

UNITED STATES COAST GUARD

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

MVT
6 September, 1950
(MELROSE - SANDCRAFT
C-3 Bd)

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

Subj: Marine Board of Investigation; collision between SS MELROSE and
SS SANDCRAFT in New York Harbor on 2 July, 1950.

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 American seagoing steam propelled hopper dredge SANDCRAFT of 2054 gross tons, while bound from Port Newark, New Jersey, to vicinity of East Bank of Conoy Island to pick up a cargo of sand fouled Anchorage 23, Upper Bay, New York Harbor. Upon clearing the anchored vessels, the SANDCRAFT on an easterly course sighted the inbound American collier SS MELROSE of 6642 gross tons and whistle signals were exchanged. The time interval was such that both vessels collided at 0151 EST 2 July, 1950, causing the SS SANDCRAFT to sink shortly thereafter. At the time of this casualty the wind was negligible, the current was ebbing 1.6 to two knots, the sea was calm and the visibility was good. As a result of this casualty no persons lost their lives and only one minor injury resulted.

3. The Board made the following Findings of Fact:

"(1) The SS MELROSE and the SS SANDCRAFT were in collision at about 0151 EST on 2 July, 1950 in New York Harbor Narrows.

(2) The SS MELROSE, official number 249384, is a steel hull, liberty type collier, built in New Orleans, La., in 1945, of 6643 gross tons, propelled by a reciprocating steam engine and is owned and operated by the Eastern Gas and Fuel Associates of 250 Stuart Street, Boston, Mass. The vessel was last inspected at Baltimore, Maryland on 12 September, 1949. On the date of collision, the master was George B. Hurley of Casco, Maine, who holds an unlimited master's license with pilot endorsements for New York Harbor.

(3) The SS SANDCRAFT, official number 216199, is a steel hulled converted "Laker" type seagoing hopper dredge of 2054 gross tons, propelled by a reciprocating steam engine, built in Chicago in 1918 and owned and operated by the Construction Aggregates Corp., of 33 North LaSalle Street, Chicago, Ill. The vessel was last inspected at San Francisco, California on 9 March, 1950. The master on the date of collision was [redacted] of [redacted]

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At the time of the collision, Oscar A. Sandstrom, second mate, was the pilot of the SS SANDCRAFT. Mr. Sandstrom holds an unlimited second mate's license with pilot endorsements for New York Harbor.

(4) At the time and place of collision, the weather was clear with good visibility and the sea was calm. The wind was negligible and the current was ebbing at a velocity between 1.6 and 2 knots.

(5) The SS HELROSE departed from Newport News on 30 June, 1950 laden with a cargo of coal bound for Kearney, New Jersey. The draft of the vessel at the time of departure was 28' 11" aft, and 28' 3" forward. Scotland Light Vessel was passed at 0010 EST on 2 July, 1950. At that time, [REDACTED] second mate, was on the bridge with the master, the latter serving as pilot. The vessel proceeded into the harbor by Ambrose Channel intending to anchor off Staten Island. At 0142 EST on 2 July, 1950, Fort Lafayette was abeam to starboard and at that time, the engines were full ahead. In addition to the master and the second mate, there were on watch an able seaman as helmsman, a lookout on the bow and a third seaman on standby.

(6) At about 0030 EST on 2 July, 1950, the SS SANDCRAFT departed from Fort Newark, New Jersey bound for a position in the vicinity of East Bank, off Coney Island, N. Y., to pick up a cargo of sand. At the time of departure, the vessel's draft was about 14' 2" aft and 12' forward. After leaving the dock, the master of the SANDCRAFT turned the vessel over to the second mate, Oscar A. Sandstrom, and went below and turned in. In addition to the second mate, there were on watch an able seaman at the wheel, a seaman on lookout on the bow and a third seaman on standby. The SANDCRAFT proceeded towards New York Harbor Narrows via the Kill Van Kull. At the time the SANDCRAFT left Kill Van Kull she was making full speed or approximately 9 to 10 knots. After leaving the Kill Van Kull the SANDCRAFT proceeded toward the Narrows following a route close to the northeast section of temporary, General Anchorage No. 23 and possibly slightly within the Anchorage. On reaching a point off pier 5 or 6 Staten Island, the second mate heard a one blast signal and sighted a vessel slightly off his starboard bow which appeared to be showing masthead and range lights and a red running light. Taking this to be an inbound vessel, the second mate on the SANDCRAFT answered with one blast and changed course to his right to pass the vessel ahead port to port. As the SANDCRAFT approached closer to the vessel taken to be underway and inbound, it was found that the vessel was actually at anchor. The second mate concluded that he had been misled by the appearance of the anchor lights on this vessel and mistook them for masthead and range lights and that the red light he saw earlier must have been on a tug passing in the vicinity of the anchored vessel. During the maneuver to pass the aforementioned anchored vessel the SANDCRAFT stopped her engine

