

(No. 5340.)

“ATLAS” AND “NIZAM” (S.S.)

REPORT of a Court of Inquiry held at Calcutta on the 25th and 26th days of February 1896, to investigate the circumstances attending a collision between the steam launch “ATLAS” and the S.S. “NIZAM,” of Liverpool, 2041 tons, in the River Hooghly, on the 5th day of January 1896.

On the 5th January 1896, at about 10 a.m., the “Nizam,” in pilotage charge of Mr. Anderson, branch pilot, proceeded down the river, the tide being then last quarter ebb, having at that time reached Mooneecolly Point. When crossing over the river from the Mooneecolly Point to Jarmaker Reach, she straightened up to proceed down the Reach, having her helm a-port. At that time she was about 600 feet from the left bank of the river, on her port side, the Cask Buoy being to the south-west of her, about 500 or 600 feet from her. She was therefore about midway between the Cask Buoy and the left bank of the river. Whilst in this position Mr. Anderson observed the steam launch “Atlas,” having a flat, the “Brahmini,” in tow, on her port side coming up the river, hugging the left bank in the vicinity of Jarmaker’s Mark, a little below it. Suddenly, at a time when the “Atlas” was as near as possible at Jarmaker Mark, close to the left bank of the river, Mr. Anderson observed the launch had starboarded her helm, and was proceeding to cross the river towards the sands, whereupon Mr. Anderson eased and stopped the “Nizam,” putting her helm hard-a-port, reversing the engines, but the launch and flat, which were then about abreast of the Cask Buoy, appeared nevertheless to be coming steadily towards the “Nizam’s” bow, instead of paying off, evidently having had her helm steadied with the object of preventing the launch and flat from going down the river, as the tide was on her starboard beam, and would thus tend to assist the starboard helm. Immediately after this the “Nizam” and the “Atlas” collided, the “Nizam” striking the “Atlas” abaft the engines, the “Nizam’s” head at that time being about south-west. On the collision the flat broke loose from the launch, and the “Atlas,” after getting clear from the “Nizam’s” bow, steamed away by herself for about 300 or 400 feet in a north-westerly direction, and then sank. The point of the collision is shown on chart C, by Mr. Anderson, as at a place marked (X), and by Mr. Stevenson, who was in charge of the flat, at a place marked X. There is not very much difference between the two points. Two men belonging to the “Atlas” were found to be missing after the collision, and they were subsequently found to have been drowned. The “Nizam” lowered her boats immediately after the collision, and assisted in picking up some of the crew of the “Atlas” who were in the water. The boats were out for about an hour, and there is no doubt at all but that everything was done that could be done in rendering assistance to the shipwrecked crew.

As regards the position of the “Atlas” when first seen by Mr. Anderson, we come to the conclusion that she was then on the port bow of the “Nizam,” near the left bank of the river, before she, the “Atlas,” starboarded her helm. As to this, Mr. Anderson’s view is borne out to a great extent by the indirect evidence of Mr. Stevenson, in charge of the flat; and Mr. Anderson is corroborated by Mr. Milner, the fourth officer of the “Nizam,” by Mr. Greig, the chief engineer of the “Nizam,” and by Ismail Hossain, the sekani at the helm of the “Nizam,” as also by the “Nizam’s” log, which is exhibit “D” in the case. The serang in charge of the “Atlas,” Mahomed Ali, and the sekani of the “Atlas,” Akbar Ali, state that the “Atlas” was not on the left bank of the river, but keeping close to the sands, and that they first sighted the “Nizam” when the “Atlas” had passed the Cask Buoy. We do not accept this view of the case, and the more so as directly after the collision the sounding for the flat showed six fathoms.

Captain Braeme has conducted the case of the serang of the “Atlas,” Mahomed Ali (who has been charged with committing a wrongful act in suddenly starboarding his helm when on the Jarmaker side of the river, attempting to cross it at a time when the “Nizam” was coming down, instead of hugging the Jarmaker bank, and thereby committing a wrongful act within the meaning of Section 33 of Act VI. of 1884), and he has conducted it most ably. He has endeavoured to show that it was possible for the “Nizam” to have starboarded her helm, and thus have gone under the stern of the “Atlas,” instead of putting it hard-a-port, and thereby crossing the direction in which the “Atlas” was going. Mr. Anderson admits that there was plenty of room to the eastward of the point of collision, if he could have got there by the course suggested by Captain Braeme, but he states he was on the swing coming round the Reach still porting his helm, and he would not therefore, having regard to the size of the “Nizam,” have had time to starboard his helm and to have got his vessel round inside the “Atlas.” We think that this is an answer to the proposition put forward.

We come to the conclusion that Mahomed Ali should have hugged the Jarmaker bank instead of attempting to cross the river, and that if he had done so, the collision would have been avoided, and we therefore find him guilty of the wrongful act charged, and suggest that his certificate, that of a second-class master, dated 22nd December 1890, which we forward with these proceedings, should be suspended for a year. The opinions of the assessors, with whom we concur, are forwarded with the records of this case.

(Signed) J. AINSLIE,
Marine Supt., R.S.N. Co.,
Member, Special Court of Inquiry.

T. A. PEARSON,
President of the Special Court of
Inquiry.

28th February 1896.

Opinions of Assessors.

s.s. “PURNEA,”

Calcutta, the 26th February 1896.

I, W. A. Faussett, master mariner, commanding B.I.S.S. “Purnea,” nautical assessor to the Court sitting on the “Nizam-Atlas” collision, do hereby give it as my professional opinion that the serang in charge of the “Atlas” did a rash and negligent act by starboarding his helm when close into the Jarmaker’s Reach bank, and crossing the bows of the “Nizam,” thereby causing a collision resulting in the sinking of the “Atlas,” and I advise the suspension of his certificate for a limited period.

Mr. Anderson, pilot of the “Nizam,” acted throughout with seamanlike ability.

Great credit is due to Captain Leftwich in his prompt action in saving life.

(Signed) W. A. FAUSETT,
Commanding s.s. “Purnea,”
Nautical Assessor to the Court.

I, Francis Adam, an assessor in the case of the “Nizam-Atlas” collision, am of opinion that Mahomed Ali, serang, made a mistake in leaving the bank of the river when the “Nizam” was so near as to involve the risk of collision; also he had no right, according to the Regulations for Preventing Collisions, to try and cross the “Nizam’s” bow.

Also, seeing he kept the engines going full speed ahead, he should have slackened the speed of the “Atlas” and been ready then to stop, or reverse, if necessary.

I am of opinion that the serang’s certificate should be cancelled for some time.

(Signed) FRANCIS ADAM,
Master, “Highland Glen,”
Assessor to the Court.

This 27th day of February 1896.

(Issued in London by the Board of Trade on the
7th day of May 1896.)