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Secretary to the  
Ministry of Transport.



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# THE MERCHANT SHIPPING ACT, 1894

## REPORT OF COURT

(No. S. 412)

s.t. "Mildenhall" O.N. 162893

In the matter of a Formal Investigation held at The Exchange, Grimsby, on the 26th and 27th days of May, 1949, before R. F. Hayward, Esq., K.C., assisted by Captain J. W. Grimston, Captain C. V. Groves and R. Charles, Esq., into the circumstances attending the stranding and total loss of the s.t. "Mildenhall" on Laassat Reef at the eastern extremity of Verango Fjord, on the 1st November, 1948.

The Court, having carefully inquired into the circumstances attending the above-mentioned shipping casualty, finds, for the reasons stated in the Annex hereto, that the loss of the "Mildenhall" was caused by the failure of her skipper, Harold Edward Brennan, to take any steps to check her position from the time of arrival off Cape Nyemetski until the time of stranding some 14 hours later, and that the skipper's certificate be suspended for six months from to-day.

Dated this 27th day of May, 1949.

R. F. HAYWARD, *Judge.*

We concur in the above Report,

JOHN WM. GRIMSTON  
CHARLES V. GROVES } *Assessors*  
R. CHARLES

### QUESTIONS AND ANSWERS

The Court's answers to the questions submitted by the Ministry of Transport are as follows:—

- Q. 1. By whom was the steam trawler "Mildenhall" owned at the time of her loss?
- A. Messrs. H. Croft Baker & Sons Limited, Fish Docks, Grimsby, Lincs.
- Q. 2. When, where, and by whom was the s.t. "Mildenhall" built?
- A. Messrs. Cochrane & Sons, Selby, Yorks, 1934.
- Q. 3. With what compasses was the s.t. "Mildenhall" equipped, and when were they last adjusted?
- A. The usual standard pole magnetic compass above wheelhouse, overhead magnetic steering compass in wheelhouse, and a spare compass in the skipper's room. The compasses were last adjusted September 23rd, 1948.
- Q. 4. Was the s.t. "Mildenhall" fitted with an echo sounding machine?
- A. Yes.
- Q. 5. Was the s.t. "Mildenhall" supplied with deep sea and hand lead lines?
- A. Yes.

- Q. 6. Was the s.t. "Mildenhall" fitted with Marconi radio equipment and a Marconi direction finder?
- A. Yes.
- Q. 7. When were the echo sounding machine, radio instruments and direction finder last serviced?
- A. 15th October, 1948.
- Q. 8. Was the s.t. "Mildenhall" seaworthy when she left Grimsby on her last voyage, and were her life-saving appliances such as complied with the regulations?
- A. Yes.
- Q. 9. Did the s.t. "Mildenhall" leave Grimsby for the Bear Island fishing grounds on the 18th October, 1948, with a crew of 21 hands all told with skipper Harold Edward Brennan in command?
- A. Yes.
- Q. 10. When some 300 miles out from Grimsby did the skipper of the s.t. "Mildenhall" receive certain information by radio which caused him to proceed to the White Sea fishing grounds instead of the Bear Island fishing grounds?
- A. Yes.
- Q. 11. Did the s.t. "Mildenhall" reach a position abreast of Cape Nyemetski at about 0700 hours on Monday, 1st November, 1948?
- A. Yes.
- Q. 12. Did skipper Brennan fix position of s.t. "Mildenhall" at about 0700 hours on the 1st November, 1948, as 5 miles North  $\frac{1}{2}$  West Magnetic of Maiakkanieme in 55 fathoms of water?
- A. At about 0700 hours on the 1st November, 1948, skipper Brennan took the stated bearing, but only estimated the distance.
- Q. 13. Did skipper Brennan fix position of s.t. "Mildenhall" at about 1100 hours on the 1st November, 1948, as  $3\frac{1}{2}$  miles from the land with Cape Nyemetski bearing S.E. Magnetic in 52 fathoms of water?
- A. At about 1100 hours on the 1st November, 1948, skipper Brennan took the stated bearing and estimated his distance from Cape Nyemetski.
- Q. 14. Did skipper Brennan drop a fishing buoy at 1100 hours at the position then fixed, with an anchor, length of chain and 150 fathoms of buoy wire?

- A. Yes, save that the position was not fixed but merely estimated.
- Q. 15. At the time the fishing buoy was dropped what tide indication did skipper Brennan get from the buoy pellets?
- A. The Court is not satisfied that skipper Brennan got any reliable information from the buoy pellets.
- Q. 16. What were the wind, sea and weather conditions at the time the fishing buoy was dropped?
- A. Fresh S.W. wind and sea, with occasional snow squalls and good visibility.
- Q. 17. Did the s.t. "Mildenhall" fish during the afternoon of the 1st November, 1948, and continue up to 1900 hours?
- A. Yes, but there were interruptions caused by broken trawl net and floating trawl boards.
- Q. 18. What were the wind, sea and weather conditions at 1900 hours?
- A. Similar to those set out in Answer to Question 16, but with more frequent snow squalls.
- Q. 19. What courses were used in relation to the fishing buoy?
- A. South westerly and north easterly.
- Q. 20. Was the position of the fishing buoy checked after it was first placed in position?
- A. No.
- Q. 21. Was the position of the s.t. "Mildenhall" fixed at any time after fishing commenced on the afternoon of the 1st November, 1948?
- A. No.
- Q. 22. Did the s.t. "Mildenhall" strand at about 2118 hours on the 1st November, 1948, and if so, where did she strand?
- A. Yes, on the Laassat Reef in a position not very clearly defined.
- Q. 23. What was the cause of the stranding of the s.t. "Mildenhall"?
- A. Neglect to check vessel's position.
- Q. 24. Was the stranding of the s.t. "Mildenhall" due to the wrongful act or default of skipper Brennan?
- A. Yes.

