

(No. S. 399)

STEAM TRAWLER "REEFFLOWER" AND STEAMSHIP "HODDER"

THE MERCHANT SHIPPING ACT, 1894

REPORT OF COURT

In the matter of a Formal Investigation held at the Law Courts, Hull, on the 4th and 5th days of April, 1939, before F. A. Sellers, Esq., K.C., assisted by Captain W. J. Elford, Captain A. S. Leech and F. Bee, Esq., into the circumstances attending the collision between the steam trawler "Reefflower" and the steamship "Hodder" in the River Humber on the 11th December, 1938, as a result of which the "Reefflower" became a total loss.

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 said collision and the subsequent loss of the steam trawler "Reefflower" was caused by the failure of John Norman Goff, the skipper of the "Reefflower" to keep an adequate and proper lookout. The Court suspends the skipper's certificate of competency (No. 18,593) for a period of three months from the date hereof.

Dated this sixth day of April, 1939.

F. A. SELLERS, Judge.

We concur in the above Report.

W. J. ELFORD, }
ALF. S. LEECH, } Assessors.
F. BEE, }

Annex to the Report.

This Inquiry was held at the Law Courts, Hull, on the 4th and 5th April, 1939. Mr. H. L. Holman (instructed by the Solicitor, Board of Trade) appeared for the Board of Trade. Dr. T. C. Jackson, LL.D., appeared for the owners of the s.t. "Reefflower" who on his application were made parties to the proceedings. Dr. Jackson also watched the proceedings on behalf of the owners of the s.s. "Hodder" and on behalf of the underwriters of both vessels. The skipper of the "Reefflower", Mr. John Norman Goff, appeared in person.

The "Hodder", official number 128,872, is a single screw steamship belonging to the London Midland & Scottish Railway Company, Mr. Owen Glynne Roberts, of Euston Station, London, N.W.1, being the registered manager.

She was built at Newcastle in 1910, and is 1016.44 gross and 421.47 net tonnage, 240 feet in length and 34 feet in beam.

About 4.50 p.m. on the 11th December, 1938, the "Hodder" came to an anchor in Hull Roads off the Riverside Quay and in a position from which the clock tower on that Quay gave a bearing of north-west by N. mag. and the Upper West Middle Buoy a bearing of E. $\frac{1}{2}$ N. mag. Other vessels were riding in the Roads, the "Hodder" being to the outside or the southward of those off the Riverside Quay and a little less than 1,000 feet from the Quay.

The tide was flood about four hours before high water and it was a 21 foot tide. The "Hodder" was riding to her starboard anchor with about 30 fathoms of cable and heading about E. Her anchor lights were burning brightly and the masthead light was about 37 feet and the stern light about 20 feet above the water level. A proper anchor watch was being kept on board her.

The "Reefflower", official number 163,939, was a single-screw steam trawler owned by the Yorkshire Steam Fishing Co., Ltd., of St. Andrew's Dock, Hull. She was built at Selby in 1934 and was 444.67 gross and 179.85 net registered tonnage; 156 feet in length, 26 feet breadth, with triple expansion engines of 99 n.h.p.

The "Reefflower" with a crew of 15 was returning from the Icelandic Fishing Grounds with a catch of about 500 kits of fish to Hull. She was well found and seaworthy in all respects. Her draught was estimated by the skipper at 8 to 9 feet forward and 15 to 16 feet aft. The vessel passed the Spurn Light about 3.15 p.m. on the 11th December, 1938, and from then until the collision the skipper was in charge on the bridge and responsible for the lookout, and the mate was at the wheel. As the "Reefflower" approached the Hull Roads the weather was fine and clear, the wind moderate from the

S.E. The flood tide was of a force of 3 to 4 knots. The "Reefflower" was exhibiting her navigation lights. She was bound for St. Andrew's Dock and the skipper intended to go to an anchorage in the Roads until the water enabled him to dock her. The skipper of the "Reefflower" observed a number of vessels at anchor in the Roads and he took a course which he thought was outside or to the southward of these vessels. The "Reefflower" passed close to and to the northward of the Lower West Middle Buoy and on a westerly course.

