

UNITED STATES COAST GUARD

Address Reply to:
Commandant
U.S. Coast Guard
Headquarters
Washington 25, D. C.

30 October 1950
(SS CARRABULLE -
SS JOHN FAIRFIELD-
collision)

From: Chief, Merchant Vessel Inspection Division
To: Commandant
Via: Chief, Office of Merchant Marine Safety

Subj: Marine Board of Investigation into collision between SS CARRABULLE
and SS JOHN FAIRFIELD in vicinity of Galveston North Channel Lighted
Buoy #2 on 30 October 1949.

1. Pursuant to the provisions of Title 46 CFR, Part 136, the record of the Marine Board convened to investigate subject casualty, together with its Findings of Fact, Opinions and Recommendations, has been reviewed and is forwarded herewith.

2. The SS CARRABULLE, an American tanker of 7227 G. T. was inbound to Galveston with the SS JOHN FAIRFIELD on her port bow. The SS JOHN FAIRFIELD, an American freighter of 7176 G. T. was outbound in the outer bar channel with the SS CARRABULLE on her starboard bow. Both vessels were on collision courses and maintained their course and speed until immediately prior to the collision, which occurred at about 0228 30 October 1949. The weather was overcast sky, good visibility, no seas, and flood tide. No persons were injured or lost their lives in this casualty. The CARRABULLE's damage, however, was estimated at \$51,000 and that of the JOHN FAIRFIELD at \$72,000.

3. The Board made the following Findings of Fact:

"(1) That at or about 0228, 30 October 1949, the SS CARRABULLE and the SS JOHN FAIRFIELD were in collision in the vicinity of Galveston Lighted Bell Buoy 2, Galveston Harbor Entrance, Texas.

(2) A description of the vessels involved is:

SS CARRABULLE, Official Number 244541, operating under Registry, United States flag, liberty type tanker, of 7227 gross tons, built in 1943, of steel hull, home port Baltimore, Maryland, owned and operated by the Cuba Distilling Company, 60 East 42nd Street, New York 17, New York.

SS JOHN FAIRFIELD, Official Number 244266, operating under Enrollment, United States flag, liberty type freighter of 7176 gross tons, built in 1943, of steel hull, home port Portland, Maine, owned by the United States, operated by the Luckenbach Steamship Company, 120 Wall Street, New York, New York.

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(3) That at the time of the casualty the wind was northeasterly, force 1, overcast skies, intermittent precipitation, no seas, flood tide, visibility good.

(4) That at 0110, 30 October 1949, the SS CARRABULLE, in a light condition, draft 13' aft, 6' forward, arrived at Galveston Lighted Whistle Buoy 1, known as the "Galveston Sea Buoy", located on the southern extremity of Galveston Harbor Entrance Channel at the seaward end thereof and cruised in that vicinity, awaiting boarding by a Houston pilot to direct the vessel's passage to Houston, Texas.

(5) That at 0215 while the vessel was lying to, south to southwestward of the Sea Buoy and the Channel Entrance on a westerly to west by south heading, and relatively close aboard the said Sea Buoy, it was boarded by Charles H. McLean of the Houston Pilots' Association, who assumed navigational control in his capacity of pilot at that time. That immediately the pilot ordered and received full ahead on the engines and left rudder in order to clear the pilotboat, which was on the port side. That directly afterward, as the pilotboat cleared, a hard right rudder was ordered by the pilot, who steadied the vessel's head on Galveston North Channel Lighted Bell Buoy 2.

(6) That directly after the vessel had completed her swing and steadied on number 2 Bell Buoy, the lights, identified as a foremast and after range light and green side light, of another vessel apparently standing out the channel, were sighted, bearing approximately 2 points on the port bow, by the master and second officer of the CARRABULLE, who notified Pilot McLean. That thereafter the CARRABULLE maintained a heading on Galveston Lighted Bell Buoy 2 and did not steer a compass course.

(7) That from the time of the pilot's boarding the CARRABULLE at the Sea Buoy at 0215, in addition to Pilot McLean, there was on the bridge the following persons: Arne O. Haugland, master of the CARRABULLE; Thomas C. Onions, second officer of the CARRABULLE; Eugene E. Cabral, helmsman on watch of the CARRABULLE. Joseph Campbell, able seaman, was on lookout watch on the CARRABULLE.

(8) That these aforementioned personnel remained in these respective positions during the navigation of the CARRABULLE from the Sea Buoy through the collision.

(9) That at or about the same time the SS JOHN FAIRFIELD, partially loaded with general cargo to a draft of 16' 05" forward, 19' 05" aft, was proceeding in Bolivar Roads Channel from Houston, Texas, to Mobile, Alabama, in vicinity of Lighted Bell Buoy 7.

