitted with 4 rafts sufficient for all persons on board, and one Schermuly type line throwing appliance. The life saving appliances also included:—

50 Standard Kapok lifejackets.
 69 Life saving waistcoats.
 8 Cork lifebuoys.

The number of the crew of the s.s. "Ashbury" at the time of the disaster was 42 persons.

The assigned summer freeboard was 4 feet 8½ inches which corresponded to a loaded summer draught of 22 feet 5½ inches. The ship was classed +100 A.1 Lloyds. A load line certificate was issued by Lloyd's Register of Shipping on 10th October, 1944, to remain in force until 31st October, 1945. The last renewal survey in connection with the Safety and Load Line Conventions Act, 1932, took place in Middlesbrough, 4th October, 1944, at which time a general examination was carried out afloat, and a report C11 (c) dated 4th October, 1944, was then issued. The effect of this certificate, was that the vessel was accepted to

remain as classed for a further 12 months. Lloyd's Report of Special Survey No. 3 carried out in 1938, states that the vessel had 3 bower anchors, 1 stream anchor, and 270 fathoms of chain cable having a mean diameter of 2 inches.

At 1 p.m. on Sunday, 31st December, 1944, the s.s. "Ashbury" left the port of Workington in Cumberland, in ballast condition for the Tyne via the North of Scotland. The weather was then moderate, the ship was upright and in a well found condition. The draughts on leaving were 8 feet 0 inches forward and 15 feet 0 inches aft, and the vessel had on board 345 tons 8 cwts. of extra ballast in the form of stone colliery refuse, in the after end of No. 3 hold. The bunkers taken at Workington amounted to 200 tons 9 cwts. to which must be added about 90 tons remaining from the previous voyage. The fresh water tanks were full with 22 tons of water, and there was 80 tons of water in the fore peak tank. The total dead-weight in the above condition was approximately 1,800 tons, and this is consistent with the foregoing weights, plus all the double bottom waterballast tanks full but with no water in the after peak tank. The propeller boss was well immersed, but the blade tips were breaking water, and were about 3 feet 6 inches above the surface.

In the above condition, the vessel would be difficult to handle in heavy weather off a lee shore, but not unduly so, since the 350 tons of extra ballast was not considered necessary in the normal ballast condition of the ship.

Owing to circumstances arising out of a state of war emergency the vessel was ordered to make a northerly passage round the North of Scotland and through the Pentland Firth, although under normal circumstances this passage would not have been attempted at that time of year.

It is important to note here that the vessel had been sent home to the the United Kingdom from Gibraltar for the purpose of repairing the condenser, which had been the cause of considerable trouble since leaving Middlesbrough in October, 1944, as this repair work could not be carried out in the Mediterranean Area, for which she was then bound. The ship and engine room logs show that at Huelva, on 9th November, 1944, 240 out of the total number of 992 tubes had been plugged, and that it was necessary to use sawdust continually to stop leaks on the passage from the United Kingdom. The condition of the condenser at this time was considered to be detrimental to the performance of the engine and boilers in view of her proposed service in the Sardinian coal trade, over a long period, but was not thought to be prejudicial to the safety of the vessel.

It was originally intended to send the vessel direct to an East Coast port with her cargo of iron ore, which was loaded at Melilla, but she was later diverted to Workington on the West Coast to unload there. Had this original programme been adhered to, it would have obviated this hazardous passage in ballast round the North of Scotland, during which the vessel was lost. On the other hand when she left Workington it was not considered that the condition of the condenser was such that the vessel could not proceed to the Tyne, as such repairs as were necessary to the condenser could have been carried out in Workington, had they been vital to her safety.

After leaving Workington, the vessel proceeded to Loch Ewe, where in company with other ships of the convoy, she lay at anchor. The weather steadily deteriorated, and, while at this anchorage, the "Ashbury" required assistance to maintain her position, as she was unmanageable. The tug "Empire Ivy" then attended the "Ashbury", and reported that the vessel's anchors were insufficient to hold her under the weather conditions then prevailing. At one time, the "Ashbury", which had both anchors down while steaming ahead, required the assistance of the tug "Empire Ivy" to hold her position. During this period, the "Ashbury" lost one of her anchors, owing to the parting of the cable, and it is clear that she proceeded from the anchorage in Loch Ewe with only one anchor over the bow and with only 5 shackles of cable available for use.

The weather became steadily worse and reached force 9 from a northerly direction with snow showers and low visibility. The s.s. "Ashbury" and the Norwegian s.s. "Bestik" (which was in the same convoy) became unmanageable and straggled from the convoy somewhere off the Northern Coast of Scotland. Both of these vessels drifted dangerously on a lee

shore, and the "Ashbury" sent out wireless messages starting from 2221 G.M.T. on 7/1/45, giving her position then as 20 miles west of Dunnet Head, and requesting the assistance of a tug as she was unmanageable, and had only one anchor. By G.M.T. 0005 on 8/1/45, these two vessels had drifted to the West and were in the neighbourhood of Strathie Point. Both vessels had their anchors down, and from the evidence available from the "Bestik" she had great difficulty in holding her position with both anchors down and steaming full ahead to ease the strain on the cables.

The Canadian Escort Vessel H.M.C.S. "St. Therese" which was by this time in attendance, made several attempts between 2 a.m. and 4 a.m. to pass a line to the s.s. "Ashbury", but these efforts were unsuccessful, owing to the danger of the former vessel herself going aground.

Nothing further is known as to the final sinking of the "Ashbury", other than a signal from the Coastguard Station at Melness, stating that a light assumed to be from a small raft or boat was drifting into the Kyle of Tongue, at 0317 on 8th January, 1945. At 0319 Wick Radio called s.s. "Ashbury", but no reply

was received, and nothing further was heard from the vessel. H.M.C.S. "St. Therese" was standing by until 0600, but seems to have lost touch with the s.s. "Ashbury" about 0400. At 0839 on the 8th of January, 1945, Coastguard Station Melness reported bodies being washed ashore, and later that wreckage marked s.s. "Ashbury" was being washed up.

The total loss of the vessel s.s. "Ashbury" and the 42 members of her crew, was due to stranding on Talmine Skerries under stress of heavy weather, and was caused by the inability of the vessel to maintain a safe course in her light condition and having only one anchor with a short length of cable which was insufficient to hold her under the weather conditions obtaining at that time.

The loss of the vessel was in no way contributed to by the wrongful act or default of her owners or master.

A. J. Louttit Laing, Judge.

H. A. Moore }
L. C. Burrill } Assessors.

*(Issued by the Minister of Transport
in London, October, 1947.)*