

**TO ESTABLISH LOAD LINES FOR CERTAIN
VESSELS, HEARINGS BEFORE THE COMMITTEE
ON THE MERCHANT MARINE AND
FISHERIES, HOUSE OF REPRESENTATIVES, 66TH
CONGRESS, 1ST SESSION ON H. R. 3621.
WEDNESDAY, OCT. 1, 1919**

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To establish load lines for certain vessels, hearings before the committee on the merchant marine and fisheries, house of representatives, 66th Congress, 1st session on H. R. 3621. Wednesday, Oct. 1, 1919 by Various

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TAIN VESSELS**

HEARINGS

BEFORE THE

**COMMITTEE ON THE
MERCHANT MARINE AND FISHERIES**

HOUSE OF REPRESENTATIVES

SIXTY-SIXTH CONGRESS

FIRST SESSION

ON

H. R. 3621

WEDNESDAY, OCTOBER 1, 1919



WASHINGTON
GOVERNMENT PRINTING OFFICE
1919

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES.

HOUSE OF REPRESENTATIVES,

SIXTY-SIXTH CONGRESS.

WILLIAM S. GREENE, Massachusetts, *Chairman*.

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FREDERICK W. ROWE, New York.	RUFUS HARDY, Texas.
FRANK D. SCOTT, Michigan.	EDWARD W. SAUNDERS, Virginia.
WALLACE H. WHITE, Jr., Maine.	PETER J. DOOLING, New York.
FREDERICK R. LEULBACH, New Jersey.	JADISLAS LAZARO, Louisiana.
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CHARLES F. CURRY, California.	WILLIAM B. BANKHEAD, Alabama.
EDWIN D. RICKETTS, Ohio.	W. C. WRIGHT, Georgia.
CARL R. CHINDRELM, Illinois.	
FRANK CROWTHER, New York.	
CLIFFORD R. RANDALL, Wisconsin.	
WILLIAM N. ANDREWS, Maryland.	

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LOAD LINES FOR CERTAIN VESSELS.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES,
HOUSE OF REPRESENTATIVES,
Wednesday, October 1, 1919.

The committee met at 10.30 o'clock a. m., Hon. William S. Greene (chairman) presiding.

The CHAIRMAN. We have under consideration this morning H. R. 5621.

Mr. SCOTT. The proceedings will be regulated to suit the convenience of the gentlemen present. I understand Commissioner Donald and Mr. Chamberlain are both very anxious to be heard as soon as they can, in order that they may get away.

Mr. ALEXANDER. I would suggest that Mr. Chamberlain be heard first, as he has given this question a great deal of consideration for many years past.

Mr. SCOTT. All right.

STATEMENT OF MR. EUGENE TYLER CHAMBERLAIN, COMMISSIONER OF NAVIGATION, DEPARTMENT OF COMMERCE.

Mr. CHAMBERLAIN. I shall be very brief, Mr. Chairman. I think this subject is more or less familiar to most of the committee. There have been various efforts to action in this line for some years past, beginning in 1914, so far as I recall it, when there was a suggestion, immediately after the International Conference on Safety of Life at Sea, which dealt only with passenger ships, of a future international conference to consider load line and other matters relating to cargo ships, which had not been taken up at that conference. We tried to get an appropriation for the purpose and failed, and we tried again and failed. But that is not material now and there is no use to cry over spilt milk in this or other matters, because the war came along and it would not have been possible to have done anything anyway.

A brief bill was introduced last year which in my judgment would have accomplished the essential purposes of this act, namely, to get a start; because, after the start has been made, it is going to take a long time to get the system into actual operation. But that also went by the board. This bill is substantially one that was introduced at the last session of Congress, but for want of time did not pass.

The purpose of the bill is twofold: First, to insure the greater safety of cargo boats and those aboard of them, their crews; and second, to bring about equality of terms in competition. Because of course the extent to which the vessel is loaded and earns freight

affects not only the owner of that ship but all other ships. In other words, if ships are not loaded safely, the unscrupulous man, for the time being at all events, is at an advantage over the scrupulous observer of the principles of safety. That is a justification and pretty nearly the only justification for government interference in a matter of this kind.

It has been approached very gradually, not only here but abroad as well, and the general conclusion has been justified, I think, in principle as well as by experience, that it is necessarily a subject where the Government should intervene and exercise a regulatory power.

The method of carrying out the bill is rather simple. It is to put a mark on the side of the ship indicating the point to which it may safely be loaded; that mark varying, of course, with the trade, with the nature of the waters in which the ship is making its journey, and also with the season of the year, which, of course, affects the safety of navigation. The method followed in this bill is substantially the method which has been in successful operation in the United Kingdom for quite a number of years—since 1890, or thereabouts—I will not take the time to read it, but perhaps it would add to the interest of the matter if I have inserted, later on toward the end, an extract from the report of the British load-line committee, of December, 1915, which is just a few pages summarizing what they have done in that country.