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briefly for a period of one minute or less. After clearing this anchored vessel, the SANDCRAFT proceeded ahead at half speed on a generally southerly course toward the Narrows from the position which then was inside Anchorage. Shortly after this, the SANDCRAFT sighted another vessel at anchor ahead and bearing slightly on the port bow of the SANDCRAFT. This second vessel at anchor proved to be the SS REPUBLIC which had just come to anchor and had still not been brought to on her chain. The SANDCRAFT made a gradual change of course to the left to leave the REPUBLIC to starboard. While so doing, the SANDCRAFT was set down toward the REPUBLIC and came dangerously close to the REPUBLIC before the second mate of the SANDCRAFT realized what was happening. The result of this was that the SANDCRAFT was forced to make a radical last minute change of course to the left and increase to full speed to clear the REPUBLIC. While passing the bow of the REPUBLIC, the SANDCRAFT sighted an inbound vessel, the SS MELROSE, to starboard showing a red side light. At the same time, there was another vessel at anchor, the British SS MEDIA, 500 to 1000 feet off the starboard quarter of the REPUBLIC.

(7) Testimony on the whistle signals exchanged between the SANDCRAFT and the MELROSE is conflicting. According to the SANDCRAFT witnesses, the sequence was as follows: the SANDCRAFT blew two blasts while passing the bow of the REPUBLIC; the MELROSE then blew one blast; the SANDCRAFT blew two blasts again followed by the danger signal and just prior to the collision, the MELROSE blew three blasts. The MELROSE witnesses state: the MELROSE first blew one blast which was answered with two blasts by the SANDCRAFT and the MELROSE then reversed her engines and blew three blasts. The recollection of the MELROSE witnesses was vague with respect to whether the MELROSE blew a danger signal or danger signals.

According to the testimony of the pilot on the REPUBLIC, who is not only a qualified observer, but was not occupied with any duty at the time, the sequence was as follows: the MELROSE first blew one blast; the SANDCRAFT then blew two blasts; this was followed by one blast and a danger signal or a danger signals and one blast from the MELROSE; the SANDCRAFT then repeated two blasts; the MELROSE then blew three blasts and the danger signal and just prior to the collision, the SANDCRAFT again blew two blasts.

According to the senior third officer on the MEDIA, another unoccupied witness, his attention was attracted by a signal from the MELROSE the characteristics of which he could not identify. This was followed by three blasts from the MELROSE, then two blasts from the SANDCRAFT and then a danger signal from the MELROSE, after which the vessels collided.

(8) It is clear, however, that while crossing the bow of the REPUBLIC, the SANDCRAFT, because of the MEDIA anchored off the starboard quarter of the REPUBLIC, attempted to cross ahead of the MELROSE and signaled her intention of so doing. It is likewise clear that the MELROSE undertook to pass the SANDCRAFT to port and signaled her

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intention to do so. The MELROSE did, however, reduce speed after an exchange of cross signals with the SANDCRAFT.

(9) After increasing to full speed while passing the REPUBLIC, the SANDCRAFT made no change in speed before the collision. The course of the SANDCRAFT after clearing the REPUBLIC was generally eastward, across the Narrows, until a few seconds before the collision, at which time she applied right rudder in an effort to throw her stern away from the bow of the MELROSE.

(10) The MELROSE after entering the Narrows reduced to half speed at 0145 EST. According to witnesses on the MELROSE, this change was made prior to sighting the SANDCRAFT. After one blast signal of the MELROSE was answered with two blasts from the SANDCRAFT, the MELROSE reduced from half ahead to slow ahead at 0149 EST. At 0150 EST the MELROSE engines were ordered full astern and her wheel was placed full right. The vessels collided at 0151 EST. All of the times in this paragraph are from the bridge clock of the MELROSE.

