

IN THE COURT OF MARINE INQUIRY)
HOLDEN AT SYDNEY)

BEFORE HIS HONOR JUDGE STACY.

ASSESSORS: CAPTAIN MURCHISON.
CAPTAIN J.G. HOOKER.

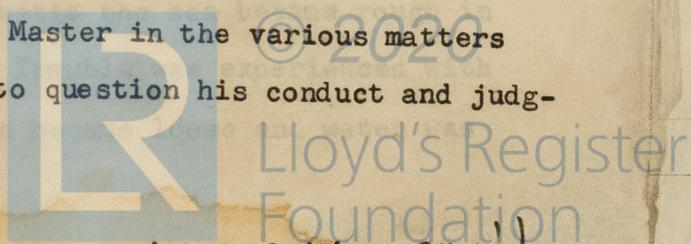
Tuesday, 13th November, 1956.

INQUIRY INTO FOUNDERING OF THE S.S. "BIRCHGROVE PARK"

FINDINGS

HIS HONOR: The "S.S. Birchgrove Park" capsized and sank about 2.45 a.m. on the 2nd August 1956, three or four miles south of Barrenjoey and two or three miles from shore. Serious loss of life occurred among the crew, four being saved out of a crew of 14 and the members of the Court wish to express their sympathy to the relatives of those who lost their lives. Those who were saved no doubt suffered a harrowing ordeal. The vessel, whose gross tonnage was 640 tons and net tonnage 248 tons, was under the command of Captain Laurence Lynch, and left Newcastle about 1.45 p.m. on the 1st August, with a full cargo of coal for Sydney, all of it in the hatch, which was 58 ft. 8 inches long and 22 ft. wide. A full crew was carried in accordance with requirements.

At this enquiry various witnesses on formal and other matters touching the enquiry gave evidence. In addition, three of the survivors gave evidence, and the evidence of the other survivor sworn at a preliminary enquiry was admitted in evidence in his absence from N.S.W. It is inevitable that no evidence was available of the reasons which may have actuated the Master in the various matters in which the Court has had to question his conduct and judgment.



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The ship was a well found ship. She was classed as plus 100 A.I. at Lloyd's and had been surveyed on 23rd July 1956. She carried all equipment laid down in the regulations. The wind and sea were slight when the vessel left Newcastle but the wind freshened and the sea gradually became rough from south south east during the late afternoon and night. The ship was provided with the regulation wireless equipment and aerial but the aerial was not erected. It had been inspected shortly before but it was then necessary to erect the aerial so that the test could be carried out. It was necessary for the aerial to be lowered when loading was taking place. It took about 10 minutes to erect the aerial.

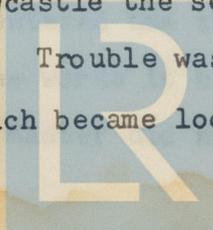
When the ship was being loaded one waggon of coal, roughly 12 tons, was loaded into the port bunker. This hatch was not battened down till after leaving port, due to the quantity of coal remaining to be trimmed down. Some water entered the hatch before it was finally battened down about 3 p.m. There was a slight list on the port side after the bunker coal was loaded. When loading the coal into the hatch, steps were taken to load fully on the starboard side, and when the ship was down to her marks loading ceased and there was then a space for two or three more waggons on the forward port side of the hatch. The list remained, but it was not of such an extent as would have caused any difficulty in ordinary circumstances and caused no alarm according to the witnesses. The hatch was covered with two tarpaulins, the forward one overlapping the cover aft. Two big tarpaulins each of which could cover the whole hatch were carried and it was stated that they had only been used in case of bad weather. The forecast on 1st August did not predict bad weather.

After leaving Newcastle the sea became rough in the vicinity of Merewether. Trouble was experienced with the covers on the hatch which became loose and water was

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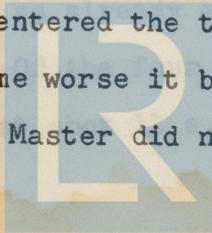
entering the hatch. They were secured again but became loose later and efforts to fasten them securely were made under difficulties as water was washing over the decks to some feet in depth. Further, ropes were put across the hatch with the object of preventing the covers rising and allowing water to enter the hatch but water continued to enter the hold and the list gradually became more noticeable.

Some water entered the port bunker prior to it being battened down but the pumps were capable of dealing and did in fact deal with this water which reached the stokehold bilges. Further, some water entered the stokehold through holes in the casing surrounding a steam pipe owing to corrosion in the casing. An attempt was made to remedy this by fitting a cement box around the steampipe casing but the attempt does not seem to have been successful, but any water that entered in this manner was dealt with by the pumps.

Efforts were made to pump water from the hold bilges, the tanks and the forepeak tank but no great quantity of water was reached by the pumps which were continually in use for some hours, the suction being changed regularly to the various tanks and bilges.

