

Encl. to Lloyd's Register

INGLEDEW & CO.

Milburn House,
Dean Street,
NEWCASTLE on TYNE, 1.

26th March 1936.

Messrs. Parker Garrett & Co.
St. Michael's Rectory,
Cornhill, E.C. 3.

Dear Sirs,

S/S "VARDULIA" - Inquiry

We attended the Inquiry again this morning which was concluded before 4 o'clock.

The President of the Court indicated that the Answers to the Questions (which we enclose) would he hoped, be ready by 10-30 on Tuesday morning when he would deliver the Findings of the Court.

Mr. Watt wishes us to be present on Tuesday morning and perhaps you will kindly let us know if this is in accordance with your instructions.

1. The first witness called to-day was Mr. W. Bruce the Assistant Staiths Superintendent at West Hartlepool employed by the L.N.E.R. He explained the instructions which he received from the Colliery Agent in regard to this vessel's cargo and the methods by which he knew the number of trucks of coal which were tipped into each hatch.

He produced, amongst other documents, the Teamers' Sheets showing particulars of this nature and pointed out that it was impossible to say how much coal was loaded into the lower hold as compared with the 'tween decks. In the course of Cross-Examination it appeared that there was no Official responsible for the trimming of the cargo of any particular ship whose duty it was to see that every cargo space was properly loaded and trimmed.

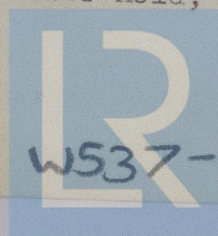
2. Mr. Nutton (B.O.T. Expert Surveyor) was then called and gave evidence as to the calculations that he had made in connection with the cargo loaded on board the vessel. From the vessel's displacement scale he calculated that at the drafts

indicated she should have on board 9116 tons. He then made other calculations as to the weight of the General Cargo, Coal Bunkers, Water etc. etc. on board and these figures came to 8993 tons which with various adjustments, brought it up approximately to the previous figure of 9116 tons. He also produced calculations to show the vessel's draft at the time when she entered the North Atlantic zone to prove that this was in accordance with the regulations. He then went on to discuss the question of "Stowage rates" as affecting this particular coal cargo. His calculations were based upon measurements taken by another Surveyor at West Hartlepool from similar coal in trucks. His figures showed that this stowed 44.18 Cubic ft. to the ton as compared with 50 Cubic ft. to the ton estimated by other witnesses. This, we should mention, refers to the small coal.

He then produced further calculations showing the cargo space available on the ship in Cubic ft.

Finally he produced a Memorandum showing the space occupied in the holds in accordance with his "Stowage rates" already referred to. This Memorandum indicated on this basis (at 44 cubic feet) (1) the space occupied by the coal in the 'tween decks in accordance with the Trimmers' evidence and went on to show how much coal there would then be left in the lower holds. So far as this was concerned, according to his calculations, there must have been a considerable amount of empty space in each lower hold. (2) For the purposes of this calculation he assumed that the lower holds had been completely full in accordance with the Trimmers' evidence and went on to calculate according to his figures, what coal there would then be in the 'tween decks.

According to his figures, on this latter basis there would be very little coal in the 'tween decks at all and in particular there would be no coal at all in No.2 tween decks which would have all gone into the lower hold, contrary to the



Trimmmers' evidence. The Memorandum of course as you will appreciate was compiled for the purpose of showing that in fact there was a lot of empty space in this vessel and that she had not been trimmed properly.

Mr. Nutton then produced figures in regard to the stability of this vessel which showed that she had an excellent "righting moment" and was a very stable ship assuming that the cargo was well stowed. He indicated that in his view the list of $3\frac{1}{2}$ degrees was by itself of no consequence at all. His evidence in fact was that he had considered all the possibilities as to the cause of this vessel's loss and had come to the conclusion that the most likely was owing to the fact that there had been a lot of loose space in the vessel's holds; that this small coal was a dangerous cargo which "ran" easily and had in fact shifted, so that the vessel went over on its beam ends.

