

WEDNESDAY, NOVEMBER 20, 1935.

## LA CRESCENTA LOSS INQUIRY.

FORMER MEMBER OF THE CREW "FEARED  
DISASTER WOULD OVERTAKE HER."

CAPTAIN'S LETTERS ON CONDITIONS  
DURING VOYAGES.

**T**HE last of the inquiries by the Board of Trade into the loss of four British ships was continued yesterday at the Institution of Civil Engineers, Westminster. The inquiry concerns *La Crescenta*, an oil tanker of 5,880 tons gross, 400ft. length, 53ft. beam, 32ft. 10ins. depth, built in 1923 by the Furness Shipbuilding Co., Ltd., Haverton Hill-on-Tees, and owned by the Crescent Navigation Co., Ltd. (Messrs. Harris and Dixon, Ltd., managers, London).

*La Crescenta* was lost in December, 1934, during a voyage from California to Japan with a cargo of crude oil. All the crew of 30 were lost.

Lord Merrivale, Wreck Commissioner, presided over the court, and was assisted by the following nautical assessors:—Commander H. Stockwell, Commander J. R. Williams, Mr. Edmond Wilson (marine engineer), and Mr. E. H. Mitchell.

The parties to the inquiry are as follow:—The Board of Trade, represented by the Solicitor-General and Sir Donald B. Somervell and Mr. G. St. C. Pilcher (instructed by the solicitor to the Board of Trade). The Crescent Navigation Co., Ltd. (the owners of *La Crescenta*) and Mr. Sydney Graham, represented by Mr. J. V. Naisby (instructed by Messrs. Middleton, Lewis and Clarke). Mr. R. F. Hayward and Mr. Harold Griffin (instructed by Messrs. G. F. Hudson, Matthews and Co.) for the relatives of the dead officers, and the following officers' and engineers' protection societies who are represented on the National Maritime Board:—Officers (Merchant Navy) Federation, the Imperial Merchant Service Guild, the Mercantile Marine Service Association, and the Marine Engineers' Association, Ltd. Mr. Vere Hunt and Mr. Peter Bucknill (instructed by Messrs. Russell, Jones and Co.) represent the National Union of Seamen and the Transport and General Workers' Union. Mr. W. L. McNair (instructed by Messrs. Parker, Garrett and Co.) holds a watching brief for Lloyd's Register of Shipping.

### CALLING OF SURVEYORS.

Opening yesterday's proceedings, the Solicitor-General said it was proposed not to call the Lloyd's Register surveyors from different parts of the country, and from Japan, unless absolutely necessary.

The President agreed, and added that the court had to consider by what means the owners or managers who had direct charge of *La Crescenta* should be made available as witnesses, and, if need be, for cross-examination. It was manifest that there were witnesses who knew the facts behind the case which were so material. With regard to the load lines, those witnesses must be in the court ready to be cross-examined, so that the court could have before it the substantial facts. Of course, if necessary, they could be subpoenaed. They might need their attendance continually during the inquiry.

The Solicitor-General.—Mr. Graham is here, and has told us he was responsible for the supervision of the vessels, and he signed the vessels out.

The Solicitor-General proposed that all the evidence, whether favourable or unfavourable to the vessel, should be given before Mr. Graham was called.

The President.—That is quite convenient.

Going over various documents, details of the wireless certificates were given. The wireless certificate was renewed in 1933, but it had expired five days before the vessel went down. The owners were out of order in that respect. The engineers' logs from May 25, 1929, to July 17, 1934, showed the results of heavy weather encountered and the various repairs. All the documents on safety regulations for oil tankers were supplied by the owners to the vessel.

The President.—How many vessels are under the control of Messrs. Harris and Dixon?—At the time of the loss of *La Crescenta* two other vessels. At one time they controlled some 20 vessels.

You will want to know something about that?—Yes.

