

UNITED STATES COAST GUARD

ADDRESS ONLY TO  
COMMANDANT  
U. S. COAST GUARD  
HEADQUARTERS  
WASHINGTON 25, D.C.



1971  
7 January 1954  
(PIONEER -  
WALLSCHIFF - a-9 Bd)

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

Subj: Marine Board of Investigation; SS PIONEER - M/V WALLSCHIFF (German),  
collision, St. Clair River, 2 October 1953

1. The SS PIONEER, a bulk freighter of 6316 g.t., was downbound and the M/V WALLSCHIFF (German), a freighter of 682 g.t., was upbound in the St. Clair River on the evening of 2 October 1953. The weather was clear, no wind, and the visibility was good. The PIONEER downbound with a 3 to 5 mile current passed under the Pine Water Bridge approximately in mid-channel with the upbound WALLSCHIFF in sight on the WALLSCHIFF's left side of the channel close to the shore. The PIONEER elected to pass starboard to starboard and gave the required two-blast signal and changed course to the left. The WALLSCHIFF did not comply with the signified election of the PIONEER and changed course to her right, and although collision-avoiding action was then taken by both vessels, a collision resulted at about 2300 in approximate position east of Fort Gratiot Rear Range Light on the international boundary line. As a result of this casualty the WALLSCHIFF sank and the pilot on board died of natural causes. The damage sustained by the PIONEER was estimated at \$40,000.

2. Pursuant to the provisions of Title 46 C.F.R. Part 136, the record of the Marine Board of Investigation convened to investigate subject casualty, together with its Findings of Fact, Conclusions and Recommendations, has been reviewed and is forwarded herewith.

REMARKS:

3. Conclusion, paragraph 15, of the Board states as follows:

"15. That the master of the WALLSCHIFF violated Rules 20, 23 and 26 (33 USC 285, 288 and 291 respectively) of the Pilot Rules for the Great Lakes and Connecting and Tributary Waters and the St. Mary's River, in that he failed to observe the right of way of the downbound vessel; that he did not respond with the same signal, and that he did not sound the danger signal; and that he failed to reduce his speed to bare steerageway, and, if necessary, stop and reverse."

Chief, MVI Division, to  
Commandant

7 January 1954  
(PIONEER - WALLSCHIFF - a

Rules 20, 23, and 26 (33 USC 285, 288, and 289) are not applicable to foreign vessels, as under the provisions of the Act of 8 February 1895 (33 USC 241) such rules are only applicable to public and private vessels of the United States upon the Great Lakes and their connecting and tributary waters. The WALLSCHIFF was, however, subject to the corresponding pilot rules lawfully established by the Commandant of the U. S. Coast Guard while on the American side of the St. Clair River; but the penalties provided by Sec. 2 are only recoverable for violation of "this Act" (28 Stat 649). In view of this fact, and since the Master of the WALLSCHIFF testified that his navigation was on the Canadian side of the St. Clair River, and the Board found that the collision occurred in the vicinity of the international boundary line, without specifically establishing the position of the WALLSCHIFF at the time the violations are stated to have occurred, the information in the record would not sustain any action for the assessment and collection of any civil penalties.

4. The Recommendation, paragraph 3, of the Board that foreign vessels on the Great Lakes be under the control of competent personnel is concurred with. It is noted that paragraph 7 of the Board's Conclusions states that there was no evidence to indicate that the pilot of the WALLSCHIFF failed to perform the duties and responsibilities of his position.

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

[Redacted]  
Acting

FIRST ENDORSEMENT OF MVI memorandum of 7 January 1954

M  
20 January 1954

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

Forwarded, recommending approval.