In this position, or shortly before, the speed of the "Reefflower", which had previously been full ahead, was reduced and thereafter there were several engine movements. The Court is unable on the evidence to find with certainty what these were and when they occurred, but the Court is satisfied that the speed was not in itself excessive and was not the cause of the collision.

At or shortly after passing close to and inside of the Upper West Middle Buoy the course of the "Reefflower" was altered to W. by S. Whilst on this course two hands on the forecastle head preparing an anchor saw the riding lights of the "Hodder" sharp on their starboard bow and about 50 yards away and hailed the bridge. The skipper denies that he heard the shout but he saw the hull of the "Hodder", though not the lights, about the same time. The skipper rang the engines full ahead, ordered wheel hard a port and himself seized the wheel and pulled it hard over to port. The "Reefflower" swung across the bows of the "Hodder" and struck the anchor cable with her starboard side abreast of the foremast, parting the cable and then struck the stem of the "Hodder" about amidships.

An A.B. on the "Hodder" had seen the masthead and red lights of the "Reefflower" about three quarters of a mile away, slightly on the port bow. The "Reefflower" was more particularly noticed again when she was some 200 to 300 yards away, showing her masthead and green lights and crossing the bows of the "Hodder" from port to starboard. There was no time for any effective action to be taken on the "Hodder".

After the collision the "Reefflower" headed about S. across the river and the skipper stopped the engines and put the wheel amidships. The vessel drifted with the tide broadside up river. The skipper stated that he later put the helm to starboard and got her heading up river. The vessel eventually sank about $1\frac{1}{4}$ miles up river from the place of collision in a position 566 yards 133° (S. 36° E. mag.) from the western corner of St. Andrew's Dock Wall, Hull, some 15 to 30 minutes after 5.20 p.m., the time of the collision.

On the collision occurring the skipper sent the mate to uncover the hatches of the fish room and after some minutes received his report that there was about 9 feet of water there and it was also reported that water was entering the engine room.

The skipper appears then to have made an attempt by use of engines and helm to beach the vessel but the vessel did not respond to her helm. The Court is not satisfied that any action by the skipper would with certainty have saved the vessel but is of opinion that the skipper might have earlier attempted to bring his vessel head to tide and got her under control.

The skipper failed to give any orders for the crew to be called or the lifeboat to be prepared but the crew in fact came on deck and prepared the boat. The Court is of opinion that in circumstances such as these it is the duty of the skipper to see that proper warning is given without delay and to leave nothing to chance. The vessel filled rapidly and took a list to starboard. When the starboard rail was awash the boat was lowered and on the skipper's orders the crew left and were picked up by the ferry boat "Wingfield Castle", which was standing by, and were taken safely ashore.

The second engineer had attempted pumping but the pumps were unable to deal with the inrush of water.

The skipper was not represented by Counsel or Solicitor and made no attempt to excuse himself for his failure to see the lights of the s.s. "Hodder". He assisted the Court by his frankness and candour. He was given an excellent character by his employers.

The Court finds that the cause of the casualty was the failure of the skipper to keep an adequate and proper lookout and for this there seems to be neither explanation nor excuse and the blame must lie with the skipper. The result of his default was the total loss of his vessel and might well have been loss of life.

In the course of the case it appeared that on the voyage up the River Humber two bottles of beer were taken to the skipper and mate on the bridge but there was no evidence at all that the skipper or the mate were under the influence of drink, or that there had been any drunkenness on the voyage. The skipper admitted quite frankly that he had a bottle of beer but stated that he had had no drink for some days previous. The Court is satisfied that the skipper was not influenced by drink and that his failure to see the lights of the "Hodder" cannot be attributed to drink.

The Court's Answers to the Questions submitted by the Board of Trade are as follows:—

Q. 1. Was the "Reefflower" in good and seaworthy condition when she reached the Spurn Light-vessel on the 11th December, 1938?

A. Yes.

Q. 2. At what time did she pass the Spurn Light Vessel on the 11th December, 1938?

A. About 3.15 p.m. on the 11th December, 1938.

Q. 3. For where was she bound?

A. For St. Andrew's Dock, Hull.

Q. 4. When the "Reefflower" entered the Hull Roads on the 11th December, 1938, what was the state of (a) the wind; (b) the visibility; and (c) the tide? Was there any, and is so what, alteration in (a); (b); and (c) between that time and the time of the casualty?

