

## LLOYD'S REGISTER OF SHIPPING

UNITED WITH THE BRITISH CORPORATION REGISTER

4 Bridge Street, Sydney, N.S.W.

20th November, 1956.

REFERENCE

DLA

26 NOV 1956  
Ans'd BY AIR MAIL

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The Secretary,  
London

Dear Sir,

s.s "BIRCHGROVE PARK"

With reference to previous correspondence, I desire to report that I attended the Court of Marine Inquiry into the foundering of the above collier, which was held on the 5th, 6th, 7th and 8th inst., under the Chairmanship of Judge Stacey assisted by two Assessors, Captain Murchison, ex-Master Mariner and Harbour Master and Mr. Hooker, ex-Chief Engineer both of whom are known to me.

The Inquiry was conducted by a Solicitor to the Maritime Services Board of New South Wales and the Owners, deceased Master and relatives of deceased crew members were represented by Counsel. A Solicitor appeared in the Society's interests. The Court's decision was reserved.

The Ship, loaded a full cargo of small washed coal, classified as "nuts", at Newcastle N.S.W. on the 1st August and sailed about 1.30 p.m. on that day for Sydney, a distance of about 60 miles. It was stated that heavy seas and strong winds were encountered and the Ship finally capsized and sank at about 2.45 a.m. on the 2nd August when within sight of the signal station at the entrance to Sydney Harbour.

It appeared that indistinct distress signals sent by lamp signalling reached the signal station, from which other ships and a police launch were directed to the area. Evidence also showed that the Ship's automatic distress radio transmitter was working, but no signals were received from this source.

The crew failed to launch either life-boat and all the crew of 14 men took to the water equipped with life-jackets. Only four men were saved, two seamen, one fireman and the Second Engineer and except for one seaman

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"BIRCHGROVE PARK"

20th November, 1956.

was not available, these men were the principal witnesses at the Inquiry.

Evidence given by the Seaman and Fireman that the ship had a list of four degrees to port when leaving the wharf Newcastle was contradicted by the Engineer but these three witnesses all stated that during the evening of the 1st inst a list to port progressively increased and that with the rolling from the port forward quarter, water continually shed over the decks.

I considered their most important evidence to be statements that:-

The main hatchway, which was 58 feet in length, was battened down before leaving Newcastle but only two tarpaulins each about 40 feet in length were used with the forward tarpaulin overlapping the after one so that one transverse edge of each was unsecured except by a rope lashing.

The seaman stated that there was at least one full length tarpaulin on board, but it had seldom been used because weight made it difficult to handle.

Evidence was given that during the voyage, sea water and wind lifted the tarpaulins, water entered the hold and several unsuccessful attempts to secure the tarpaulins were made by the crew.

Coal loaded at Newcastle into the bunker was overflowing the port bunker hatch which was not covered and battened down until the coal was trimmed some one-and-a-half hours after leaving port and in the meantime, a considerable quantity of water entered the bunker.

In due course the forward well deck was flooded and it was then found impossible to plug the air pipes to Nos. 1 and 2 double bottom tanks. The Seaman did not know where the wooden plugs were kept.

The Seaman and the Fireman stated that water entered the stokehold through a corroded hole in what they described as "the forward bulkhead of the stokehold where the deck steam pipe passed through".

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20th November, 1956

The Society's Surveyor, Mr. Irvine who was called to give evidence, later explained to the Court that the so called "bulkhead" was the forward end of the fidley casing on the raised quarter deck, in which casing there was also an access doorway to the stokehold.

- (5) The wireless aerial lead was in place up to the funnel but the main aerial to the foremast, which interfered with cargo loading operations, was not erected.

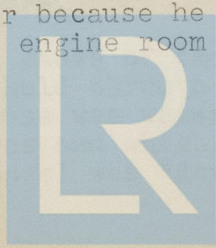
Mr. Irvine was only required to give brief evidence to confirm the extent of the Annual Load Line Survey and Boiler Survey which he held in January last and the Dry Docking Survey held by him in July last.

He stated that after repairs recommended, had been carried out under survey the parts of the hull which he examined, the boiler and equipment were found in good condition and that efficient closing appliances, in good order, were provided for hatchways, air pipes, ventilators and all other openings.

