

"LA CRESCENTA"

The following extract from the Journal of Commerce of today's date quotes verbatim that part of Lord Merrivale's statement dealing with the condition of the ship:-

Dealing with the condition of the vessel, Lord Merrivale said:—"The seaworthiness of La Crescenta at the end of 1934 has been an outstanding question throughout the inquiry. That she has kept her class at Lloyd's, that Lloyd's surveyors and others regularly reported upon her condition, that large sums were spent in effecting the repairs called for upon such surveys and otherwise, is all beyond doubt."

"That the fore and aft gangway was carried away is an almost inescapable conclusion," said Lord Merrivale. "At that time the vessel was overloaded, she was slow to rise to a sea in heavy weather, and the further conclusion to which we come is that the consequent putting out of action of the ship's motive power rendered her helpless, so that in the face of precipitous seas she inevitably sank."

"The criticisms of the Solicitor-General upon the evidence of the witness Graham and that of the witness Holland are in our opinion just criticisms."

"IGNORED REGULATIONS."

"Our conclusion with regard to the matter is that they ignored the regulations because they intended that La Crescenta should be loaded as fully as possible, and that this was done to secure as large a return as possible from the vessel's employment in times when profit was hard to obtain."

"The nature of the reports of Lloyd's surveyors, which are in evidence, and the conclusions at which we have arrived with regard to the condition of the auxiliary machinery and various fittings of La Crescenta appear to us to call for full consideration as to whether the instructions at present given to Lloyd's surveyors are sufficiently strict and definite to secure the best possible degree of safety."

"The evidence as to the crews' quarters and our conclusions thereon show, as we think, that sufficiently strict attention to ensure reasonable comfort for the ship's company is not at present enforced."

"The evidence as to manning and overloading and our conclusions thereon suggest that existing regulations and the means of enforcing them do not now command proper compliance with the law."

"Whether there should be such revision of the Merchant Shipping Act, 1894, as would prescribe statutory penalties, promptly enforceable in respect of breaches of the regulations, is a matter which we submit for the consideration of the Board of Trade."

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