A. (a) The wind was S.E. moderate; (b) clear; (c) flood about four hours before high water, force 3 to 4 knots; No material alteration before the casualty.

Q. 5. At what speed was the "Reefflower" proceeding at the time when she entered the Hull Roads? Was there any alteration in this speed between that time and the time of the casualty? If so, what was it and when was it made?

A. At full speed about 11 knots. The speed was reduced to half or slow on approaching the Lower West Middle Buoy. The Court is unable to find with certainty the subsequent engine movements but does not find that the speed of the "Reefflower" through the Roads was excessive.

Q. 6. Who was in charge of the navigation of the "Reefflower" and who was in the wheelhouse?

A. The skipper, John Norman Goff, was in charge of the navigation and the mate, William Berthold Redepning, was at the wheel.

Q. 7. When was the "Hodder" first seen by those in the wheelhouse of the "Reefflower"? How far apart were the vessels at this time and how were the vessels bearing in relationship to each other at this time?

A. Very shortly before the collision, when the "Reefflower" was about 150 feet away from the "Hodder," with the "Hodder" slightly on the "Reefflower's" starboard bow.

Q. 8. Was any action taken by those in the "Reefflower" to avoid a collision with the "Hodder"? If so, was such action proper in all the circumstances?

A. The skipper immediately put the helm hard a port and rang the engines full speed ahead. This action was proper in the circumstances but was too late to avoid a collision.

Q. 9. Was a good and proper lookout being kept on board the "Reefflower"? If so, by whom?

A. A good lookout was not kept on board the "Reefflower".

Q. 10. In what position was the "Hodder" anchored during the evening of the 11th December, 1938, in Hull Roads?

A. The "Hodder" was in Hull Roads in a position from which the clock tower on the Riverside Quay gave a bearing of N.W. by N. magnetic and the Upper West Middle Buoy a bearing of E. $\frac{1}{4}$ N. magnetic.

Q. 11. What lights was she exhibiting?

A. Regulation anchor lights.

Q. 12. Was anyone on watch on board the "Hodder" shortly before and at the time of the casualty? If so, who; when did he first see the "Reefflower"; how far apart were the vessels at that time?

A. Albert Edward Vince, an A.B., was on watch on the top bridge and Charles Stocks, second mate, was in charge of the watch on the lower bridge. A. E. Vince saw the masthead and red light of the "Reefflower" about three quarters of a mile away, fine on his port bow.

Q. 13. Was anything done by those on board the "Hodder" to avoid a collision between their vessel and the "Reefflower"? If so, what was it? If not, was any such action possible?

A. The second mate ran forward to pay out the anchor cable but the collision occurred before he got to the forecastle. No other action was possible.

Q. 14. When and where did the casualty occur?

A. The collision occurred about 5.20 p.m. where the "Hodder" was lying at anchor, as set out in Answer to Question 10 above.

Q. 15. Did the skipper of the "Reefflower" take proper and adequate steps to save his crew and vessel and to prevent his vessel from becoming a danger to navigation after the casualty?

A. The skipper failed to give orders for the crew to be called and for the boat to be prepared, and although the crew were in fact quickly on the deck after the collision and themselves prepared the boat, the skipper should have given these orders. The Court is not satisfied that there was anything that the skipper could have done which would with any certainty have saved his vessel, but the Court is of opinion that the skipper ought to have attempted to get his vessel round head to tide and under control with less danger to navigation.

Q. 16. Was the "Reefflower" navigated with proper and seamanlike care?

A. The "Reefflower" was not navigated with proper and seamanlike care.

Q. 17. Was the casualty caused or contributed to by the wrongful act or default of John Norman Goff, her skipper?

A. The casualty was caused by the wrongful act and default of John Norman Goff, the skipper of the "Reefflower", in failing to keep a proper lookout.

F. A. SELLERS, Judge.

W. J. ELFORD, }
ALF. S. LEECH, } Assessors.
F. BEE, }

(Issued by the Board of Trade in London
on Thursday, the 11th day of May, 1939.)

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:

York House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;

26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;

80 Chichester Street, Belfast;

or through any bookseller

1939

Price 1d. net