

UNITED STATES COAST GUARD



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18 February 1955

(AMBERJACK -  
SHASTA - a-12 Bd)

Commandant's Action

on

Marine Board of Investigation; motor tug SHASTA and tow -  
M/B 28 H 471 (AMBERJACK), collision, Sacramento River,  
5 August 1954 with loss of life

1. 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.

2. During darkness on the evening of 5 August 1954, the motor tug SHASTA of 52 g.t. was pushing a rock-laden barge upstream from Sacramento on the Sacramento River, and the 28-foot pleasure motorboat 28 H 471 (AMBERJACK) with six persons on board was bound downstream in the same vicinity. The visibility was clear and the weather fine. The rock-laden barge being pushed by the SHASTA did not carry or exhibit the required port and starboard navigation lights at the head of the barge but did in lieu thereof carry a strong white light fitted on the forward starboard bow, which was in use illuminating the river bank as an aid to the tug's navigation. The downbound M/B 28 H 471 (AMBERJACK) sighted this strong white light, which was blinding and obscured the navigation lights of the tug, and although unable to identify the light, the AMBERJACK altered course slightly to starboard to pass the light to port. Since the port bow of the barge was not exhibiting the required port navigation light nor was otherwise illuminated, the AMBERJACK was unable to identify the tug or barge and collided with the unlighted port forward corner of the barge, rolled over, and remained in a capsized position. As a result of this casualty, two persons on board the M/B 28 H 471 (AMBERJACK) lost their lives, one a woman of 46 years and the other a child five years. At no time did the master of the SHASTA give any warning to the AMBERJACK by whistle signal or otherwise.

3. The Findings of Fact, Conclusions, and Recommendations of the Marine Board of Investigation convened to investigate subject casualty are approved.

(signed) J. A. Mirshfield

J. A. MIRSHFIELD  
Rear Admiral, U. S. Coast Guard  
Acting Commandant

REPORT

of a

BOARD OF INVESTIGATION

Convened at

Appraisers Building, 630 Sansome Street  
San Francisco, California

By order of  
The Commandant, U. S. Coast Guard

To inquire into a collision between the tug SHASTA and barge,  
with the Motorboat AMBERJACK on the Sacramento River, California  
5 August 1954; with loss of life

- FINDING OF FACT -

1. On 5 August 1954, at approximately 2140 hours, Pacific Daylight Time, a collision occurred in the Sacramento River, north of the city of Sacramento and about 200 yards upstream of the Chino Yacht Harbor, between the pleasure craft AMBERJACK and a rock-laden barge being pushed by the tug SHASTA. The collision resulted in the capsizing of the AMBERJACK with a loss of two persons on the AMBERJACK, namely:

- (1) Mrs. Bertha Nelson Lane, age 46  
2455 - 41st Street  
Sacramento, California
- (2) Miss Carolyn Marie Werry, age 5  
711 Warner Street  
Sacramento, California

The remaining members of the party escaped with minor injuries except Mrs. Callaway, who was hospitalized for immersion and observation.

2. The pleasure craft AMBERJACK is a 28' raised deck cruiser of wood construction built in 1948; powered by a 95 H.P. gasoline inboard engine; and is owned by Clarence Callaway, 312 Douglas Avenue, North Sacramento, California. The AMBERJACK is an uninspected motorboat, but held a valid U. S. Coast Guard Auxiliary inspection decal, and certificate of award of number 28 H 471 issued by the U. S. Coast Guard.

3. The tug SHASTA, official number 234267, was constructed of steel in 1935, is 60.9 feet in length; powered by a diesel engine and admeasures 52 gross tons. It is owned by the River Lines, Inc., Pier 3, San Francisco 11, California. This vessel is a shallow draft river tow boat.

4. Barge No. 4 is undocumented and is approximately 135' long and 32' wide and which at the time was loaded with about 500 tons of rock, was being pushed by the tug SHASTA. This barge is owned by the Basalt Rock Company, Inc., Sixth and Berry Street, San Francisco, California, and is not subject to Coast Guard inspection.