The CHAIRMAN. There will be no objection to that.

(The summary referred to will be found at the conclusion of Mr. Chamberlain's remarks.)

Mr. HARDY. As I understand it, we have no load-line regulations?

Mr. CHAMBERLAIN. None whatever.

Mr. HARDY. And the Steamboat Inspection Service can prescribe none?

Mr. CHAMBERLAIN. None whatever. We did have, in 1891, this law:

The owner, agent, or master of any inspected seagoing steam vessel, or sail vessel, shall indicate the draft of water to which he shall deem his vessel safe to be loaded for the little trade she is engaged in, which as indicated shall be stated in the vessel's certificate of inspection, and it shall be unlawful for such vessel to be loaded deeper than stated in said certificate.

You see, it read "The owner, agent, or master of any inspected seagoing steam vessel, or sail vessel, shall indicate the draft of water to which he shall deem his vessel safe to be loaded in the trade she is engaged in." Of course I do not need to explain to you gentlemen, with your broad vision, just exactly what that amounted to. It amounted to nothing, because one owner would consider it safe to load his vessel to a certain depth and another owner would say, "Oh, well, I can not get enough out of it at that; I will put my mark higher; I will load deeper."

Mr. HARDY. It amounted to the owner loading all he wanted to?

Mr. CHAMBERLAIN. It amounted to that, and, in fact, he can do that now. I do know how that act came about, but that is all ancient history and of no account now. That was practically an adaptation of the early British law. The agitation in Great Britain started in the same way and an act of that kind was passed and lasted for some years, as you will find in that little digest I submit. The

upshot of it was some owners, to show the absurdity of the legislation, marked their load-line mark on the funnels, which, of course, was quite possible under the statute. That continued for some years and then they did go to work, Lloyds on the one hand and the Board of Trade on the other. They worked separately at first and afterwards conjointly, as it is proposed to work in this bill with the American Bureau of Shipping, with Commander Taylor, and tables of freeboard, as they were called, were devised, and many shipowners voluntarily came into that system, which was subsequently made a statute, as it is hoped this present Congress will do in this case.

Mr. HARDY. Made a statute by Great Britain?

Mr. CHAMBERLAIN. Made a statute by Great Britain. That is all covered in detail in that little statement I left there. Incidentally, you may care to have the British law, which I will also include.

(The summary of the British law referred to will be found at the conclusion of Mr. Chamberlain's statement.)

Now, if that is enough for the general scope of the bill, I would like to go to the particulars.

Mr. ALEXANDER. These lines, what are they called, that you propose to put on the vessels?

Mr. CHAMBERLAIN. Load-line marks.

Mr. ALEXANDER. But they have some name in the trade?

Mr. CHAMBERLAIN. Oh, they used to be called—they are familiarly called in Great Britain the Plimsoll mark. They are called the Plimsoll mark on account of the fact that Mr. Plimsoll agitated the subject a great deal and he was instrumental in getting that first act passed, which, as I say, was a start.

Mr. EDMONDS. We could call this the Alexander mark?

Mr. CHAMBERLAIN. Certainly.

Mr. ALEXANDER. As indicating the one who originated it, they are referred to as Plimsoll lines?

Mr. CHAMBERLAIN. They are called Plimsoll marks.

Mr. BANKHEAD. What is the character of this mark?

Mr. CHAMBERLAIN. It is painted on the side of the ship.

Mr. BANKHEAD. Just a line around the hull of the ship?

Mr. CHAMBERLAIN. Oh, no. It is painted on the side of a ship—here is an illustration of the marks.

Mr. KINCHELOE. You started to say here you wanted the enactment of this bill for two main reasons. You gave one as safety, and I did not understand what the other one was, if you gave it.

Mr. CHAMBERLAIN. Equality of terms of competition in the trade, so that all vessels run on the same basis. You see, that is a very important matter.

Mr. ALEXANDER. What effect does it have on the insurance of the vessel? Is it of any benefit as regards marine insurance?

Mr. CHAMBERLAIN. Oh, of course.

Mr. CROWTHER. It would be beneficial along those lines, too.

Mr. CHAMBERLAIN. Oh, yes; but that is a trade feature.

Mr. EDMONDS. In answer to Mr. Crowther's question, there, we have just had these insurance hearings, and it was testified here that the insurance men, as a matter of petition, were in favor of the load line. In the argument in the committee it was brought out—

whether it was in the testimony or not, I am not sure; but in talking it over—the load line prevents a man from overloading his ship and therefore would be a benefit in connection with the insurance, because you would never have to investigate the present condition of the ship nor expect it to be in any other but the proper shape and if the registry of the ship shows the ship itself is in proper shape the insurance man would know that ship could not be loaded to a dangerous point.