(10) The lights, identified as the foremast, after range and red side light of another vessel, apparently standing in, were sighted by the master, pilot, pilot observer, and second officer of the SS JOHN FAIRFIELD, bearing approximately 2 points on the starboard bow.

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(11) That the navigation of the JOHN FAIRFIELD was being directed by Pilot [REDACTED], in his capacity as a Federal Licensed Pilot in the employ of Luckenbach Steamship Company, as a Gulf Pilot. In addition to Pilot [REDACTED] there was on the bridge of the JOHN FAIRFIELD the following persons: [REDACTED] master of the SS JOHN FAIRFIELD; [REDACTED] pilot observer, Luckenbach Steamship Company; [REDACTED] second officer of the SS JOHN FAIRFIELD; [REDACTED] able seaman, helmsman on watch; [REDACTED] able seaman, was stationed on the bow as lookout.

(12) That these personnel remained in and about the bridge on their duty station from the time of sighting the other vessel through the collision.

(13) That the SS JOHN FAIRFIELD was proceeding at full speed, estimated at 10 to 11 miles per hour, which speed it maintained through the collision.

(14) That the SS JOHN FAIRFIELD proceeded out, conforming to the channel and in the center thereof, until abreast Lighted Buoy 3, when the course of the vessel was altered to 112 degrees magnetic on a heading to pass close aboard Galveston North Channel Lighted Bell Buoy 2, angling from the center of the channel at Lighted Buoy 3 to the north side of the channel at Lighted Bell Buoy 2.

(15) That thereafter, as the vessel continued at full speed, heading for Number 2 Bell Buoy, the relative bearing of each vessel from the other did not appreciably change until directly preceding the impact.

(16) That at 0227 while the heading of the CARRABULLE was directed on Number 2 Bell Buoy, a 2-blast whistle signal was sounded by said vessel in immediate answer to a 2-blast whistle signal given by the SS JOHN FAIRFIELD by direction of Pilot Taylor, at which time the rudders of both vessels were ordered hard left. That approximately 20 seconds previous to hearing the whistle signals, which was answered by the CARRABULLE at 0227, a similar 2-blast whistle signal was heard by other witnesses on the bridge of the CARRABULLE, including the master who reported it to the pilot, who denied hearing such whistles.

(17) Witnesses on board the JOHN FAIRFIELD, with the exception of the bow lookout, Archie A. Dahl, able seaman, contend that that vessel sounded only a single 2-blast whistle signal.

(18) That Pilot McLean affirms it was his intention, at the time of being notified by the captain of hearing a 2-blast signal, to sound a port to port passing signal, but that he refrained from carrying out that action after being so notified by the master.

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(19) That no further whistle signals were sounded by either vessel, and the collision occurred one minute later at 0228.

(20) That since the times, relatively speaking, conform closely, the time herein taken, for the purpose of this investigation is that of the SS CARRABULLE.

(21) That assuming that the SS CARRABULLE was making a speed of 9 knots, the vessel traveled a distance approximately 300 yards from the time of its sounding of the 2-blast whistle signal to the time of the collision.

(22) That assuming the speed of the JOHN FAIRFIELD to have been 11 knots, as indicated by the master, the vessel traveled a distance of 380 yards from the time of its sounding a 2-blast signal to the time of the collision.

(23) The angle of collision between the two vessels is indicated as 145 degrees, measured from the stern of each vessel.

(24) The bow of the SS CARRABULLE made contact with the SS JOHN FAIRFIELD on its starboard side at a point near the forward end of number 4 hold, piercing the shell, and continuing inboard at the angle above described to a distance of approximately 38 feet, terminating in the vicinity of the bulkhead between number 4 and 5 holds.

(25) The physical damage sustained by the SS CARRABULLE is estimated to be \$51,000.00.

(26) The physical damage sustained by the SS JOHN FAIRFIELD is estimated to be \$72,000.00.

(27) That Houston Pilot Charles H. McLean, holding Federal License No. [REDACTED] and a Texas State Commission, was not acting under authority of his Federal License on board the SS CARRABULLE, it being under registry.

(28) That the Luckenbach Pilot, [REDACTED] holding Federal Pilot License No. [REDACTED], was acting under authority of his license on board the SS JOHN FAIRFIELD, operating under enrollment.

(29) That the outer bar channel over which the vessels were navigating is 800 feet in width, ranging in depth from 34.5 feet to 38 feet, on a bearing of 301 degrees true. That Bell Buoy Number 2 is at the approximate midway point in the outer bar channel and on the northern boundary thereof.

(30) That the collision occurred at a point in close proximity to Galveston North Channel Lighted Bell Buoy 2 and southward therefrom.