[Redacted]  
Acting

APPROVED: [Redacted]

REPORT OF A  
MARINE BOARD OF INVESTIGATION

Convened at

Lorain, Ohio and Port Huron, Michigan

to inquire into and investigate the collision between  
the PIONEER and the WALLSCHAFF (German), with loss of life  
in the St. Clair River

on 2 October 1953

After full and mature deliberation, the board finds as follows:

#### FINDINGS OF FACT

1. The SS PIONEER, United States registry, a Great Lakes bulk freighter, O.N. 303941, has a 6316GT and 5021 NT; her registered dimensions are 304'.0 x 54'.2 x 31'.0. She has a three cylinder, triple expansion, reciprocating steam engine of 1650 HP with two Scotch Marine boilers having a working pressure of 180 psi. This vessel, built in 1907 at Wyandotte, Michigan, is owned by Cleveland-Cliffs Steamship Company, 100 West 10th Street, Wilmington, Delaware, and managed by Cleveland-Cliffs Iron Company, 14th Floor, Union Commerce Building, Cleveland 14, Ohio. Wilmington, Delaware, is the home port.
2. The MV WALLSCHIFF, German registry, an ocean freighter, O.N. 96280, has an 882 GT and 756 NT under deck; her registered dimensions are 205'.8 x 31'.9 x 16'.6. She has a six cylinder, four cycle diesel engine of 1000 HP with direct drive. This vessel, built in 1953 at Lauenburg, Elbe, is owned by the Pattenreed-Wallschiff Corporation. Her port of registry is Hamburg, Germany.
3. The SS PIONEER departed Superior, Wisconsin at 0946 (EST), 30 September 1953 with a load of 9,004 tons of Erie iron ore bound for a Lake Erie port. She was to receive her final destination orders at Detroit, Michigan on the downbound run. The PIONEER, carrying a slight starboard list on departure, had the following draft readings: 19'-3" forward, 19'-8" amidship, 20'-1" aft.
4. The WALLSCHIFF began her voyage on the 9th of September 1953 at Antwerp, Belgium. After several ports of call, she departed Detroit, Michigan, at 1630 (EST), 2 October 1953 having been there for a period of about nine and one half (9½) to ten and one half (10½) hours. The motor vessel was carrying 325 metric tons of sheet steel; her draft was 8'-6" forward and 11'-6" aft. She was upbound to Muskegon, Michigan.
5. Both vessels continued their trips without incident until arriving in the upper end of the St. Clair River, at the Port Huron, Michigan--Sarnia, Ontario area.
6. The weather in the Port Huron--Sarnia area at the time of their arrival and at the time of the collision was clear and calm with good visibility. The night was black. The flow of water in the St. Clair River is from Lake Huron Southerly to Lake Erie. In the area of the collision the currents are strong, three to five miles per hour under normal conditions.
7. The Cleveland-Cliff's vessel logged passing the Lake Huron Lightship (LL 749) at 2234 according to her deck log (see Exhibit 2), and 2237 according to her rough engine room log. Captain [redacted] was piloting his vessel on the Point Edward's Range (LL-740 and 741) in the approach channel to the St. Clair River entrance; besides the Captain, [redacted], the 3rd Mate, and [redacted], the wheelman, were in the pilot house. The lookout, [redacted], was on the port side of the forecastle deck near the bow. The ship was traveling at full speed, about 11 miles per hour, followed by the SS TOM GIRDIER about one half (½) mile astern. The PIONEER's radar was turned on and operating.

8. On board the WALLSCHIFF, Captain [redacted] was relaying orders from the sailing master (Pilot) Patterson to his wheelman, [redacted] on the port bridge wing as lookout. Their vessel was not equipped with radar. They were turning over for a speed of approximately 11.3 knots (or about 13 miles per hour) and had passed an upbound lake freighter below Courtwright, Ontario. Arriving at the Port Huron Traffic Buoy (LL-735) off Sarnia, they passed this buoy about 300 feet on their port side. From that point, according to Captain [redacted], they headed on Bay Point Light (LL-737) for awhile, then came left at a slight angle, passing about 625 feet abeam of Bay Point Light (see Exhibit 4).

9. The Master of the WALLSCHIFF testified that he first saw the PIONEER when it was in the vicinity of the Blue Water Bridge; he fixed his own position on the Canadian side of the channel (position X1 on Exhibit 4). Testimony of Captain [redacted] on the PIONEER indicated that he first sighted the WALLSCHIFF when his own vessel was about a boat length (500 feet) South of the Blue Water Bridge. He placed the WALLSCHIFF at this time at the Waterworks crib on the American side.