#### ANNEX TO THE REPORT

The "Mildenhall", a single screw single deck trawler, built at Selby, in 1934, by Messrs. Cochrane & Sons, and owned by Messrs. H. Croft Baker & Sons Limited, Fish Docks, Grimsby, of 433 tons gross register, 156 feet in length, 26 feet in beam and 14 feet in depth, fitted with five watertight bulkheads and triple expansion steam engines, coal fired, sailed from Grimsby on a fishing voyage on the 18th October, 1948. She was fitted with modern radio and echo sounding devices, the usual magnetic compasses and appropriate life-saving appliances. The ship and her equipment were in good condition and had been duly surveyed, and her compasses were adjusted before sailing.

During the voyage to the Bear Island fishing ground the skipper was diverted by a message from his owners to the White Sea fishing grounds, where he fished until the 1st November, when he was proceeding to a new ground. On this date shortly before 0700 hours he passed on a westerly course Cape Nyemetski at an estimated distance of about five miles, and with that light bearing S.E.  $\frac{1}{2}$  E. at an estimated distance of 5 miles he commenced to fish at about 0700 hours. After trawling in a south westerly and north easterly direction he dropped a fishing buoy at about 1100 hours. It was fitted with a 75 lb. anchor, a few fathoms of chain and three fifty-fathom lengths of

buoy wire. This was dropped with Cape Nyemetski bearing S.E.  $\frac{1}{2}$  S. at an estimated distance of  $3\frac{3}{4}$  miles in 52 fathoms of water.

According to the evidence of skipper Brennan the tide at this time was running to the south eastwards, and the Court is satisfied that in the ten hours before the ship stranded the tide was running to the south eastward for about six hours and in a contrary direction for about four hours at a force probably less than stated in evidence. The "Mildenhall" continued to fish in a south westerly and north easterly direction, hauling her trawl at the completion of each run to the north eastward. There were interruptions due to a broken trawl net and the fact that on two occasions the trawl boards floated.

Darkness fell at about 1300 hours B.S.T., which time was being kept by the ship. No definite observation or recognition of any part of the land seems to have been made after the fishing buoy was dropped. No attempt to take any compass bearings was made and apparently the skipper, absorbed in his fishing, was contented so long as he got occasional soundings of sufficiently deep water. No navigational lights were observed from the "Mildenhall". According to the Russian authorities and the Commander of H.M.S. "Romula", a light was being exhibited at Cape Nyemetski, though clearly for some time before the stranding the "Mildenhall" was to the southward of its arc of visibility.

A vessel thought to be a Russian Naval vessel had been observed at anchor off Kervanto, and her lights were seen a considerable time before the vessel stranded. After the final delay caused by displaced trawl boards, trawling was resumed at full speed shortly before 2100 hours in a north easterly direction. At about this time the skipper went below leaving no-one on deck but the man at the wheel. His evidence was that this was in order to consult his chart in connection with a sounding of about 60 fathoms which he asserted he had just got, and after returning to the bridge, at a time when he says the buoy was distant a mile or a mile-and-a-half on his port bow, he altered course to N.E. by N., and thinking that he was getting too close to the shore altered it further to N., but at about this time breakers were sighted bearing about N.E.  $\frac{1}{2}$  E. on his starboard bow, and although the engines were stopped the ship stranded at about 2118 hours, at a point on Laassat Reef which is not very clearly defined.

According to the skipper's evidence, the fishing buoy must have shifted its position six miles to the southward; the Court is not of this opinion, although it agrees that there is a possibility of it having drifted somewhat to the southward.

Proper steps were taken to try and refloat the trawler, but it quickly became apparent that her hull was so badly penetrated by the rocks that she was a total loss. An S.O.S. was sent out and wireless communication kept up between H.M.S. "Romula" and other vessels by the devoted and skilful work of the wireless operator, which succeeded in bringing H.M.S. "Romula" on to the scene at about 0300 on the morning of the 2nd, when a motor boat, splendidly handled by the officer in charge, and ably assisted by the mate of the "Mildenhall", succeeded in rescuing the crew, most of them being accommodated in the motor boat and some in the "Mildenhall's" starboard lifeboat, the port lifeboat having been broken by the sea.

The skipper of the "Mildenhall" having got his dhan buoy in a position which was merely estimated, although he knew of the possibility of the buoy shifting its position, was content to remain in its vicinity without checking its position or without checking the position of his own ship, and although he did not expect to see any navigational lights the Court is satisfied that from time to time, even when

darkness fell, he could have checked his position by observation of high land and, if necessary, by taking a line of soundings and using these intelligently on a chart of sufficiently large scale. He was provided with such a chart, but did not use it, and the chart in use was mainly for the purpose of providing fishing information. Shortly before the casualty the skipper went below without leaving anyone on the look-out, and it was only very shortly after his return to the bridge and becoming accustomed to the darkness that breakers were made out close alongside.

The Court cannot too emphatically recommend

that for the safety of fishermen's lives and fishing vessels they should be navigated with due care for their safety, and once again it condemns the too frequent practice of leaving a trawler's bridge in charge of the man at the wheel.

R. F. HAYWARD, *Judge.*

CHARLES V. GROVES }  
JOHN WM. GRIMSTON } *Assessors*  
R. CHARLES }

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