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(31) That from the time each vessel was in sight of the other, up to the immediate collision, no witnesses on either vessel sighted other than the same colored side light on the approaching vessel.

(32) That no compass bearings were taken by either vessel.

(33) That neither the master of the SS CARRABULLE, [REDACTED], nor the master of the SS JOHN FAIRFIELD, [REDACTED], possessed Pilot's License for the area being traversed.

(34) That authorities of the Navigation Canal and Pilot Commission of Houston, Texas, were notified of the investigation."

4. The Board made the following Conclusions:

"(1) That the collision between the SS JOHN FAIRFIELD and the SS CARRABULLE occurred as a result of the vessels being on a collision course in a crossing situation.

(2) That the SS CARRABULLE, having the other vessel, the SS JOHN FAIRFIELD, on her port hand, is considered to have been the privileged vessel.

(3) That since neither of the masters of the respective vessels possessed pilot license for the Galveston Harbor Entrance Channel, which was being navigated, the employment of the services of duly authorized pilots for the area, to whom as is customary, was delegated the duty of conning their respective vessels, is considered appropriate.

(4) That thus the pilots of both vessels, Charles H. McLean of the CARRABULLE, and Edward Taylor of the JOHN FAIRFIELD, were responsible for the navigation of their respective vessels in this case.

(5) That acts of negligence on the part of both Taylor and McLean contributed to, or caused the collision, in the following manner, to wit:

(a) That the pilot of the SS CARRABULLE, Charles H. McLean, was in doubt as to the navigational intentions of the SS JOHN FAIRFIELD at the time the master of the CARRABULLE reported hearing 2 blasts of a whistle, on the strength of which he refrained from sounding a 1-blast signal; should have at that time instead of delaying, blown 4 or more short blasts of the CARRABULLE's whistle, as is required by Article 18, Rule III of the Pilot Rules for Inland Waters.

(b) That the pilot of the SS CARRABULLE, Charles H. McLean, in attempting to enter a dredged channel at an angle, while seeing another vessel standing towards him in the same channel, when sufficient depth of water existed to southward of said channel to have obviated such crossing and danger of collision, is considered to be in disregard of the practices of common

sense and good seamanship, as is required by Article 29 of the Pilot Rules for Inland Waters.

(c) That the pilot of the SS CARRABULLE, Charles H. McLean, did further disregard the provisions of Article 29 of the Pilot Rules for Inland Waters, in that he navigated his vessel towards another in a crossing situation, without taking or have taken compass bearings on the opposing vessel, to establish her angle of approach, as is dictated by the policy of good seamanship.

(d) That Edward Taylor, pilot of the SS JOHN FAIRFIELD, disregarded the provisions of Article 19 of the Pilot Rules for Inland Waters, in that he failed to navigate his vessel in such a fashion as to keep clear of a vessel which was on his starboard bow.

(e) That Edward Taylor, pilot of the SS JOHN FAIRFIELD, disregarded the provisions of Article 22 of the Pilot Rules for Inland Waters, in that he crossed the bow of the SS CARRABULLE, which was the privileged vessel.

(f) That Edward Taylor, pilot of the SS JOHN FAIRFIELD, disregarded the provisions of Article 23 of the Pilot Rules for Inland Waters, in that he failed on approaching the privileged vessel, CARRABULLE, to slacken his speed, stop or reverse.

(g) That Edward Taylor, pilot of the SS JOHN FAIRFIELD, disregarded the provisions of Article 29 of the Pilot Rules for Inland Waters, in that he navigated his vessel at an angle across the channel, while seeing another vessel apparently standing in, and for further failing to take, or have taken compass bearings on the opposing vessel, to establish her angle of approach, as is dictated by the policy of good seamanship.

(6) That since the situation is considered to be that of 2 vessels crossing, the provisions contained in Article 25 of the Pilot Rules for Inland Waters, are not deemed to be applicable in this case.

(7) That no acts of misconduct, negligence, incompetence, or willful violation of any laws or regulations were committed by other of the licensed or certificated personnel of either vessel.

(8) That the maneuvers of both vessels under their respective pilots, although taken too late to avoid the casualty, of a certainty minimized the damage, and are considered to have been most appropriate.

(9) That no evidence existed to indicate that any Aids to Navigation in the vicinity of the Casualty contributed adversely, and that the area was properly charted.

(10) That no Government property was involved, other than Aids to Navigation which sustained no damage.

(11) That no personnel of the Coast Guard, or any other Government Agency, contributed to the casualty."

5. The Board expressed the following Opinions:

"(1) That Charles H. McLean should be cited for violation of Article 18, Rule III of the Pilot Rules for Inland Waters.