10. Testimony of both [redacted] and [redacted], employees of Westcott's Marine Reporting Station, placed the WALLSCHIFF close to the American shoreline as she approached and passed their station. Mr. [redacted] observed the situation develop and witnessed the resultant collision from the Westcott Station porch. Mr. [redacted] was in the Westcott boat and had gone close abeam to check the WALLSCHIFF's name. He then pulled ahead or to the Northward to be in a position to intercept the PIONEER.

11. As the PIONEER had come under the Blue Water Bridge her helm was amidship to allow the current to bring the ship around to the left off the Port Gratiot Range (LL-738 and 739). Seeing the Westcott boat in the vicinity of the upbound vessel, Captain [redacted] testified that he realized the boat was too close to the American shore to pass him on the one whistle side so he blew two blasts (see Exhibit 1, position X2). According to Mr. [redacted], PIONEER wheelman, Captain [redacted] gave the order "Left some more" at the time he blew two blasts. Hearing no answering signal, the PIONEER blew the danger signal and rang the ship's general alarm; Mr. [redacted] stated that he received the order, "Hard left", immediately after the danger signal was blown.

12. Testimony of the PIONEER's master indicated the upbound vessel cut across channel toward the Canadian side after the PIONEER's danger signal was sounded. Third Mate [redacted] and lookout [redacted] indicated that Captain [redacted] blew another two blast signal followed by a second danger signal. The captain was not sure whether or not he had blown a second series of whistle signals.

13. On the other hand, Captain [redacted] testified that the downbound ship blew one blast which he answered on the advice of his pilot, Patterson. He also indicated that he had been swinging on an easy starboard rudder prior to the whistle signals. The master of the WALLSCHIFF went on to state that it might have been two or three minutes after he blew his own one blast signal that he heard the PIONEER blow a danger signal. Pilot Patterson said nothing in response to the captain's question, "What is wrong there, I see a green light", nor did he say anything more when he

heard the danger signal blow. Captain [redacted] then stated that he came hard right, rang up full astern, and blew three blasts.

14. Mr. [redacted] testified that he first heard the PIONEER blow a danger signal, then two blasts, and the danger signal again. Mr. [redacted] stated he heard two blasts from the PIONEER and her danger signal. Neither of the latter two witnesses heard the WALLSCHIFF blow a whistle signal.

15. Charted positions and testimony by both captains indicate that they were somewhere between 3,750 and 4,700 feet apart when they first sighted one another and that the first whistle signals were blown when the ships were one-quarter ( $\frac{1}{4}$ ) to four-tenths (0.4) of a mile apart.

16. Captain [redacted] indicated he came from full speed ahead to full speed astern when the ships were about 200 feet apart, the PIONEER's log indicates the speed change occurred one (1) minute prior to the collision. Captain [redacted] stated that he put his engine full speed astern about a minute or so before the collision. The ships collided at about a ninety degree ( $90^{\circ}$ ) angle with the bow of the PIONEER cutting into the WALLSCHIFF's port side about five to eight feet at number three hatch.

17. At the time of the collision Captain [redacted], Mr. [redacted] and Mr. [redacted] placed the heading of the PIONEER at approximately Southeast and the heading of the WALLSCHIFF at about Northeast. Captain [redacted] described his ship as heading almost North and the PIONEER approximately East.

18. The holing of the WALLSCHIFF was fifteen to twenty feet forward of the superstructure and approximately 150 feet from the bow. Captain [redacted] placed the location of the collision at about  $132^{\circ}$ T, 1400 feet from Fort Gratiot Front Range Light (LL-738) which would be about 150 feet from the International Boundary line on the Canadian side. Question Number 180, page 170 of the testimony was incorrectly stated where this bearing was referred to as  $145^{\circ}$ T. The master of the PIONEER placed it at about  $137^{\circ}$ , 1050 feet from the same land mark and on the American side of the channel. It was the opinion of both Westcott witnesses that the collision occurred on the Canadian side of the channel. Mr. [redacted] checked the time of the collision as 10:58 p.m. by the big reporting clock in the Westcott office.

19. After the collision the two vessels remained in contact for about five (5) minutes, during which time Captain [redacted] stated he tried to shove the WALLSCHIFF out of the channel to shallow water. The holed vessel sank in about forty (40) feet of water in the vicinity of the two red spar buoys (Canadian Buoys, unlisted) marking Bay Point Shoal about 1500 and 1200 feet, respectively North of Bay Point Light.