### AMERICAN'S AFFIDAVIT.

Mr. Marks, of California, it was stated, had put in a statutory declaration about his association with the ship. He was a friend of the late Captain Upstill, and served on the ship in 1928, and also on one of the voyages in the last year of her life. He was an American citizen who joined *La Crescenta* as a fireman. When he rejoined in 1934, after 10 days out, the oil fuel pump failed, and choking occurred. Heavy escapes of steam occurred in the engine-room on two occasions owing to leaks. In bad weather, heavy seas struck the fore end of the ship with special force, and fell on the wooden hatches. This witness said he saw a man using a chipping hammer which went through the plates of the ship, leaving a hole 1½ins. square.

The Solicitor-General said that the evidence on buckling of decks to the extent of 4ins. seemed to have been exaggerated. His expert advisers did not think the buckling was responsible for the loss of the ship. Entering Yokohama they had a list of 5 or 10 degrees, but witness learnt that was done on purpose.

Mr. Marks, in his affidavit, went on:—  
"When I was in the ship in 1928 there were about 39 of a crew. On my last voyage there were only 28, and all the crew were hollow-cheeked and seriously overworked. Repairs were done to the dynamo on several occasions, but I do not know that it ever gave out while running. The wireless apparatus never failed so far as I know, and the dynamo was always available for this purpose when required.

"I left the ship at Port San Luis on November 21, 1934. My reason for leaving was that the ship was, in my opinion, in such bad condition that I feared that disaster would overtake her."

The Solicitor-General said that there was no doubt the crew did work very hard, and it might be said on both sides that it was, to some extent, due to their

own willingness and anxiety to do everything they could for the master. There was no doubt they did work very hard indeed.

The Solicitor-General then read extracts from letters that the captain wrote to his wife. He (the Solicitor-General) said that many of the passages were purely personal, but they had extracted those passages which referred to the ship. They showed the anxiety of the captain to cut down expenses, and his apprehensions that he might lose his job or get into trouble. There was evidence, to some extent, that he was over-anxious; that was to say, matters which he felt the owners might blame him for were clearly no fault of his own.

One letter from the captain at Swansea on November 21, 1933, stated:—"I had quite a lot of trouble signing the men on over the owners taking so few sailors, and in the end I had to take an extra man."

### KEPT MATES' WATCH.

Another letter read:—"La Crescenta at sea, January 18, 1934: The mate has got to get a start made on his tanks. I am afraid he is going to have rather a big job with them, for there was an awful lot of stuff left in them, and it has gone as thick as putty. I really don't know how he is going to get it out and the tanks clean in time to load. January 19: I really don't see how he can possibly get them clean enough to load the light oil we are supposed to be going to load. I am afraid they will never pass the tanks when we get there, and we will have to get some paraffin from the shore and wash them out with that, and that will take days."

Another reference to the tank job was: "I bet it will cost the owners some money, too, and that won't please them very much, I know."

January 23:—"I kept the third and second mates' watch for them while they helped the mate on the tanks to-day."

Further references were to the effect that a little progress was being made. On arrival at the loading port further communications were also received from the captain regarding the cost of repairs.

He said, "They wouldn't pass the tanks, and they say to clean them properly we will have to use about 1,000 tons of gas oil, fill one tank right up, and then pump it round. That will cost £900 to £1,000, and the owners will never stand that."

### TROUBLE AT EVERY PORT.

A further passage stated, "Every port we get to there is trouble, first one thing and then another. I am afraid the owners are going to catch a nasty cold over this charter. Even if things had gone off smoothly, I don't believe the ship could possibly have made money, and with this on top of it, it can only be a dead loss all round for them as far as I can see."

On February 8 he wrote: "The 50 tons of gas oil we took hasn't done a bit of good, and so I have sent a sample of the sediment ashore to be analysed and see if it is possible to dissolve it with gas oil. They (the owners) will think that it is hopeless trying to clean the tanks, and

they will have to cancel the charter, and if they have to do that, goodness knows where it will end. What I expect then will be that they will sell the ship for scrap. I am afraid the poor old La Crescenta is not worth spending any money on the way things are at present."