He was Cross-examined by the Owners' representative and more particularly by Dr. Robb one of the Assessors. He pointed out that the stowage rates taken by the B.O.T. on which the whole of his calculations depended were based on coal in trucks which would be well shaken down and would therefore stow more closely than that in the vessel's holds. Dr. Robb also pointed to the stowage of the deep tank on previous voyages which appeared to show that in fact with small coal, the stowage rate had been 48 to 50 cubic ft. per ton and not 44 cubic ft. per ton as per his theory.

This concluded the evidence and speeches were made by the representatives of the various parties concerned.

Mr. Stephen Furness for the Seamen's Union began by saying that they had no allegations to make against the Owners and that the vessel appeared to be seaworthy. He made certain remarks about manning which however were beside the point as it was admitted that the vessel was above the manning scale in force. He referred to the fact that on previous occasions there had been

trouble with the hatches and suggested that the probable cause of the casualty was that No.1 or No.2 hatches had been stove in. He admitted however that the hatches complied with the regulations and that in fact after the slight trouble on previous occasions the owners had taken special precautions and made improvements

He also referred to the collision with the "SILVERPINE" prior to this vessel's sailing which he suggested might have in some way affected the casualty although he was pretty well forced to admit the evidence was all the other way.

He also referred to the fact that the ventilators had been covered at the time of sailing and suggested there might have been an accumulation of gas which dislodged the hatches but it was obvious the Court did not think much of this.

It was suggested that the collision with the "Silverpine" might have weakened the bulwarks and if they had "gone", this would have meant that the no2 hatch would more easily have been damaged.

He again referred to the list with which the vessel sailed and suggested that this, in conjunction with other contributory factors, might have affected matters.

He next dealt with the question of trimming and pointed out that the B.O.T. calculations were opposed to the Trimmers' positive statement, and also to the figures provided by the Colliery Agents which were based on long experience.

He suggested that there ought to be some responsible official in charge who would see that in fact each vessel was properly trimmed and he suggested that there should be further regulations made in regard to the stowage and trimming of these "small" coals which were obviously he thought dangerous cargoes, and almost like Bulk Grain.

Mr. Spens of MacLay Murray & Spens then made a short speech for the owners but pointed out that really he had nothing to answer as none of the parties attending the Inquiry had made any suggestions that the vessel was unseaworthy in any respect or that she did not fully comply with all the regulations in force.

He also made a few remarks on behalf of the master, who was not otherwise represented, to show that he was a First Class Master Mariner and an excellent Seaman and so far as could be seen he had done everything possible.

Counsel representing the Wireless Operator also made a few remarks to the effect that so far as he could see the ship was well found in every respect.

Mr. Merritt on behalf of the L.N.E.R. went into some detail to show that the L.N.E.R. had no responsibility whatsoever so far as the actual trimming of the vessel's hatches was concerned.

Mr. Bateson for the B.O.T. then spoke and indicated that the B.O.T. thought it possible that the disaster was due to faulty trimming and that possibly there had been some mistake in regard to the "stowage rate" of this particular class of coal.

He referred to the whole of the evidence that had been given which indicated quite frankly that the actual cause of the disaster would possibly remain a mystery as it was quite impossible to point to any certain fact as the cause of the casualty.

We have very carefully followed the evidence and as a matter of fact made a fairly full note if you should require this, but we are inclined to think that the Court will find it impossible to say definitely how this ship was lost.

It is possible that as the weather got worse the master may have tried to turn round to run before it and that in doing so he was struck by a succession of heavy waves.

Cargo may have settled to some extent in the holds leaving a free space and in addition of course it is quite possible that in the turning movement the forward hatches may have been stove in. This of course is pure supposition; from the Wireless messages it seems that the vessel went very quickly - within the space of one or two minutes.

You will have gathered from our reports that there really could be no criticism of Lloyd's in this Inquiry, although Mr. Watt who attended throughout found that there were a number of matters of general interest.



It is possible that as a result of this Inquiry some regulations may be made as to the supervision of Trimmers and also possibly as to the stowage of this particular class of coal - for example that fore and aft shifting boards should be fitted.

If there are any further points that occur to you, no doubt you will kindly give us your instructions.

Yours faithfully,

INGLEDEW & CO.

Messrs. Parker Garrett & Co.