20. The impact of the collision knocked the WALLSCHIFF's pilot from his feet to the deck of the pilot house. The wheelman [redacted] was sent immediately to call all hands on deck. After Captain [redacted] and lookout [redacted] assisted the sailing-master to his feet he said, "I suspect I broke my leg." Then as the captain climbed to the bearing bridge above the wheel house, Mr. Patterson walked very slowly to the door in the wheel house which led down to the captain's quarters. [redacted] went aft to assist on the boat deck.

21. Captain [redacted] obtained two life belts, throwing one down to the pilot house for Mr. Patterson and keeping one himself. He returned to the pilot house but did not see the pilot. No one saw him alive again; his body was later recovered and examined by a Sarnia physician. The coroner's report indicates the immediate cause of death to be coronary thrombosis (see attached Medical Certificate of Death).

22. Captain [redacted] watched his men leave in the WALLSCHIFF's port lifeboat. As his ship sank deeper, he climbed the mast where he remained until a Coast Guard motor boat from the Port Huron Lifeboat Station rescued him. The Coast Guard boat previously had picked up the eleven (11) men from the WALLSCHIFF's port boat.

23. The WALLSCHIFF had a port list so that the starboard boat could not be launched. Two (2) men, [redacted] and [redacted] went over the starboard side and swam to the Canadian shore. Two (2) others, who had jumped overboard, were picked up by the Westcott boat and taken to the American shore; later, Port Huron Police took them to Sarnia. The second mate, [redacted], climbed over the bow of the PIONEER to the forecastle deck.

24. Conflicting testimony exists as to how Mr. [redacted] ascended to the fore-castle of the PIONEER. He testified that he jumped from the WALLSCHIFF to the stem of the PIONEER and held onto the towing hook until a ladder was lowered half the height of the PIONEER. From there, he climbed the ladder to the deck. Second Mate [redacted] of the PIONEER stated that he and another man lowered the 32 foot wooden ladder down to the hatch of the WALLSCHIFF where Mr. [redacted] boarded it and climbed to the forecastle deck.

25. As the two vessels separated and the WALLSCHIFF sank, the starboard anchor of the PIONEER was partially pulled out. Captain [redacted] notified the Port Huron Coast Guard Station of the sinking by radio-telephone and dropped his port anchor.

26. Both of the PIONEER's lifeboats were then lowered in an attempt to assist in rescue operations. Mr. [redacted] from the WALLSCHIFF left the fore-castle of the PIONEER, went aft, jumped into the PIONEER's port lifeboat, and assisted as a member of the boat crew. During rescue operations the forward and after searchlights of the PIONEER were manned by the captain and 3rd mate, respectively, in an attempt to locate personnel from the WALLSCHIFF.

27. The PIONEER, heading upstream after separating from the WALLISCHIFF, and having anchored, hove up its anchors and proceeded to Lake Huron, where it came about and returned to Port Huron, Michigan. She tied up at the coal dock at 0630, 3 October 1953. Surveys were made of the damage and the ship was given permission to proceed to Lorain, Ohio, for unloading and drydocking.

28. Survey in drydock revealed the following major work to be accomplished on the PIONEER due to the collision:

- (1) Remove and renew: Port side plates C-1, E-1, H-1, J-1, and J-1 doubler, L-1. Starboard side plates E-1, H-1, J-1 and J-1 doubler, L-1.
- (2) Crop, remove, and renew: Port side plates K-1, and K-1 doubler. Starboard side plates C-1, K-1 and K-1 doubler.
- (3) Remove and renew 27 feet of stem.
- (4) Adjoining plates to be faired.
- (5) Rivets in adjoining plates to be removed and renewed as necessary.
- (6) Internals in way bow work to be removed, renewed, and replaced.

