

(No. 7014.)

"SOMALI" (S.S.)

AND

"DELTA" (S.S.).

REPORT of a Court of Inquiry held at Colombo on the 2nd, 3rd, 15th, 16th, and 17th days of October, 1906, before FELIX REGINALD DIAS, Esquire, District Judge, Colombo, and Nautical Assessors, into the circumstances attending the collision between the s.s. "SOMALI" and s.s. "DELTA" in Colombo Harbour on the morning of the 26th July last.

*Report of Court.*

In the matter of a formal investigation held at Colombo on the 2nd, 3rd, 15th, 16th, and 17th October, 1906, before Felix Reginald Dias, District Judge, Colombo, and Nautical Assessors, into the circumstances attending the collision between the s.s. "Somali" and s.s. "Delta" in the Colombo Harbour.

The Court having carefully inquired into the circumstances attending the above-mentioned shipping casualty finds, for the reasons stated in the Annexure hereto, that:—

(1) An order was given from the bridge of the "Somali" to drop the starboard anchor when the ship was more or less in position B in plan<sup>o</sup>, and abreast of No. 11 head buoy, and there was a delay of about a minute in letting go any anchor, and the order was given at 3.58 a.m. according to the bridge time.

(2) The order to anchor was given more or less at the position B and not at C, and the delay in letting go anchor was about a minute from the time after the order was given.

(3 and 4) The evidence placed before us does not enable us to hold that the starboard engine was put ahead instead of astern. So far as the positive evidence before us goes, the order then given was actually executed.

(5) The "Somali" was going dead slow by her engines as she entered the harbour, and we have no reason for holding that she had too much way on her when 600 ft. from the "Delta."

I concur.

(Signed) FELIX R. DIAS,  
A.D.J.

(Signed) JOHN C. WHITLEY, }  
" W. JACKSON JONES, } Assessors.  
" W. BOAKE, }

October 17th, 1906.

*Annexure to Report.*

This is a formal investigation under the Ordinance No. 6 of 1899 into the circumstances attending a collision which occurred between the P. & O. steamships "Somali" and "Delta" in the Colombo Harbour on the early morning of the 26th July.

The "Delta" was at her moorings at berth No. 10, and at 4 a.m. was struck amidships by the "Somali" which was being brought into berth No. 11, a station just 750 ft. to the north of No. 10. It would appear

that Pilot Green picked up the "Somali" about two miles outside the breakwater at 3.40 a.m. and brought her in slowly in the usual way. She passed berth No. 12 in the same tier with the buoy on the port side as shown in the sketch X<sup>o</sup> annexed to the proceedings before the Receiver of Wrecks, intending to swing to starboard and anchor at No. 11. It is said that when she was abreast of the Noll head buoy and already swinging to starboard, and although the order then given to the engine room, viz., at the point A, was "Stop port full astern, with starboard engines," the ship in an unaccountable way stopped her swinging movement, overshot the buoy, and canting to port moved forward and struck the "Delta." It is also said that at the point B the order was given to "Go astern with both engines and let go starboard anchor," but that the order to drop anchor was not carried out as it should have been, and instead of the starboard anchor the port anchor was let go after an unwarrantable delay of a minute or so, and too late to prevent the casualty.

This is the version of the affair as given by the captain and the pilot, but the chief officer who was on the forecastle in charge of the anchors tells a different story. According to him there was no order to drop any anchor at all given near the buoy No. 11 or the point B in plan, but it was given about the point C when the ship was only about 200 ft. from the "Delta." The starboard anchor was not specially mentioned from the bridge, and he let go the port anchor as soon as he could, that being the one he had been asked to have ready by the pilot, but at that moment nothing could have prevented the collision because the ship had too much way on as she entered the harbour and approached her moorings. It will be seen from this that according to the captain and the pilot the suggestion is that the accident was due to the failure of the starboard engine to go astern at the point A, and the failure to drop the starboard anchor at the point B; but according to the chief officer it was entirely due to the excessive speed at which the ship was brought in and manœuvred.

The Receiver of Wrecks, Mr. Thorpe, held an inquiry into this matter on the 28th July, two days after the occurrence, when the captain, the pilot, chief officer, the third and fourth officers, the chief engineer and the fourth engineer, and the sail-maker (who also acted as boatswain) were examined. They have been all fully examined by this Court, as also two additional witnesses, the second and third engineers. The Court regrets to find that the third and fourth officers and the sail-maker have gone back upon the evidence they gave before the Receiver, when facts must have been more vivid and fresh in their minds than now; and the fourth officer who manipulated the telegraph on the bridge has also admittedly erased two days before this inquiry and re-written certain material orders given at the critical moments which have been entered by him in his stand-by book (marked Y)<sup>o</sup>, but which are at variance with the entries taken over from that very book by the captain half-an-hour after the incident. (*Vide Exhibit Z.*)<sup>\*</sup> Under such circumstances the Court feels that the testimony of these witnesses in so far as it is inconsistent with their previous testimony must be disregarded as unsafe and unreliable.