(11) The vessels collided with the bow of the MELROSE striking the starboard side of the SANDCRAFT aft of the SANDCRAFT's midship house and about ten feet aft of her engineroom bulkhead. The angle of the impact as measured between the starboard bow of the SANDCRAFT and the stern of the MELROSE was about 60 degrees. The bow of the MELROSE penetrated the hull of the SANDCRAFT for a distance of about five or six feet. Following the impact, the after hopper, the machine shop and pump room between the engine room and the hopper were flooded. The engine room was also flooded by water entering from the machine shop and pump room aft of the engine room. Water from the latter space entered the engine room through two open watertight doors in the bulkhead between the engine room and the space aft of the engine room. The engines were stopped by the engineer on watch without a signal from the bridge and the engine room watch left the engine room when the water had reached the level of the engine.

(12) The master of the SANDCRAFT, who was awakened by the crash, proceeded immediately to the bridge, then to the boat deck to survey the situation. He concluded that the vessel was sinking and he therefore returned to the bridge and sounded the abandon ship signal and communicated with the marine operator by radio telephone, and asked the marine operator to call the Coast Guard. Meanwhile, the second mate and the helmsman had left the bridge after sounding the General Alarm and passed out life jackets to crew members on the boat deck. Part of the crew reported to their boat stations but as the SANDCRAFT was then listing heavily to port, no attempt was made to lower the starboard boat. Under the direction of the Chief Mate, crew members did succeed in rigging out the port boat but no attempt was made to lower it. The master of the SANDCRAFT ordered all hands forward and

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as the SANDCRAFT settled in the water, the crew members remaining on board abandoned ship by jumping over the side. Prior to this, however, several crew members of the SANDCRAFT abandoned ship by climbing up a ladder put over the bow of the MELROSE while the two vessels were in contact. The SANDCRAFT sank about seven to ten minutes after the collision.

(12) All hands on the SANDCRAFT were rescued with only one man suffering a minor injury. In addition to the men who boarded the MELROSE while the vessels were in contact, others were picked up on lines from the MELROSE; others were picked up by lifeboats launched by the MELROSE and the British SS MEDIA at anchor. A water taxi of the Stapleton Launch Service, alongside the SS REPUBLIC at the time of the collision proceeded to the scene and also picked up men in the water.

(14) Damage to the MELROSE consisted of a hole in the bow, across the stem, just below the hawse pipes and above the water line. Plating on the starboard side was ruptured to a point extending aft of the hawse pipe and on the port side to a point approximately even with the hawse pipe. No compartment was flooded on the MELROSE and there were no casualties on the latter vessel.

(15) The SANDCRAFT drifted a short distance south and east of the point of collision and sank in a position approximately 1875 yards, ten degrees true from Fort Wadsworth. The SANDCRAFT was on 17 July, 1950 abandoned by her owners in a letter addressed to the office of the District Engineer, Corps of Engineers, U. S. Army, New York, N. Y.

(16) Following the collision, the MELROSE anchored while picking up survivors off the SANDCRAFT. The MELROSE remained at anchor until 1010, 2 July, 1950, when she proceeded to Kearney, N. J.

(17) Witnesses Interviewed

[REDACTED], Chief Mate, Tanker, REPUBLIC
[REDACTED], Boatswain, SS REPUBLIC
George B. Murley, Master, SS MELROSE
[REDACTED], Second Mate, SS MELROSE
[REDACTED], Master, SS SANDCRAFT
Oscar A. Sandstrom, Second Mate, SS SANDCRAFT
[REDACTED], Second Assistant Engineer, SS SANDCRAFT
[REDACTED], Able Seaman (Wheelman) SS MELROSE
[REDACTED], Second Assistant Engineer, SS MELROSE
[REDACTED], Able Seaman (Bow Lookout) SS MELROSE
[REDACTED], Ordinary Seaman (on bow) SS MELROSE
[REDACTED], Able Seaman (Wheelman) SS SANDCRAFT
[REDACTED], Pilot, Tanker REPUBLIC
[REDACTED], Junior Officer of the Watch, SS MEDIA
[REDACTED], Able Seaman (Bow Lookout) SS SANDCRAFT"