29. Repairs completed and in a seaworthy condition, the PIONEER returned to service at 2255, 15 October 1953.

30. The following witnesses were interviewed:

- (1) [REDACTED], Master of the PIONEER, License Number [REDACTED]  
[REDACTED].
- (2) [REDACTED], License Number [REDACTED]  
[REDACTED].
- (3) [REDACTED] [REDACTED].
- (4) [REDACTED] [REDACTED].
- (5) [REDACTED], License Number [REDACTED] [REDACTED]  
[REDACTED].
- (6) [REDACTED], License Number [REDACTED] [REDACTED]  
[REDACTED].



- (7) [REDACTED], License Number [REDACTED]; [REDACTED].
- (8) [REDACTED], Master of the WALLSCHIFF, License Number [REDACTED], [REDACTED].
- (9) [REDACTED].
- (10) [REDACTED].
- (11) [REDACTED], License Number [REDACTED]; [REDACTED].
- (12) [REDACTED], License Number [REDACTED]; [REDACTED].
- (13) [REDACTED].
- (14) [REDACTED], [REDACTED].
- (15) [REDACTED], [REDACTED].

31. The following man was deceased:

Harold A. Patterson, Sailingmaster (Pilot) of WALLSCHIFF, [REDACTED]  
[REDACTED]; Canadian issued Certificate Number [REDACTED], issued  
April 1921.

### CONCLUSIONS

1. That the PIONEER passed downbound under the Blue Water Bridge approximately in the center of the channel heading on Fort Gratiot Range. That shortly after having passed under the bridge and commenced her swing to port, the WALLSCHIFF was sighted upbound relatively close to the American shore in the vicinity of the Waterworks, Port Huron, Michigan.
2. That the Master of the PIONEER initiated a passing signal of two (2) blasts for a starboard to starboard passing when approximately one-half ( $\frac{1}{2}$ ) mile from the upbound WALLSCHIFF.
3. That the Master of the WALLSCHIFF, observing the descending PIONEER, seeing her red light, and hearing the passing signal, elected to seek his starboard side of the channel, which action he instituted, having just passed the Marine Reporting Station (Westcott's Landing).
4. That the Master of the WALLSCHIFF failed to understand the passing signal as proposed by the PIONEER.
5. That the Master of the WALLSCHIFF either failed to answer the PIONEER's passing signal, or any whistle reply by the WALLSCHIFF was not sufficiently audible or distinguishable to be recognized as a navigational whistle signal.
6. That neither the master nor the mate on watch on the WALLSCHIFF was sufficiently familiar with applicable Pilot Rules.
7. That there is no evidence to indicate that the Pilot on the WALLSCHIFF failed to perform the duties and responsibilities of his position.
8. That all navigation lights on board both the PIONEER and WALLSCHIFF were burning brightly prior to the collision.
9. That the pattern of a passing situation was established once the master of the PIONEER had blown a two-blast signal indicating his intention to pass the WALLSCHIFF to starboard. The river current, the bend in the river, the restricted channel and the limited maneuverability of the PIONEER under the circumstances rendered a departure from the elected two whistle plan to pass the WALLSCHIFF imprudent.
10. That the action of the master of the PIONEER in backing was instituted too late to be fully effective. Captain [REDACTED] stated "When I saw that we couldn't avoid a collision, then I put the engine full speed astern." This backing action should have been taken, at the latest, when the master first blew his danger signal.

11. That the WALLSCHIFF was proceeding upbound on the designated downbound channel side of the river just prior to sighting the PIONEER in the vicinity of the Five Water Bridge, and that the master's radical turn to starboard in an effort to get to the opposite side of the channel without an understanding of the passing signal exposed his vessel to immediate danger.

12. That the collision occurred approximately on the International Boundary line, due East of the Fort Gratiot Rear Range Light (LL-739).

13. That the corrective measures taken by the master of the PIONEER in keeping his bow in contact with the WALLSCHIFF and in attempting to push the holed vessel into shallow water provided additional time for emergency abandonment and minimized the risk to lives on board the WALLSCHIFF. It further prevented the sinking from occurring in the middle of the river.