(2) That Charles H. McLean should be cited for violation of Article 29 of the Pilot Rules for Inland Waters.

(3) That no action against the license of Charles H. McLean under the provisions of R. S. 4450, as amended, should be instituted, due to his serving under authority of his State Pilot Commission at the time of the casualty and not under the authority of his Federal License.

(4) That Edward Taylor should be cited for violation of Article 19 of the Pilot Rules for Inland Waters.

(5) That Edward Taylor should be cited for violation of Article 22 of the Pilot Rules for Inland Waters.

(6) That Edward Taylor should be cited for violation of Article 23 of the Pilot Rules for Inland Waters.

(7) That Edward Taylor should be cited for violation of Article 29 of the Pilot Rules for Inland Waters.

(8) That Edward Taylor should be charged under the provisions of R. S. 4450, as amended, for navigating a vessel in a negligent manner."

6. The Board made the following Recommendations:

"(1) That Charles H. McLean be reported for violation of Article 18, Rule III of the Pilot Rules for Inland Waters, and for violation of Article 29 of the Pilot Rules for Inland Waters.

(2) That no action under R. S. 4450, as amended, against the Federal License of Charles H. McLean be taken due to a lack of jurisdiction.

(3) That Edward Taylor be cited for violation of Articles 19, 22, 23, and 29 of the Pilot Rules for Inland Waters.

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(4) That action under R. S. 4450, as amended, be instituted against the license of Edward Taylor, for navigating his vessel in a negligent manner without due regard for life and property, and of which action the Recorder has been so advised.

(5) That a copy of this report be directed to the Officer in Charge, Marine Inspection, Galveston, Texas, the area in which the casualty occurred, for action."

REMARKS

7. The conclusions of the Board clearly state that the subject collision occurred as a result of both vessels being on a collision course in a crossing situation, and that the navigation of both vessels was governed by the provisions of Articles 19, 21, 22, and 23 (33 USC 204, 206, 207 and 208). In view of the statutory obligation of the CARRABULLE, the privileged vessel, to maintain course and speed, the record does not indicate that failure of the CARRABULLE to sound four or more short blasts on her whistle at the time that the JOHN FAIRFIELD is stated to have sounded the first two-blast signal caused or contributed to the cause of the collision, as implied in conclusion 5(a) of the Board.

8. Conclusion 5(b) states that the CARRABULLE disregarded the ordinary practice of seamen in entering the channel at an angle while a vessel was downbound. The CARRABULLE was the privileged vessel in a crossing situation and as such was required to hold course and speed, and accordingly, any action on her part in stopping, reversing, or other action to permit the JOHN FAIRFIELD to proceed ahead down the channel would have been a violation of Article 21 (33 USC 206).

9. Conclusion 5(c) states that the CARRABULLE caused or contributed to the cause of the collision because of her failure to take compass bearings on the opposing vessel, the JOHN FAIRFIELD. While this failure may be said to be contrary to the ordinary practice of seamen, the record does not sustain the conclusion that such failure either caused or contributed to the cause of the collision.

10. Conclusion 5(g) implies that Article 29, (33 USC 221) contains positive requirements with respect to the navigation of vessels and the taking of compass bearings on opposing vessels in a crossing situation. Article 29, (33 USC 221) contains no positive requirements. The basic intent of this Article is to indicate that compliance with pilot rules will not be a basis of exoneration for acts of negligence arising out of the failure to take any precaution which may be required by the ordinary practice of seamen or by the special circumstances of the case. Accordingly, opinions (2) and (7) and recommendations (1) and (3) that the pilots of the JOHN FAIRFIELD and the CARRABULLE be cited and assessed civil penalties for violation of Article 29 cannot be sustained. Further, in view of the action taken against the license of the pilot of the JOHN FAIRFIELD

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in which the violations of the Pilot Rules were taken into account, the assessment and collections of civil penalties for such violations as indicated in recommendation 3 of the Board are not approved.

11. Two copies of this report will be furnished to the American Pilots' Association for such attention as may be deemed proper with respect to Charles H. McLean, acting under the authority of his State Pilot's License in charge of the navigation of the SS CARRABULLE at the time the subject casualty occurred.

12. Subject to the foregoing remarks, it is recommended that the findings of fact, conclusions, opinions and recommendations of the Marine Board of Investigation be approved.

/s/ EDW. C. CLEAVE
EDW. C. CLEAVE

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17 November, 1950
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From: Chief, Office of Merchant Marine Safety
To: Commandant

Forwarded, recommending approval.

/s/ H. C. SHEPHEARD
H. C. SHEPHEARD

APPROVED 17 November 1950

/s/ A. C. RICHMOND
A. C. RICHMOND

Rear Admiral, U. S. Coast Guard
Acting Commandant