Evidence was given also that no plugs were put into the goosenecks though some were seen on the ship when she was surveyed on 23rd July, 1956. Water would enter by the goosenecks and in the forward part of the ship may not have been recovered by the pumps if the ship was down by the head as she was towards the latter part of her voyage.

The port side was the weather side and heavy water was continually being shipped on that side. In spite of efforts made to prevent it, water undoubtedly continuously entered the hold and it also entered the tanks through the goosenecks. As the list became worse it became apparent that there was danger but the Master did not decide to alter



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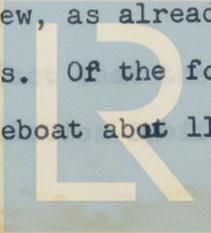
course for Broken Bay for shelter until after the vessel had proceeded some four or five miles past it. Course was then altered with the object of making for Broken Bay, but the list became worse and she finally capsized and sank. The engines had been stopped by the Fireman Olsen at the request of the Master and at great risk to himself, shortly before she sank.

The automatic alarm on the wireless had been turned on but no signals were received by the radio operator employed by Overseas Telecommunications Commission, as they would have been if sent on a wireless transmitter with an aerial. The Master finally sent distress signals by Aldis lamp to South Head Signal Station. The signaller there had some difficulty in reading them but finally realised that the vessel was in distress. The signals then ceased and the lights of the ship disappeared. He immediately took steps to advise the authorities and any ships in the vicinity but they did not answer his signal.

The "Birchgrove Park" sank at 2.45 a.m. and the pilot steamer "Captain Cook" cleared the Heads at 3.20 a.m. and steamed to the scene. The actual spot could of course only be estimated by the signaller. Instructions from the Harbour Master were sent through South Head to the Captain Cook to search till daylight and then to return to her normal duties. The matter of steps taken with regard to rescue are dealt with later.

Prior to the sinking all the crew had donned lifebelts. Efforts were made without success to prepare the lifeboats for launching but the falls were then cut and the gripes released so that the boats might float off in the event of the ship sinking.

As regards the crew, as already mentioned, all except four lost their lives. Of the four two reached Broken Bay in a swamped lifeboat about 11 a.m., one was



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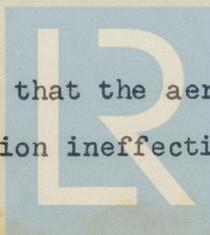
picked up by a submarine between 10 and 11 a.m. and one was not picked up till about noon. Some of the other members of the crew were seen alive at 8 a.m.

As already stated, there was a slight list when leaving Newcastle but this list was not such as to be expected to cause any difficulty. But the Court finds that the two-fold cause of the increase of the list was the continual entry of water into the hold and into the tanks, the former because of ineffective tarpaulins and the latter because of unplugged goosenecks. In the opinion of the Court such water remained in the hold and in the ballast tanks; in the latter case the water could not be effectively dealt with by the pumps due to the vessel being down by the head. Finally the weight of such water caused the list to increase more and more and finally caused the ship to capsize and founder.

Further, the Court finds that the two tarpaulins over the hatch were not a satisfactory covering: it was not possible to secure them so that they would not become loose and flap and billow so that water coming aboard penetrated the tarpaulins and entered the hold. In the opinion of the Court one full-length tarpaulin should have been placed over the two shorter ones, and the non-adoption of that course was the cause of the large amount of water entering the hold. The Master must be held responsible for the fact that the full-length tarpaulin was not used. And this is so even though the forecasts did not predict rough weather.

One other matter needs to be dealt with. When nearing Broken Bay conditions were such that it would have been more prudent for the Master to seek shelter there and the Court is of the opinion that it was an error of judgment on his part when he decided to continue to proceed towards Sydney.

Further, the fact that the aerial was not erected made the wireless installation ineffective and the



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non-maintenance of the installation in proceeding to sea is regarded as a serious breach of the law. In the present case if it had been effective the S.O.S. might have enabled speedier assistance. The signals by lamp were only recognised as distress signals shortly before the vessel sank. The Master must be held responsible for the fact that the aerial was not erected.

The Court feels that it has not evidence before it enabling it to express any opinion as to the efficiency and speed of the arrangements and attempts made to rescue the crew. Perhaps the proper authorities might see fit, if they have not already done so, to consider that aspect with the view, if it is possible, of expediting the methods adopted in such cases. The difficulty of finding people in a rough sea is well known. The fact have already been stated that no member of the crew was rescued till between 10 and 11 a.m. and that it is known some others were alive at 8 a.m. The lack of wireless owing to non-erection of the aerial must have delayed rescue operations.

My advisers agree in all the above findings.

Dear Sir,

222, "THE HERBERT PARK"

I have to acknowledge and to thank you for your detailed report on the inquiry and findings in the case of the loss of this ship. Your observations regarding amendments to the Society's Rules will be considered when the full findings of the Court have been received and examined.



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