

## The Batiscan-Bengore Head Collision.

The formal investigation was held at Quebec recently, into the causes of the collision between the steamships Batiscan and Bengore Head, off Cape Salmon in the River St. Lawrence, Aug. 1, before Capt. L. A. Demers, Dominion Wreck Commissioner, assisted by Capt. F. Nash and J. A. Murray, as nautical assessors. The following summing up and judgment were made by the Wreck Commissioner, and concurred in by Capt. F. Nash, Capt. J. A. Murray dissenting on the matter of sentences,—

With regard to the Bengore Head, it may be said that the testimony of the master and pilot was straightforward, and corroborated by both the scrap and officer's logs. A proper course was steered up to and after passing Morin Shoal. The various orders to the engine room, the sounding of one blast on the whistle, and porting slightly in order to pass further from the other ship which was sounding two blasts, prolonged blasts, were proper. The hard a-porting and putting of the engines full speed astern were done in the agony of the collision, and in view of the existing circumstances, if no signals were given indicating these evolutions, it is excusable.

Regarding the Batiscan a multitude of conflicting statements appear in the evidence of the master, especially in his cross examination, the scrap and officer's log books contradicting his deposition to a certain extent, or incidents were not properly entered. We cannot accept his version, as the evidence is contradictory and uncorroborated so far as the logs are concerned.

The court having carefully examined the evidence adduced, finds; That the Batiscan is alone to blame for the collision. The nature of the impact, the damage done, in view of the nature of the cargo on the Bengore Head, which was composed of articles which offered an almost solid wall, indicates beyond the shadow of a doubt, that the Batiscan had, at the time of the collision, some considerable way on her, which is contrary to the evidence of the master, who avers that his ship had sternway to the extent of two knots. His admission that he sounded several two prolonged blast signals prior to the collision, wishing to indicate to the oncoming vessel that his ship was still in the water, induces this court to say that this was a misleading movement, and a wrong signal to give when his ship still had headway. He also admitted that his telegraph remained at full speed, though his speed was less owing to the reduction of steam. Article 16 of the Rules of the Road, says that a steam vessel hearing apparently forward of her beam, the fog signal of a vessel, the position of which is not ascertained, shall, so far as the circumstances of the case admit, stop her engines and then navigate with caution until danger of collision is over. In this case it is apparent that this article was not carried out. As to the sounding of the blasts from each vessel there appears to be no contradiction, except as regards the sounding of the three blast signal by the Batiscan, only we cannot credit that the Bengore Head, after, according to the evidence of the witnesses, of the Batiscan crossing from port to starboard, to the extent of six points, would describe half a circle and come back partly across the bow of the Batiscan, and be struck where she was. We do not find anything in the evidence to indicate that the Bengore Head adopted a wrong movement. Her porting her helm prior to the collision was a proper operation, in view of the two blasts she was hearing from the other ves-

sel. We say that in view of the evidence adduced, we find that Capt. Green, who was, prior to and at the time of the collision, in gate with caution. Hence we suspend his full command of the Batiscan, did not navigate certificate no. 3566, for two years from Aug. 16, with the proviso that on Aug. 1, 1916, a certificate as first mate shall be given to him to be retained until the expiration of his suspension, Aug. 16, 1917. With respect to the pilot of the Batiscan, Jules Lachance, we claim that the collision is due to bad seamanship, and not to lack of local knowledge, and that the master had assumed the giving of the orders; but with the acquiescence of the pilot, who was consulted. Therefore we hold the pilot partly at fault, and fine him \$300, payable \$100 a month. The second officer, who acted subject to the instructions of the master and pilot, is held blameless.

With respect to the Bengore Head we have no criticisms to make as to the conduct of the master or officers, and therefore exonerate them from blame. We also exonerate the pilot, Alfred Raymond, of the Bengore Head, of any fault in bringing about the collision; but we regret to state that leaving his post at such a crucial moment, when his services were immediately needed by the master to beach the vessel, shows unreliability in the moment of danger. He has a clean record, and one which up to this, has been absolutely above reproach, and had others of the crew abandoned their posts, and been found on the Batiscan, we would have analysed his action less severely; but he was the only one. That nothing more serious happened to the Bengore Head whilst he was absent, does not lessen the degree to which he was at fault in this respect, and having pronounced him unreliable the court has no alternative but to cancel his license, which it hereby does. Counsel for the Bengore Head, F. E. Meredith, K. C., in his address to the court, criticized in a forcible manner the instructions, or sailing directions issued to the master of the Batiscan, Capt. Green, by the charterers, the Dominion Coal Co.; but after consideration this court has determined that it is beyond its jurisdiction to comment on such document, other than to say that it behoves those interested to unite and discuss the possibilities of formulating instructions which will leave no room for wrong interpretation.