5. At the time of the casualty, visibility was good; weather clear and fine with no wind and a quarter moon. The tidal effects were such that the river was ebbing at between 1 and 2 knots.

6. The tug SHASTA in command of William S. Patrick, 2241 Evergreen Avenue, West Sacramento, California, carried a crew of two, in addition to the Master; a Pilot-Second in command and a Deck Hand. Captain Patrick held an expired Motorboat Operator's License.

Findings of Fact (Continued)

7. The AMBERJACK, in addition to the owner, Mr. Clarence Callaway, 312 Douglas Avenue, North Sacramento, California, had on board the following guests:

- a. Mrs. Clarence Callaway, wife of owner, (same address).
- b. Milton Lane, 2455 - 41st Street, Sacramento, California.
- c. Mrs. Bertha Lane, wife of Milton Lane, (same address).
- d. Walter Lane, 2455 - 41st Street, Sacramento, California.
- e. Miss Carolyn Werry, 711 Warner Street, Sacramento, California.

8. At approximately 2100 hours on 5 August 1954, the tug SHASTA took Barge No. 4 in tow from Front and "F" Streets, Sacramento, bound for Tisdale Wier, upstream on the Sacramento River. The SHASTA was pushing the loaded barge which was made fast to the tug by means of wire hawsers leading from the port and starboard quarters of the barge to the quarters of the tug. Prior to departure from the loading pier, white electric lights of approximately 180 degree arc were set on the forward port and starboard corners of the barge. Due to electrical difficulties, the port white light could not be kept lighted and was disconnected from the power source on the tug. The starboard white light was trained to about 3 points on the starboard bow of the barge to facilitate navigation on the river by illuminating the river bank. The required red and green running lights were not set out inasmuch as such lights were not available as equipment on the barge. The operator of the tug was acquainted with the fact that red and green lights were required on this barge in tow. The lights on the tug were as required.

9. On making up the tow and casting off, the tug proceeded up river staying from 30' to 60' off the east bank on its starboard hand at about four miles per hour over the bottom. At approximately 2135 the lights of the AMBERJACK were observed slightly to the starboard of the center-line of the tow from 700 to 800 yards upstream. The course and speed of the tow remained the same, subject to minor course variations as dictated by the river bank contour. The course of the AMBERJACK appeared to be such that it would pass clear of the port side of the tow. The lights of the AMBERJACK were under continuous observation from the time first observed until the collision, approximately four minutes later. At no time did the tug SHASTA make any attempt to indicate to the AMBERJACK that a dangerous condition existed, nor were any whistle signals exchanged. The course of the AMBERJACK remained steady until a few seconds prior to the collision when she veered sharply to her starboard, but the change of course was too late to avoid colliding portside to port forward corner of the barge.

10. The AMBERJACK was returning to her berth down river at about four miles per hour over the bottom after an evening excursion. The light that subsequently turned out to be on the barge being pushed by the tug SHASTA was observed from three to four minutes prior to the collision. Due to the brilliance of the white light mounted on the starboard corner of the barge, neither the barge or the tow boat with its running lights could be seen. An attempt to see beyond the light was made with the aid of a five-cell flashlight, but was of no avail. Due to confusion on the

Findings of Fact (Continued)

part of the owner and the operator, as to the origin of the white light, no attempt at evasive action was taken at first sighting other than a slight course change to bring the AMBERJACK more toward the center of the river as related to the east bank. The conditions as set up remained the same until a few seconds prior to the collision when the rudder was put hard right.

11. The AMBERJACK on striking the port forward corner of the barge rolled over and remained in a capsized position. In the cabin of the AMBERJACK were the owner and his wife, Mr. and Mrs. Clarence Callaway and Walter Lane and Milton Lane. In the open cockpit aft were Mrs. Milton Lane and Miss Carolyn Werry. The bodies of the occupants of the open cock pit were recovered from the river at a later date. The occupants of the cabin either extricated themselves by breaking the windows and swimming out or were removed from the cabin through the windows by a rescue party from the nearby Chino Yacht Harbor.

