

Collision between the SS *Selja* and SS *Beaver*

"By his own statement, as we have epitomized it, Lie, the master of the *Selja*, confesses that when he first heard the whistle of the *Beaver* he realized that it was 'forward of the beam' of his ship, and although it is plain that he was not able to ascertain the position of the vessel from which the danger warning came, for he thought it the whistle at Point Bonita, 20 miles away, yet he not only did not stop his engines, as required, but, on the contrary, he continued to run them for five minutes following at half speed (6 knots an hour) in thick fog, until each succeeding whistle of the *Beaver*, sounding nearer than the one before, at length convinced him that it was the whistle of an approaching steamer. But even then, when convinced that the danger signals which he had been hearing repeated at one minute intervals for five minutes were from an approaching steamer still 'forward of his beam,' he did not obey the rule by stopping his engines, but contented himself with reducing his speed to slow, 3 knots an hour, not out of deference to the rule of law, but because, as he says, 'I considered that 6 knots was not moderate enough under the circumstances,' and this speed he continued for five minutes longer, until ten minutes past 3, when, at length, he ordered his engines stopped, with the result, he is obliged to confess, that at 3:14, two minutes before the collision,

his ship still had steerage way upon her, 'was not quite at a standstill,' and a moment later the crash came. It is of no avail for this master to say that at the instant of the accident he thinks the momentum of his ship had been overcome, and that she was commencing to move backward in response to the 'full speed astern' order, which had been given during the instant that had elapsed between the appearance of the *Beaver* through the fog and the coming of the ships together, for the evil had been done and the collision rendered inevitable."

The final ruling of the Court concludes:

"Both of the masters were palpably negligent in respects which contributed directly to cause the collision; the negligence of each continued to operate as an efficient cause until the moment when the accident occurred, and we agree with the lower courts that the case is one in which the master and owner of the *Selja* must be left to suffer their self-inflicted loss."

The Wreck of the *Selja*

William Kidston, Master of the SS *Beaver* stated "The SS *Selja* sank head first in ten minutes from the time she was struck. She sank in 30 fathoms of water, and when her bow struck the bottom she was

almost straight on end with her stern sticking out of the water 100 feet. Then she gradually turned bottom up and sank. We rescued the Captain's wife and two children and all the crew except two Chinese."

Today, we have a graphic reminder of the consequences of those actions, over 100 years ago, and left unsaid in the court's opinion, but more important than the monetary loss of the vessel and cargo, the loss of two lives of "Chinese" crew members who remain entombed in the dark hulk of the *Selja*."

In seeing the ship down there in the darkness, broken, twisted and torn, we have encountered a ship which featured prominently in a legal case that ultimately was argued before the United States Supreme Court over a key aspect of maritime law, the rules of the road. The Master of *Selja*, Olaf Lie, on behalf of the owners of his ship, as well as his crew, sued the steamer *Beaver* and its owners in Admiralty Court for the loss of *Selja*, its cargo, and his and his crew's personal effects. At every stage, Lie and his owners lost as it was demonstrated in court that he has been going too fast in a thick fog, and was culpable. The ruling was important enough that the U.S. Navy made a film about it in 1942 on the subject of the "rules of the road" at sea.