14. That the rescue activity initiated by the PIONEER with its lifeboats lacked direction and effectiveness.

15. That the master of the WALLSCHIFF violated Rules 20, 23 and 26 (33 USC 285, 288 and 291 respectively) of the Pilot Rules for the Great Lakes and Connecting and Tributary Waters and the St. Mary's River, in that he failed to observe the right of way of the downbound vessel; that he did not respond with the same signal, and that he did not sound the danger signal; and that he failed to reduce his speed to bare steerageway, and, if necessary, stop and reverse,

16. That the master of the PIONEER violated Rule 26 (33 USC 291) of the Great Lakes and Connecting and Tributary Waters and the St. Mary's River in that, having approached within one-half mile of the WALLSCHIFF, he failed to reduce his speed to bare steerageway and stop and reverse when he failed to understand the course or intention of the approaching steamer.

17. That no failure of material was involved.

18. That no personnel of the Coast Guard or any other Government Agency contributed to the casualty.

19. That the casualty could have been prevented by compliance with applicable Pilot Rules by both vessels.

20. That no uncharted or incorrectly charted area or objects were involved.

#### RECOMMENDATIONS

1. That the master of the PIONEER be charged with Inattention to Duty (Copy of Charge and Specification attached).

That the vessel of the MT WILSON be cited for violation of Rules 20, 23 and 26 (20, 23, 24, 25 and 291 respectively) of the Pilot Rules for the Great Lakes and connecting and tributary waters and the St. Mary's River and that the statutory penalty be imposed. (Copy of Violation Report attached).

3. That when a foreign vessel (excluding Canadian and United States vessels, which are exempt from this recommendation by virtue of Article I of the Convention Concerning Boundary Waters between the United States and Canada, signed at Washington, D.C., 11 January 1909) operates on the Great Lakes and their connecting and tributary waters, it shall be under the control of an authorized person at all times. An authorized person shall be one who has proven to the satisfaction of either Canadian or United States authorities that he is familiar with the applicable Pilot Rules and waters. Such a requirement would necessarily be a matter for international agreement between the United States and Canada.

(signed) [REDACTED]  
HAROLD C. MOORE  
Captain, U.S. Coast Guard, Chairman

(signed) [REDACTED]  
GEORGE P. KENNEY  
Captain, U.S. Coast Guard, Member

(signed) [REDACTED]  
LOUIS F. SUDNIK  
Lieutenant Commander, U.S. Coast Guard,  
Member

(signed) [REDACTED]  
EDWARD R. THARP  
Lieutenant Commander, U.S. Coast Guard  
Recorder

The board then, at 5:10 p.m., adjourned to await the action of the convening authority.

(signed) [REDACTED]  
HAROLD C. MOORE  
Captain, U.S. Coast Guard, Chairman

(signed) [REDACTED]  
EDWARD R. THARP  
Lieutenant Commander, U.S. Coast Guard  
Recorder

1871

3 February 1934

(FVHDA M. - a-3 22)

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

Subj: Marine Board of Investigation; capsizing of passenger motor vessel  
FVHDA M. off Hooksett Point, Long Island, 11 October 1933 with loss  
of life

1. The passenger-carrying motorboat FVHDA M. of 35' 6" length, 12' 6" beam and 3' 6" depth, fitted with a 145 h.p. engine, and measuring 14 g.t. was engaged in pleasure fishing off Hooksett Point on the afternoon of 11 October 1933. The weather conditions were not so severe as to cause any cessation in pleasure fishing operations. The FVHDA M. apparently approached too closely to shoal water where a large wave lifted the stern of the vessel, and carried her forward causing her to breach and capsize. Nearby passenger motorboats engaged in fishing excursions immediately appeared on the scene and rescued the personnel from the FVHDA M., who were in the water, but unfortunately one passenger was lost by drowning.

2. Pursuant to the provisions of Title 46 U.S.C. Part 196, the record of the Marine Board of Investigation convened to investigate subject casualty, together with its Findings of Fact, Opinions and Recommendations, has been reviewed and is forwarded herewith.

3. It is recommended that the Findings of Fact, Opinions and Recommendations of the Marine Board of Investigation convened to investigate subject casualty be approved.

(signed) [REDACTED]

Acting

FIRST ENDORSEMENT ON NWI memorandum of 3 February 1934

2

16 February 1934

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

Forwarded, recommending approval

(signed) [REDACTED]

Acting

APPROVED:

(signed) [REDACTED]

A. C. RICHMOND

Rear Admiral, U. S. Coast Guard  
Acting Commandant