Mr. HARDY. Just one matter I would like to know: I think we all understand the reasons for the load line. What arguments do the opposition to any regulation make against the prescription by law of a load line? What is the basis of opposition to such legislation?

Mr. CHAMBERLAIN. I did not know there was any particular opposition to this legislation—not to my knowledge.

Mr. HARDY. If at all desired, it is strange it has never been passed.

Mr. CHAMBERLAIN. I do not think so.

Mr. CHINDBLOM. I suggest if there is anybody here in opposition, that we let them speak.

The CHAIRMAN. Let us ask the opposition if there is anybody here opposed to the bill.

Mr. SCOTT. It might be well to bring that out at this point.

Mr. ALEXANDER. There ought to be a reason shown for the legislation.

Mr. SCOTT. I understand all the maritime nations of the world have some kind of a load-line law. Great Britain has a load-line law—Norway, Sweden, and Germany?

Mr. CHAMBERLAIN. Yes, Great Britain.

Mr. SCOTT. Does Japan have a load-line law?

Mr. CHAMBERLAIN. They are preparing a bill now. I had a letter only day before yesterday from Tokyo, from a man who has an office there corresponding to mine, and he asked what we were doing on the subject and said he would send me a copy of his bill as soon as it was introduced.

Mr. EDMONDS. Every large nation, excepting the United States and Japan, has a load-line law, I think.

Mr. CHAMBERLAIN. That is pretty broad.

Mr. EDMONDS. Germany has it and France has it.

Mr. CHAMBERLAIN. Germany is not on the sea any more. The United Kingdom has it, and the French have adopted the British tables.

Mr. HARDY. Has Canada a load-line law?

Mr. CHAMBERLAIN. My recollection is they work under the British rules. I am not sure that they have a separate law.

Mr. HARDY. I understand their legislation is entirely independent from Great Britain.

Mr. CHAMBERLAIN. Oh, absolutely; but I say I think they work under the British rules. I do not think they have any legislation, but I think their ship owners voluntarily follow the British rules.

Mr. ALEXANDER. Is it not a fact that the Board of Trade of England requires ships entering British ports to conform to their law in that respect; that is, they can not depart unless they conform to the Plimsoll law?

Mr. CHAMBERLAIN. Since 1910 their law—the British law, applied only to British ships up to 1906. In 1906 they passed this act. Their

merchant shipping act of 1906 had this clause, section 437, which is the load-line section:

* * * Shall after the appointed day apply to all foreign ships while they are within any port in the United Kingdom, as they apply to British ships, without prejudice. * * * For the purposes of this part of this act the appointed day shall be the 1st day of January, 1909.

In other words, they gave three years' notice to every nation, which, of course, is a proper and fair thing to do. They even gave longer than that. They sent us word in 1907, I think it was, that they had passed this law and that it would take effect in 1909 or 1910, and they brought it to our attention. We sent it around to all the collectors of customs. I say "we"; of course, you know the regular way, through the State Department and all that sort of thing. We sent it around to all the collectors of customs, advising them it was a matter of interest, but it did not apply to this country, because we only had the American Line ships, and the Red Star ships going to British ports. So it was not a pressing matter in this country at that time. In fact, the questions under that act never arose in this country until the second year of the war, until 1915, because we did not have any cargo ships going to the United Kingdom.

Mr. EDMONDS. Might I ask Mr. Chamberlain a couple of questions? Mr. Chamberlain, the principal opposition, as I understand it or have heard voiced, comes from men in the coastwise business?

Mr. CHAMBERLAIN. Yes.

Mr. EDMONDS. This act covers the coastwise business?

Mr. CHAMBERLAIN. I was just going to take up the bill, and that was the first point I was coming to.

Mr. EDMONDS. All right.

Mr. CHAMBERLAIN. If I can go on, I will be very brief, because I do not want to take your time.

The bill is applicable to cargo-carrying ships of 500 gross tons or over in foreign trade; that is, on the foreign voyage, by sea, which is in the foreign trade, of course. Now, that is a limitation. If the Department of Commerce is to carry it out, it certainly is as broad a limit as we would like to start with, because it is not going to be easy. A great deal of work has to be done and we must rely, as anybody would rely, on the British tables, their mathematics, just the same way as Newton discovered the law of gravitation that holds quite as good for America as for the rest of the world. And those tables will have to be used just like tables of logarithms, although we might have some questions arise as to their application. That is going to be a pretty big job, and, as I say, it only should be done to the extent we can carry it out successfully at the start.

I may as well say right here that this is going to take money and there would have to be appropriations by Congress. We have to have men who are up to this kind of work, and it is high-grade work. And while I won't attempt to make any estimate now, it ought to be perfectly well understood it would be useless to pass this bill unless Congress is going to be willing to carry it out. I speak with a little feeling on that subject, because in the last couple of weeks I have had an unpleasant experience with one committee. I have had the experience of trying to get a little money. We never had to go for a deficiency appropriation before in the last 25 years that I have been