At the first inquiry these witnesses were all agreed, more or less, with the captain and pilot with regard to the position of the ship and the buoy when the various orders were given, the speed at which she was coming, the way she was moving, the delay in the dropping of the anchor, &c., and, in the absence of any suggestion as to why the captain, a respected officer of 37 years standing in the service of the P. & O. Company, should throw all his mates overboard and take the side of the pilot, who is an utter stranger to him, and on whom alone lay the responsibility for the manœuvring of the ship in the harbour, where pilotage is compulsory, the Court is compelled to accept as accurate the testimony of the captain and the pilot so far as the facts and their observations go in preference to that of all the others. Their story has at least the merit of being consistent

<sup>\*</sup> Not printed.

from the very commencement, and it is fully borne out by the ship's log.

The facts as proved to the satisfaction of the Court are these:—The "Somali," which is a twin-screw steamer of 4225 registered tons and 4000 h.p., arrived off Colombo about 1.30 a.m. on the 26th July, and cruised about after signalling for a pilot. She was at a dead stop with her starboard engine going astern when Pilot Green boarded her, and at 3.40, according to bridge time, he rang the order "both engines full ahead." The ship was then about 2 miles out of the harbour entrance, and the weather conditions being favourable, that was a perfectly correct order to give. She was brought in under the port helm, and when the pilot got the leading lights in line showing that she was dead straight to the middle of the entrance he was about half or three-quarters of a mile outside. The time then was 3.48, and he gave the order "both engines slow ahead." Six minutes later, viz., at 3.54, the ship was still 500 or 600 ft. outside the entrance, and the order was given "dead slow." At 3.55 the red light at the entrance was passed, at a speed estimated at from 3 to 4 knots. In two minutes, i.e., at 3.57, the ship was abreast of No. 11 head buoy, and about 200 ft. to the east of it. She was already swinging to starboard on her helm, and at that point (A on sketch)\*, the pilot gave the order "starboard engines full astern, stop port," the object of that being to accelerate the swinging movement and turn her nose to the buoy. It was, however, noticed from the bridge that that order had not the desired effect, but on the contrary the ship stopped turning, and began to cant to port, heading towards the "Delta." In view of the danger ahead the pilot gave an emergency order to let go the starboard anchor. They were then at point B. At 3.58 the order was given "full astern both engines," "let go starboard anchor," which was repeated several times by both the captain and the pilot. There was no response to these orders so far as the anchor was concerned, and after 10 or 15 seconds the pilot shouted for both anchors to be let go. In the meantime some hammering was heard on the fore-castle, caused by the sail-maker trying to knock away the tumbler, and the ship was continuing to move forward towards the "Delta." At 3.59 when the ship was at point C, about 200 ft. from the "Delta," the port anchor was let go instead of the starboard, and although the order was repeated to drop the latter it was never done. The dropping of the port anchor at that point had no effect at all, and the next minute the ship struck the "Delta" amidships, bending her own stem to starboard, but without doing any serious mischief.

The Court is unable on the evidence before it to hold it proved that the casualty was, as suggested by the captain and the pilot, due to the starboard engine being put ahead instead of astern on the order given at the point A at 3.57. That is only a possible but improbable theory. It is clearly shown that the orders given from the bridge were correctly telegraphed to the engine room, and were correctly received and recorded there, and the engineers are unanimous that there was in fact no mistake made in the execution of these orders, there is no evidence to contradict that, and it is also in the highest degree improbable that an order correctly received would have been executed in the reverse way. The Court is further of opinion that if, as stated by the captain, the "Somali" when at point A was heading south-east (about) to the stem of the "Delta," which was moored stern east, and the port engines were stopped and the starboard engines put full speed ahead instead of full speed astern at 3.57, and continued working in that direction for a minute and a half, and then the port engines were put full speed astern at 3.58, the result even with the helm hard-a-port would have been such that the collision could not have occurred. Also if, as stated by the pilot, the "Somali" at the point A was heading for the foremast of the "Delta," and the engines were manipulated as above, the ship would have canted so quickly to port even against the port helm that she would have struck the "Delta" at a very different angle to that which the damage to her stem indicates. It should, however, be observed that the angle at which the impact took place is purely a matter of surmise, and in either of

\* Not printed.

the opinions above expressed it must not be forgotten that the amount of the swinging movement to starboard which the "Somali" might have already attained is of prime importance, as that would gradually have to lessen and stop before so large a vessel would begin to swing to port. With regard to the stopping of the turning movement to starboard when the port engine was stopped at the point A and the starboard engine put full astern, the Court regrets that the man at the wheel was not called, or the second officer who was stationed aft. Even assuming that the helm was hard-a-port as the ship came in, there is no evidence that it was hard-a-port when the swinging movement began to lessen, or that it was maintained in that position. There is a possibility that in the confusion and excitement of the moment and in the repeated shouting from the bridge to "let go the starboard anchor," the helmsman may have steadied if not actually starboarded the helm. If so, that would account for the turning movement stopping to a certain extent. Under the circumstances, the Court is unable to hold that the order to go astern was wrongly executed in the engine room, or that the casualty was due to a such a cause.