In regard to main hatchway tarpaulins he stated that at his survey, two tarpaulins in good conditions, each of ample size to cover the whole hatchway, were spread over the hatchway for his examination. In reply to a question he agreed that these were the only main hatchway tarpaulins produced at that time.

He was recalled later to be questioned by the Judge regarding the alleged corroded hole in the fidley casing. He stated that he made a visual examination of the casing, amongst other parts, at the dry docking survey and found no signs of excessive corrosion. He added that the casing had recently been painted.

By arrangement with the Society's Solicitor the Barrister representing the Owners questioned the Second Engineer at length about the leakage through the fidley casing and the actions taken to pump bilges and tanks. The Engineer likened the quantity of water which entered the stokehold to the amount which would flow from a domestic tap half opened and said it caused him no concern whatever because he had no difficulty in pumping out the stokehold and engine room bilges in a few minutes.



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20th November, 1956.

He confirmed that water which entered the bunker fore its port hatchway was closed, flowed to the stokehold bilge and was pumped overboard.

He stated that he kept the ballast pump working continuously pumping from tanks and bilges, from about 6.30 p.m. till between 2.0 a.m. and 2.30 a.m. when it was stopped because insufficient steam.

His evidence, in general, was to the effect that he repeatedly drained some water from the fore peak tank, Nos. 1 and 2 double bottom tanks, hold bilges and the machinery space bilges and that he had no need to use other available pumps because the ballast pump easily handled all the water reaching the suctions.

He stated that the limber boards over hold bilges were closely fitted to prevent small coal and dust entering the bilges and he thought that the joints may have closed due to swelling of the wet timber so that the bulk of the water which entered the hold could not quickly reach the bilges. He said he could pump water from those bilges for only a few minutes at a time, before drawing air through the return valves. He estimated the quantity of water pumped from the hold bilges at 50 or 60 gallons every 15 minutes.

I was asked, out of Court, by the Solicitor to the Maritime Services Board if any Regulation or Rule requires hatchway tarpaulins to be of ample size to cover the whole of a hatchway. He was informed that whilst I am not aware of any Rule or Regulation which specifies the size of a tarpaulin; the Instructions to Surveyors issued by the Ministry of Transport and by this Society, require a Surveyor to be satisfied that the securing arrangements are effective and that in my opinion, any tarpaulin which could not be securely battened down on all four edges, could not be accepted by the Surveyors, as being effective.

The finding of the Court has now been announced and a full copy of same will be forwarded to you when it is received from the Society's Solicitors.

The Court found that the main cause of the foundering was the shipping of water into the hold through the main hatchway and that a contributory cause was water which entered the double bottom tanks through air pipes and which could not be completely pumped out whilst the vessel was "down by the head".

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s. "BIRCHGROVE PARK"

20th November, 1956

The Court held the Master responsible for not using a full length tarpaulin on the main hatchway and for not having the wireless aerial erected in accordance with regulations.

The Judge added that the Ship was a "well found Ship" which had been classed 100 A.1. at Lloyds" when surveyed in July and carried all equipment required by Regulations.

Having regard to important points which have emerged in this case, I submit the following proposals for the Committee's consideration:-

- 1) That the Society's Rule D. 2321 should specify that each tarpaulin must be of sufficient size to cover the whole of the hatchway opening and to ensure that it can be battened on all its edges to the coamings.
- 2) That the Society's Rules should require the closing appliances of air pipes situated on freeboard decks to be permanently attached to the air pipes or adjacent ship's structure or preferably that air pipes be fitted with automatic devices to prevent the free entry of water.

Yours faithfully,

B. P. Liddle

Principal Surveyor.



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*Handwritten notes in blue ink:*  
20/11/56  
Society's Rules should require the closing appliances of air pipes situated on freeboard decks to be permanently attached to the air pipes or adjacent ship's structure or preferably that air pipes be fitted with automatic devices to prevent the free entry of water.  
Principal Surveyor.



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ADMIN

W. L. F.

CLASSIFICATION

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W.I.P.

It is submitted Mr. Zaiden be thanked for his letter and informed that his proposals regarding amendments to the Society's Rules will be considered when the full findings of the Board have been received.

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J. H. [Signature]

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