

## "SAM" SHIP INQUIRY

### Submissions of Counsel in "Leicester" Case

On account of the extended sitting of the Court on Tuesday evening our report of the final proceedings of the Ministry of Transport inquiry into the heavy listing and abandonment of the Liberty-type steamer *Leicester* (ex *Samesk*) in yesterday's LLOYD'S LIST was abbreviated. As announced, the inquiry was concluded and the Court's findings are to be announced in due course.

Summing up for the owners, the Federal Steam Navigation Company, Ltd., London, and the master, Captain H. N. Lawson, Mr. ROLAND ADAMS, K.C., after paying tribute to the master for his behaviour, drew attention to the fact that he (the master) had gone back into the ship with some 50 per cent. of the crew who shared the unhappy experience with him, and his views were the same to-day, except that steps should be taken to prevent ballast from shifting.

#### A "MISADVENTURE"

"It would be going too far after acquired knowledge," Mr. Adams continued, "to say that there was anything but an unfortunate inadequacy about the design of the shifting boards which were installed in the *Leicester*. I venture to say that the unfortunate carrying away of these boards should be put down to a misadventure rather than an error of judgment."

Mr. Adams pointed out that they had had evidence of the remarkable resistance of these boards under a very severe list. "What really happened here was that the shifting boards did not come away in the ordinary sense because they were not strong enough. They came away because there was an unknown factor in the whole structure of the ship which caused them to give way in a particular place." He asked the Court to consider very carefully that putting ballast in lower holds might make it more likely to shift from the greater G.M. There was no doubt the "Sam" ships were stiff and their G.M. must be kept down.

Mr. NEIL MACLEAN, for the National Union of Seamen, in his submission, said: "I feel you must have arrived at a conclusion that the main cause of this accident was undoubtedly shifting of ballast, and the main cause of shifting was a failure to put in proper and efficient shifting boards. I feel that following so shortly after the *Samkey* inquiry a little more care and attention might have been given by the owners and those expert members of their staff in considering what would have been a proper method of fitting these shifting boards and it may be that you—like some of us—are rather surprised to learn that no plans of any type or description were submitted."

Mr. Maclean said there appeared to have been a lack of co-ordination and co-operation between the senior members of the shipping company's staff. Captain Dawson was at the inquiry into the *Samkey* and he must have of necessity taken away some very useful information and it was very proper and obvious from that inquiry that he considered the advisability of fitting shifting boards. "A little more discussion with his experts in the marine and naval architects departments should surely have produced a more efficient method of shifting boards than the type fitted in this vessel."

#### DECK-TO-DECK BOARDS URGED

Mr. Maclean said that Mr. Beattie admitted after this unfortunate accident that if they had fitted shifting boards from deck to deck it might have been a more efficient method of fitting them. He felt that some regard might have been paid to the grain regulations and in extracting from them one important point—that was, the fitting of shifting boards from deck to deck.

He considered that the carrying of ballast in the 'tween decks should be given more consideration than it had in the past. They knew from the inquiry into the *Samkey* that the vessel was probably lost for that very reason. He wished to be associated with Mr. Broadhead in saying that in spite of arguments put forward in this Court he had yet to be convinced that it was safe to carry a full load of ballast in the 'tween decks. "I suggest that you put forward a recommendation, if you feel it is warranted, that in future where solid ballast is being carried, part of it must be carried in the lower holds."

Finally, Mr. Maclean said he would like to confirm what Mr. Porges had said earlier in the day, that there was a working party which met in March,

1945, at which the National Union of Seamen had representation. As a result of their lengthy deliberations they all arrived at the unanimous decision that the wartime practice of carrying rafts should be discontinued. He thought he must emphasise in all fairness that that was an unanimous recommendation after considering the whole position.

Mr. WALDO PORGES, for the Minister of Transport, submitted that it was now very clear what was the cause of the listing, and that the nature of the shift was reasonably clear. The up-rights and shifting boards, he said, were asked to withstand a weight for which they were never intended, and which could never have been anticipated. The main criticisms were that there was not a continuous line of shifting boards, and that they were not high enough, having regard for the height of the ballast which was going to be stowed. He was not going to suggest that the condition of the welding was the primary cause of the trouble.

As to trimming of ballast, they did not consider that when ballast of this kind was trimmed, particularly in the 'tween decks, it should be trimmed anything but level all over. Mr. Hawkins considered that lack of good trimming might have had quite a substantial effect on the commencement of the shift.

Mr. Porges said it was quite well known that this particular shipping company held the view that a comparatively low G.M. was desirable. If that was a proper view, in his submission, it was absolutely essential, after the evidence of the *Samkey* inquiry, to do everything possible to make sure that the best available information should be secured to make the shifting boards as adequate as possible. He suggested that the grain regulations should have pointed out to those responsible, that shifting boards for ballast must be very much stronger and of a different construction than for grain.

The COMMISSIONER, in a reference to the Ministry's notice to shipmasters regarding shifting of solid ballast in heavy weather, said he thought masters should be warned not to provide against a dangerous shift—after all, ballast should not shift in that way—but against any shift so far as possible.

Mr. PORGES said that any recommendations the Commissioner might make should be given full consideration.

The inquiry then concluded.



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