Further communications deal with repairs to the bottom of No. 2 tank.

A letter dated February 27 read:—"We couldn't get away last night as they had the papers all wrong, and I wouldn't accept them . . . it was no good sailing until everything was squared up. The bills here are awful, they amount to about £2,266. I don't know what the owners will say about it all, but it is all unavoidable."

Another letter dated "at sea," March 15, 1934, said:—"When we were in Aden there was a telegram from Sydney Graham telling me to load 100-150 tons extra bunkers so as to have 600 tons left on board at Vladivostok, but he was unlucky, for the port is under the Indian Government, and they are very strict on the load line, and even as it was I had a deuce of a job to get away with the bunkers we had arranged to take there when we loaded at Batoum."

#### "WIRING ALL ROTTEN."

"March 26.—I have been up the mast again to-day mending the masthead light again. The trouble is the wiring is all rotten, and as fast as it is mended in one place it goes somewhere else."

"March 27.—I have been busy again to-day on that light, and I think it is fixed all right this time."

"April 1.—We arrived at Singapore 7 this morning, and the bunkers are nearly finished now. I hoped that we would be sailing as soon as the bunkers were finished, but something has gone wrong with the chief's boilers, and now we won't be able to get away until to-night."

"There is no doubt this ship is beyond it. After this long passage she is leaking like a basket, and I expect there will be lots of trouble about shortage of cargo when we get to Vladivostok."

"April 13.—From what I can see of it we are going to be a lot of cargo short, for there is a stream of oil behind us as far as we can see where we are leaking so much. I expect there will be a good bit of trouble over it one way or another."

Further letters deal with the vessel's arrival at Vladivostok and the discharge of the cargo:—

"May 3.—I have been having a look round the tanks with the mate to-day, and there are quite a lot of leaky rivets. There are a good many over the side, and any amount between the tanks."

"May 4.—I have been very busy to-day on the tanks. I have been trying to stop some of the leaks. I am afraid it is a pretty hopeless job. I am afraid the poor old ship is getting a bit beyond it, and really . . . I don't think she can last many more years. To keep her running they will have to spend a lot on repairs, and, in my opinion, she isn't worth it."

Another letter dated Los Angeles, May 17, read—"I really believe the owners are more satisfied now, for Sydney sent me quite a nice letter, and so did 'Pa' Rogers. Sydney finishes up by saying:

'Meanwhile, we are pleased to note that everything is going along satisfactorily on board, and doubtless you are yourself endeavouring to do your utmost to keep down expenses.'

Further letters deal with trouble with the engineers, and repairs at Los Angeles, and the cleaning of tanks. Another stated that repairs would cost about £1,000, and that a strike made everything terribly difficult.

The Solicitor-General continued to read extracts from the letters of the captain to his wife. These referred again to the loss of the oil cargo by leakage. He wondered how much cargo had been lost. The owners were playing up about the cost of repairs. Later he reported that, "We turned out a very good cargo this time. So that is something to be thankful for, in spite of all our leaks."

#### STRAINING IN HEAVY WEATHER.

Later he wrote that in heavy weather the ship was only doing 104 miles a day, and she was pitching like a "bucking bronco." Her heavy driving into the head seas was straining the ship to pieces.

The list of the crew was put in, and the loading plans for the last three voyages. Affidavits from San Luis at the time of the last voyage departure showed that the mean draft was 28ft. 13ins.

The density of the water, not sea water, allowed for a correction of 4ins., which would bring the mean draft down to 27ft. 9ins. That was her correct summer marks draft. But it had been said that she was overloaded.

The President.—Was the cargo heavy oil or light oil?—I think it was a moderately heavy oil.

The wireless records of the Athelbeach showed that after getting the message from the Athelviscount on December 5, 1934, as to position of La Crescenta when last heard of, the Athelbeach said she would steer across the last known position in case of an accident.