The evidence shows that the order to drop the starboard anchor was given at 3.58 about the point B, when danger ahead was foreseen. There was some hitch in the letting go of any anchor at all, the consequence of which was that the ship kept moving forwards. By some confusion or negligence on the fore-castle, the wrong anchor was dropped a minute later near about the point C, but that was useless and too late. It has been proved satisfactorily that the delay in dropping even that anchor was occasioned by the sail-maker hammering the tumbler with the safety pin still in the hole and causing it to get jammed. If the officers on the fore-castle had been fully alive to their duties, the dropping of the anchor should not have taken more than five seconds from the issuing of the order, as the chief officer himself admits; but in this instance there was a delay of a minute or more, which, no doubt, was caused by the jamming of the pin in the manner described. The failure to properly and promptly carry out the order to let go the anchor must in any case be ascribed to the negligence of the chief officer and those under him; and if the starboard anchor had been properly let go when ordered the Court is of opinion that this collision would not have occurred.

The chief officer denies that any order to drop anchor was given before reaching the point C, but he admits that he saw a collision inevitable when they were 600 ft. off the "Delta," so much so that he actually hailed the bridge, pointing out that the ship had too much way on. Although he then knew there was danger imminent and was expecting an emergency order, it is admitted that he had nobody standing by the starboard anchor, although he had four Europeans and half the Lascar crew with him on the fore-castle. That is an omission which, in the opinion of the Court, the chief officer had no excuse for, and if he had been a little more careful in having a man standing by either anchor ready to be dropped instantly, this collision would have been averted.

The Counsel who appeared for the Company tried to prove by some mathematical calculations, based upon the times noted in the stand-by books of the bridge and the engine room and the distances alleged to have been covered during certain intervals, that the ship must have entered the harbour at a speed of 7 or 8 knots, which undoubtedly was a most dangerous speed.

The Court cannot see its way to accept these calculations, because the times noted in these books do not afford a reliable basis for such delicate calculations of speed in the short distances traversed, and also there is too great a discrepancy between the two books. A few seconds are sufficient to make a great deal of difference, and it is admitted that in making these entries half minutes are not usually taken into account.

The captain in his evidence stated that there was only a difference of two minutes between the engine room and bridge time when he compared the books on the morning of the accident, but the Court finds,

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On closer examination, after allowing for the difference in the two clocks, that the variations are not constant. For instance, the time taken by the ship from "full ahead" to "slow," according to the bridge was 8 minutes, but according to the engine room 5½ minutes. Similarly, the time taken from "slow" to "dead slow" was 6 minutes according to the bridge, and 6½ according to the engine room. And, again, the time from "slow" to "stop" according to the bridge was 9 minutes and according to the engine room 10 minutes. The pilot and the captain, who are both experienced seamen and ought to know something about the speed of vessels, have expressed their opinion that the rate at which the ship came in was the usual three or four knots an hour, and the Court is not prepared to doubt the accuracy of their statement or of their opinion. They are moreover corroborated by Captain Sorensen, the master of the Government harbour tug "Samson," which went out to meet the "Somali" as she was coming in and accompanied her part of the way.

The Court is quite satisfied that the "Somali" entered the harbour dead slow by her engines, and that she had not too much way on her when 600 ft. from the "Delta," as alleged by the chief officer.

In view of all the circumstances of the case, the Court does not consider it necessary to deal with the certificates of any of the officers concerned, but it would censure the chief officer for not having taken better precautions with regard to the anchors. The captain, the pilot, and the engineers are acquitted of all blame.

It was urged on behalf of the Company that this was an entirely unnecessary inquiry, but the Court is of opinion that the Principal Collector of Customs

was well within his rights in referring this matter to Court for investigation, as it was of the utmost importance for the safety of shipping in the harbour to discover the true cause of the casualty. The fact that the offending vessel and the injured vessel both belong to the same owners does not affect the question at all. It having been found that the casualty was caused by the negligence of some officer or other on board the "Somali," the Court thinks that the costs of the inquiry ought to be paid by the owners, and it so directs, viz., the costs of the captain, the pilot, and the principal collector (including the assessors' fees), but the chief officer must pay his own costs.

(Signed) FELIX R. DIAS,  
Judge.

We concur in the above.

(Signed) JOHN C. WHITLEY.  
(,,) W. JACKSON JONES.  
(,,) W. BOAKE.

*Order as to Costs.*

I direct that the costs ordered above be taxed as in an action in Class III., and that the assessors' fees be Rs.30 each for the first day and Rs.15 for each of the subsequent days.

(Signed) FELIX R. DIAS,  
A.D.J.

October 30th, 1906.

*(Issued in London by the Board of Trade on the 4th day of January, 1907.)*