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4. The Board expressed the following Opinions:

"(1) The Board is of the opinion that the REPUBLIC and MEDIA were closer together than indicated by the plot of their positions on the chart. Testimony of witnesses indicates that the two vessels were somewhere between 500 and 1000 feet apart. The Board concludes that the position of the MEDIA is correct and that of the REPUBLIC inaccurate. The Board reaches this conclusion because of the fact that the MEDIA's position was established by bearings on three aids to navigation, whereas that of the REPUBLIC was established by a bearing of a pier crossed with a bearing on an aid to navigation, and because the Board places greater reliance on the testimony of the witness from the MEDIA than on that of the Chief Officer of the REPUBLIC.

(2) The Board is of the opinion that the situation in which the above described collision occurred was one of special circumstance and not a situation encompassed by the rules either for vessels meeting or crossing. When the SANDCRAFT and the MELROSE first sighted each other, the SANDCRAFT was greatly restricted in her choice of maneuver by the proximity of the SS REPUBLIC, with which vessel a collision was narrowly being avoided, and the SS MEDIA at anchor off the starboard quarter of the SS REPUBLIC. Under these circumstances, the Board is of the opinion that the attempt of the SS SANDCRAFT to cross ahead of the SS MELROSE offered the best prospect of avoiding a collision with one of the other vessels. As the Board believes that the MELROSE was in the better position to take effective action to avoid a collision, the Board is of the opinion that the SS MELROSE should have accepted the two blast proposal of the SS SANDCRAFT and should have contributed more than she in fact did to permitting the SS SANDCRAFT to pass ahead. The MELROSE was stemming the current, she was in a better position to change course to her left than was the SANDCRAFT to change to the right, and there was no obstacle to prevent a reduction of her headway either by stopping or brief use of her engines astern. The Board believes that the evaluation of the situation by the master of the MELROSE as one of vessels crossing, was in error. Furthermore, even if the special circumstances of the case were disregarded and the situation were considered to be one of vessels crossing, the MELROSE had no right to attempt to hold the right of way beyond the point where it was apparent that the SANDCRAFT by her own efforts alone, could not avoid a collision. In this connection, the Board considers it significant that the MELROSE abandoned her alleged position of the privileged vessel at the point when she reduced from half to slow speed.

(3) The Board feels that at the time the MELROSE reduced speed from half to slow ahead, she was committed to permitting the SANDCRAFT to pass ahead and that the MELROSE should at that time have taken more positive action to reduce her headway and should also have changed her

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course to her left as soon as safe clearance of the anchored vessels permitted. For failure to take either or both of these actions, the Board considers the LMLROSE at fault.

(4) In assigning the degree of fault to be assigned to the LMLROSE for failure to take more effective action to avoid the collision, the Board gives considerable weight to circumstances considered to be extenuating in following the maneuvers of the LMLROSE. The LMLROSE could not be expected to realize the predicament of the SANDCRAFT in avoiding a collision with the REPUBLIC nor to anticipate that a vessel of the size of the SANDCRAFT would be crossing the Harbors at a point where there was no logical destination on the Brooklyn shore. There was, therefore, a very considerable element of surprise in the maneuvering of the SANDCRAFT as viewed from the LMLROSE. Thus, the time available to the LMLROSE correctly to diagnose the situation and take correct and effective action is a critical factor. Although the time factor in this respect has not been determined with precision, there appears a definite possibility that the time available to the LMLROSE may have been three minutes or less. In view of this, the Board feels that the fault of the LMLROSE is not grievous.

