

COPY LETTER FROM:
EBSWORTH & EBSWORTH
247 GEORGE ST., SYDNEY

in the latter case the water could not be effectively dealt with by the pumps as the vessel was then down by the head.

The only PBT:JB on your surveys may be found on page 2 where the Court indicated that it considered the vessel carried all equipment laid
23rd November, 1956.

It is interesting to note that the Court considered that the full length tarpaulins should have been placed over the two shorter ones and that the non-adoption of that course was the cause of the large amount of water of which the vessel was full. We understand that you would concur.

Mr. Fieldon,
C/- Lloyds' Register of Shipping,
4 Bridge Street,
SYDNEY.

Dear Sir,

MARINE ENQUIRY - FOUNDERING OF "BIRCHGROVE
PARK"

We refer to our instructions to appear on your behalf at the Marine Enquiry held on the 5th, 6th and 7th November.

We confirm our appearance on your behalf during the hearing and that prior to the addresses of Counsel for the Owners, the Master, and the Maritime Services Board, application was made to withdraw as no prejudicial matter concerning Lloyds' Register of Shipping had been given, and his Honour Judge Stacy consented to the withdrawal.

As you are aware we attended to take the findings of the Court on the 13th November and we enclose herewith two copies of the findings of the Court.

We have already of course reported to you verbally the effect of the finding, and the causes of the foundering are dealt with on pages 5 and 6 of the document enclosed.

You will observe that the Court attributed the foundering to the two-fold cause of the continual entering of water into the holds and into the tanks, the former because of ineffective tarpaulins and the latter because of unplugged goosenecks. The Court considered that such water remained in the hold and the ballast tanks and that

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2.

in the latter ~~case~~ the water could not be effectively dealt with by the pumps as the vessel was then down by the head.

The only comment on your surveys may be found on page 2 where the Court indicated that it considered the vessel carried all equipment laid down in the regulations.

It is interesting to note that the Court considered that the full length tarpaulin should have been placed over the two shorter ones and that the non-adoption of that course was the cause of the large amount of water entering the hold. We understand that you would condemn the use of short tarpaulins at all.

We are enclosing an extra copy of this letter in case you wish to remit it and a copy of the findings to London.

Yours faithfully,

EBSWORTH & EBSWORTH

Per:

P.B. Rampton

Encls.



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Foundation

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