Referring to the position of vessels near La Crescenta, the Solicitor-General said that the Vancouver City was on December 6 in 30 5 N., and 166 1 W.

After a question from the President, the Solicitor-General apologised for speaking of fresh water densities in the port of San Luis on the last departure of La Crescenta. The port of San Luis was a sea water port, and he had been led astray. It was not right to say that fms. should be taken off the freeboard or draft.

#### NAVAL ARCHITECT'S EVIDENCE.

Mr. William Tom Butterwick, naval architect to the Furness Shipbuilding Co., Ltd., Haverton Hill-on-Tees, described the plan he had made for the building of La Crescenta. A sister-ship, the Liss, was finally taken over under the Norwegian Register.

Mr. Hayward.—Does a ship get heavier as it increases in age?—That is fairly obvious.

Have you any figure to put before the court?—No.

The President.—Is there any rough percentage of increase in weight?—It is very difficult to say. It depends on the vessel, and the amount of paint, composition, &c., that has been added.

Mr. Vere Hunt.—Was there any increase in weight at the time of the change in building from cargo ship to oil tanker?—No.

Mr. Naisby.—Is it your experience that a ship will carry more deadweight than she is designed to carry?—That depends on the correctness of the light weight figure of the ship.

The President asked the witness if he could illustrate the meaning of metacentric height. The witness took up a piece of chalk and gave an illustration on a blackboard.

Mr. Naisby.—The greater the metacentric height of a ship the more she will be stable and less likely to capsize?—That is so.

The Solicitor-General.—If the draft increases the metacentric height increases?—Yes.

Witness then drew several diagrams on the blackboard to illustrate the centre of gravity, owing to loading of the ship, on the metacentric height.

#### EFFECT OF WATER ON FUEL OIL.

Mr. William Edward Loveridge, a director of Messrs. Richardson, Westgarth and Co., builders of the engines and oil-burning apparatus of La Crescenta, was examined by Mr. Hayward.

Mr. Hayward.—What is the effect, if any, of an excessive amount of water being mixed with a fuel oil?—I imagine that would probably cause the temporary extinguishing of the burners.

In other words, put the fires out?—Yes. Had you anything to do with the pumping machinery?—No.

Mr. Henry Edward Steel, a ship surveyor in the marine department of the Board of Trade, in giving evidence, said he had served in that capacity since January, 1919, and the last proportion of his time in investigating the structural strength of ships of all classes, and during the remainder of the period served as ship surveyor on general survey work in the London area.

The Solicitor-General.—Have you examined the records of drafts and freeboards as recorded in the official logs of La Crescenta on all loaded voyages since the vessel was built?—I have examined the records for all of the voyages from when the ship was built until the end of 1934.

Witness suggested that the ship sailed with only 72 tons of reserve fresh water (apart from drinking water). She had quite enough drinking water, and enough fresh water for cleaning the boilers. That led to an excess d.w. of 106 tons. She was down 10ins. when she left San Luis in December. Making the other allowances she would still be down 5ins., and making the most favourable allowances to the owners she was still down 2ins.

#### BUCKLING OF DECK.

As to the buckling of the deck, the Solicitor-General asked witness about the margin of longitudinal strength.

Witness said the ship had excess strength in the longitudinal standards laid down, which enabled her to have the freeboard certificate given to her.

It was quite possible that the plating did buckle at sea—the thin deck plating, said witness. But there were thick strakes to counteract that.

The President.—There was nothing structurally wrong with the deck?—No, my lord.

The Solicitor-General.—With regard to leaking rivets, did these affect the seaworthiness of the ship?—No.

Why?—She carried a liquid cargo, higher in the tanks than the sea water outside. The ship would rise rather than sink under those circumstances.

The Solicitor-General.—There are very powerful pumps on tankers?—Yes, and the cargo can be trimmed by gravity.

Mr. Hayward.—If the flying gangway carried away on La Crescenta you could get no steam for the pumps?—Yes, if the pipes were carried away as well as the gangway.