(5) Although the Board believes that the maneuver of the SANDCRAFT with relation to the LMLROSE was the best course of action to avoid collision, the Board is of the opinion that the situation was one entirely of the SANDCRAFT's own making and one which the LMLROSE had no part in creating. The SANDCRAFT hauled into the anchorage to effect a port to port passing with a vessel thought to be underway but which proved actually to be at anchor. From the evidence, the Board concludes that the lights on and around the aforementioned vessel presented the appearance of a vessel underway at least sufficiently to create doubt respecting her condition in the mind of the pilot of the SANDCRAFT. In this connection, a possibility which the Board has considered, but on which it can reach no conclusion, is that the pilot on the SANDCRAFT actually saw, in-line with the first vessel in the anchorage, the underway lights of the SS REPUBLIC, which at very nearly that time was coming to anchor, and became confused when the REPUBLIC switched off her running lights and turned on her anchor lights. The Board therefore believes that the action of the SANDCRAFT in entering the anchorage to pass port to port an illusory underway vessel, is, in itself, harmless. After leaving the first vessel in the anchorage to port, the SANDCRAFT through either misjudgment or lack of alertness, navigated dangerously close to the REPUBLIC in seeking to head out into the fairway. The result of this was to place the SANDCRAFT in a situation where she had no choice of maneuver to avoid a collision with the LMLROSE or the MEDIA anchored off the starboard quarter of the REPUBLIC. The Board therefore concludes that the fault of the SANDCRAFT rests in her failure to give the REPUBLIC a sufficiently wide berth to avoid risk of collision.

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(ENCLOSURE - SANDCRAFT 0-3 3d)

(6) The Board believes that the fault on the part of both vessels in this collision is considerably reduced by extenuating circumstances present in the unusual situation in which the casualty occurred. Therefore, the Board feels that, while some action is indicated, the demonstrable faults are not sufficiently grievous to require action seeking suspension or revocation of the licenses of the personnel involved.

(7) The Board is of the opinion that the flooding of the engine room through the water-tight doors between the engine room and the compartment occupied by the machine shop and pumps, contributed to the sinking of the SANDCRAFT.

(8) The Board is also of the opinion that the full advantage was not taken of the possibility of getting at least one of the SANDCRAFT's boats in the water before she sank. However, in view of all the circumstances, the Board does not criticize the handling of the situation by the master of the SANDCRAFT.

(9) No Coast Guard personnel nor any representative or employee of any other government agency caused or contributed to the cause of the casualty.

(10) There was no failure of equipment involved in or which contributed to the casualty.

5. The Board made the following Recommendations:

"(1) The Board recommends that the master, George B. Marley, of the SS MELROSE be admonished for misconduct in that he failed to take prompt and effective action to avoid a collision between his vessel, the MELROSE and the SANDCRAFT at a time when the latter vessel could not by her own action alone avoid the collision.

(2) The Board further recommends that Oscar A. Sandstrom, second mate and pilot on the SANDCRAFT be admonished for negligence in that he navigated the SANDCRAFT dangerously close to an anchored vessel, the SS REPUBLIC, with the result that in avoiding a collision with the REPUBLIC, the SANDCRAFT became involved in a collision with the SS MELROSE.

(3) It is recommended that this case be closed with no action other than as recommended above."

REMARKS

6. The master of the MELROSE and the second mate of the SANDCRAFT acting under the authority of their Federal Pilot Licenses' in charge of the

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navigation of their respective vessels at the time subject casualty occurred were parties in interest to the investigation. The record is not clear as to whether or not the full rights to which parties in interest are entitled to were afforded to these officers.

7. R.S. 4480 as amended, among other things, provides that at all investigations conducted under the provisions of said statute any licensed officers whose conduct is under investigation shall be allowed to cross-examine witnesses and to call witnesses in their behalf. In the implementation of this statutory right the regulation 46 CFR 156.03-10 provides that all licensed personnel whose conduct is under investigation, whether or not involved in a marine casualty or accident, shall be designated as parties in interest and afforded the rights as such. Further the instructions in the Merchant Marine Safety Manual, paragraph 7-3-60 (1) with respect to the desirability of separate and private interrogation of witnesses, points out that under the provisions of 46 CFR 156.07-35 seamen who may be parties in interest shall not be barred from personal presence during the proceedings of a Marine Board of Investigation.

8. Subject to the foregoing remarks, it is recommended that the Findings of Fact, Opinions and Recommendations of the Marine Board of Investigation be approved.

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

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23 October, 1950
(RELMOSE - SANDCRAFT C-3 Ed)

From: Chief, Office of Merchant Marine Safety
To: Commandant

Forwarded, recommending approval.

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

APPROVED 23 October, 1950

/s/ MERLIN O'NEILL
MERLIN O'NEILL
Vice Admiral, U. S. Coast Guard
Commandant