Capt. J. A. Murray, in dissenting, wrote:

Although I quite concur in the main points of your decision, I would ask you to kindly reconsider the sentence passed on Capt. Green and Pilots Raymond and Lachance.

Might I suggest that you reconsider the total suspension of Pilot Raymond's certificate. When he left the bridge he was told the ship was sinking, and although we feel he ought to have stood by the Captain, he had been told the ship was sinking, the crew had been ordered to the boats, and he, I am sure, in his own mind, felt justified in trying to save his life. Moreover, he was man enough to admit he would not do the same thing again. Furthermore, his past record is excellent.

With reference to Captain Green, might I suggest that he be granted a mate's certificate in the interim.

With regard to Pilot Lachance, as far as the actual working of the ship, Captain Green seemed to be in full charge and as such, in my opinion, assumed all responsibility; and if you concur possibly a lighter sentence might meet his case.

## Grounding of the s.s. Romera.

An investigation was held at Montreal recently, into the causes of the stranding of the British s. s. Romera on the south shore of the River St. Lawrence, between Capes Dog and Salmon, Aug. 16, before Capt. L. A. Demers, Dominion Wreck Commissioner, and Capt. F. Nash and Jas. Black as nautical assessors.

The vessel, which is owned by the Glasgow United Shipping Co., was bound to Montreal from Boulogne, France, and took a pilot on board at Father Point. When in the vicinity of Red Island, the weather thickened with a mixture of fog and smoke. The master stated that although he had been three times in the St. Lawrence, this year, he was somewhat a stranger to the route. He had had the same pilot on each occasion and had found him reliable and attentive to his duties. He left all the shaping of the courses to the pilot. The pilot, Arthur Lachance, stated that he had been piloting for 28 years without an accident for which he had been found at fault. The only cause to which he could attribute the grounding, was that the tide, which was ebbing, must have had a tendency to draw the vessel ashore. The courses steered were the usual ones, and there was no possibility of taking a bearing, as the land was not seen.

The following judgment was delivered,—the court having carefully weighed the evidence finds the pilot, Arthur Lachance, alone to blame. We accept his statement that he steered his usual courses without, in this case, having regard to the state of the tide or current affecting his ship. He has had a considerable period of service, and a good record, and we shall not use severity, for what we consider an error of judgment on his part, and, therefore, we condemn him to pay a fine of \$100, by Oct. 1. We call his attention, and that of all pilots, to the fact that a safe course can be so considered only when all factors likely to cause ships to deviate, sensibly if not visibly, are taken into account. The fact that the master and second officer supposed the ship to be from 1 to 1½ miles off Cape Dog when abeam; also that there was no anchorage ground in the immediate vicinity, and that the ship was being navigated slowly, the rules of the road being observed to the letter, induce us to deal with the pilot in a lenient manner. As the master and second officer were practically strangers in these waters, and had had the same pilot on three previous occasions, and found him reliable and attentive, it is quite natural to suppose that they relied on his statement that the ship was 1½ miles off Cape Dog. We therefore exonerate both the master and second officer from all blame in connection with this casualty. The action of the master in putting his helm hard astarboard, and ordering his engines full speed ahead, to give further impetus to the ship so that she might answer her helm promptly, was proper under the circumstances.

The American Association of Port Authorities held its annual convention at Los Angeles, Cal., Sept. 16. The 1916 convention will be held at Montreal in September. W. G. Ross, Chairman, Montreal Harbor Commissioners, has been elected First Vice President of the association for the current year.

J. H. Welsford, the head of the Union Steamship Co. of British Columbia, and other shipowning companies, has given the use of his country home near Chester, Eng., as a hospital for wounded soldiers. The cost of equipment for the accommodation of 90 men has been paid by him.