12. The tug SHASTA extended aid by throwing life rings in the area where the boat was and called for help by signalling with her whistle. Current conditions made it impracticable as well as unsafe for the barge to be cast loose.

13. The tug SHASTA and Barge No. 4 were not damaged. The motorboat AMBERJACK was holed and frames fractured on port side except at the extreme ends.

(Conclusions and Recommendations next page)

14. The principal causes contributing to the collision between the rock Barge No. 4 (being pushed by the tug SHASTA) and the motorboat AMBERJACK, with the resulting loss of life, were:

- (1) The visibility of those on board the AMBERJACK was limited by a blinding white flood light located on the starboard bow of the barge to such a degree that they could not see the navigation lights on the tug nor the outline of the rock barge.
- (2) The person or persons operating the AMBERJACK could not correctly identify the location of the white flood light and did not know if it was on shore or on a river craft.

15. The failure of Captain William S. Patrick, Master of the tug SHASTA to exhibit the required port and starboard navigation lights at the head of the barge he was pushing; his use of an unauthorized strong blinding white light located on the starboard bow of the barge, and his failure to give a warning signal of approaching danger, constitutes negligence on the part of the Master and a violation of Title 33, CFR - sections 80.16 f, 80.16 g, 80.34, 80.36 and 33 USC - 221 of the Pilot Rules. This also constitutes evidence of criminal liability within the meaning of 46 USC 526 L and m, and 18 USC 1115.

16. The failure and neglect of the Basalt Rock Company Inc., owners of Barge No. 4 to provide and equip barge with the required port and starboard navigation lights constitutes evidence of criminal liability under the provisions of Title 18 USC - 1115. The responsible Corporate Officers of the Basalt Rock Company, Inc., are:

President, M. A. G. Streblov, 466 Ashlar, Napa, California  
Vice Pres., Mr. Walter Fawcett, 826 York St., Vallejo, California  
Sec. Tres., Mr. E. T. Brovelli, 2006 Laurel St., Napa, California

17. There is no evidence of failure of equipment concerning steering or propulsion on either tug SHASTA or the motorboat AMBERJACK.

18. No personnel of the Coast Guard or any Government agency contributed to the casualty. Rescue operations were carried on, greatly aided by the leadership of Mr. Gordon Hodgkinson, Commander, Flotilla 32, Coast Guard Auxiliary, Sacramento, California.

19. Aids to Navigation were not involved and had no bearing on the casualty.

20. Captain Patrick, Master of the tug SHASTA was not operating under the authority of a license at the time of the collision nor was any license required for a towing vessel of this type.

- RECOMMENDATIONS -

21. It is recommended that action be taken against Captain Patrick, Master of the tug SHASTA imposing the penalty under the provisions of Section 158, Title 33, U. S. Code for violation of the aforementioned Pilot Rules.
22. It is further recommended that the record of investigation of this casualty be referred to the U. S. Attorney General as required by the provisions of 46 CFR 136.23-1 for investigation by and prosecution through the U. S. District Attorney having jurisdiction under the provisions of the Criminal Code.
23. The civil penalties may not be invoked against the tug SHASTA and owners or Barge No. 4 and owners for violation of the Pilot Rules, and such action, therefore, is not recommended.
24. It is further recommended that all action for the assessment and collection of civil monetary penalties arising out of the violation of the Pilot Rules involved in subject casualty be held in abeyance pending action by the U. S. Attorney General and further instructions by the Commandant.
25. All possible action has been taken by this Board of Investigation, and it is recommended that this file be closed.

(signed) Leonard C. Walen  
LEONARD C. WALEN  
Commander, U. S. Coast Guard  
Chairman

(signed) Robert P. Chirnside  
ROBERT P. CHIRNSIDE  
Lieutenant, U. S. Coast Guard  
Member

(signed) Thomas A. Wolfe  
THOMAS W. WOLFE  
Lieutenant, U. S. Coast Guard  
Member and Recorder