

THE "MILLPOOL" LOSS

Board of Trade Inquiry
OpenedSOLICITOR-GENERAL'S OUTLINE
OF THE CASE

The third of the series of Board of Trade inquiries into the loss of British vessels opened before the Wreck Commissioner (Lord Merrivale) yesterday. The inquiry, which is into the loss of the *Millpool*, owned by the Pool Shipping Company, Ltd., of West Hartlepool, is being held at the Institution of Civil Engineers, Westminster, S.W. The *Millpool* foundered in the North Atlantic on the night of Oct. 2-3 last and 26 lives were lost. After the Solicitor-General had outlined the circumstances of the loss the first witnesses were called. Lord Merrivale is sitting with Commodore H. Stockwell, Mr. Edmund Wilson, Mr. E. H. Mitchell and Captain F. S. Murray as assessors.

The Solicitor-General (Sir Donald B. Somervell) and Mr. G. St. C. Pilcher (instructed by the Solicitor to the Board of Trade) appeared for the Board of Trade. Mr. Cyril Miller (instructed by Messrs. Sinclair, Roche & Temperley, agents for Messrs. Templer, Tilley & Hayward of West Hartlepool) represented the owners of the *Millpool*; Mr. R. F. Hayward and Mr. H. R. B. Griffin (instructed by Messrs. G. F. Hudson, Matthews & Co.) represented the relatives of Captain A. Newton, master of the *Millpool*, the relatives of Mr. C. J. Lowe, third officer, the Officers (Merchant Navy) Federation, Ltd., the Imperial Merchant Service Guild, the Mercantile Marine Service Association, and the Marine Engineers' Association Ltd.; Mr. R. F. Hayward and Mr. Vere Hunt (instructed by Messrs. Russell Jones & Co.) represented the National Union of Seamen and the Transport & General Workers' Union.

The SOLICITOR-GENERAL said that a small question arose in regard to the managers of the *Millpool*, Sir R. Ropner & Co., Ltd. Sir Robert Ropner's name appeared on the register as registered manager. He died some years ago, and by inadvertence the register was not rectified. Mr. William Guy Ropner would be called as a witness at the inquiry.

The *Millpool* was built at Stockton in 1906, went on Sir Donald Somervell. She sank, with all hands, in heavy weather in October, 1934. She was loaded with a cargo of rye from Danzig and she was sailing for Montreal. Her tonnage was 4222 gross and 2707 net. She was a steel vessel, with a length of 355 ft., a breadth of 51 ft., and a depth of 28.62 ft. She was a trunk-decked vessel.

WIRELESS MESSAGES

The possibility of the *Millpool* having struck a submerged vessel at Danzig had been inquired into, said Sir Donald, and he gathered that it had been established that nothing of the kind could have happened.

He then went on to read extracts from wireless messages that passed between the *Millpool* and other vessels on Oct. 2 and 3. On Oct. 2, at 6 54 p.m., the *Millpool* sent a message which was jammed by the working of other ships. She was asked by the *Ainderby* to repeat the transmission, and began to do this but the transmission ceased abruptly. The part of the message received read: "Captain Ainderby. Helpless myself driving before hurricane since 1 p.m."

Then followed this series of events. At 7 48 p.m. the *Millpool* was sending out auto alarm signals and S.O.S. signals. At 7 50 p.m. the *Millpool* sent out the following distress message: "S.O.S. After-hatch stove in main topmast gone three men injured driving helpless before gale using temporary aerial."

This message was received and acknowledged by the *Ainderby*, which was 156 miles away, the *Beaverhill*, 59 miles away, and the *Black Gull*. It was also received in incomplete form by the *Empress of Britain*, which was 330 miles away. At 9 3 p.m. the *Millpool's* distress message was sent by the *Beaverhill* to the *Ascania*. At

9 27 p.m. the *Ascania* asked the *Millpool* to transmit so that a wireless-direction finder bearing could be taken. At 9 30 the *Millpool* transmitted direction signals but they were too weak for the instruments of the *Beaverhill* and *Ascania*. At 10 1 p.m. the *Beaverhill* took a wireless bearing on the *Millpool*.

At 10 8 p.m. the *Beaverhill* sent to the *Millpool*: "Am heading to your position are your lights burning and what are you heading?" At 10 36 p.m. *Millpool* to *Beaverhill*: "Laying in trough of sea oil lamps not very bright. Newton." At 11 11 p.m. the *Vardulia* records the *Ascania* as signalling the *Millpool*: "You don't seem any stronger unable to get bearing sorry." At 11 30 p.m. the *Beaverhill* records the *Ascania* telling the *Millpool*: "Speed approximately 12 knots will try and approach you from south-east." At 11 34 p.m. the *Beaverhill* asked the *Ascania*: "Can you hear our whistle?" The *Ascania* replied. "No."

At 18 minutes past midnight on Oct. 3, the *Beaverhill* records the *Millpool* as saying, "Things are much same here don't know about things on deck rolling heavily." At 12 30 a.m. *Valentia* Radio transmitted the alarm signals and S.O.S. of the *Millpool*. At 1 3 a.m. the *Beaverhill* signalled the *Ascania*: "We are now in *Millpool's* position and see nothing yet." At 1 5 a.m. the *Beaverhill* called the *Millpool*: "If you can hear me please send up some rockets." At 1 10 a.m. the *Beaverhill* asked the captain of the *Ascania*: "Do you intend heaving to?" At 1 12 a.m. the *Beaverhill* called the *Millpool* at intervals but no reply was received.

At 1 15 a.m. the *Ascania* sent the following message to the *Beaverhill*: "Had direction finding bearing of *Millpool* an hour ago and since steered towards but no sight of him yet since when we can get no reply. Propose heaving to when on his line of drift." At 1 59 a.m. the *Beaverhill* logged: "Think I hear *Millpool* but signals too weak to read." The *Beaverhill* signalled the *Ascania*: "Did you hear him?" The *Ascania* replied, "Signals unreadable." At 2 45 a.m. the *Beaverhill* called the *Millpool* but no reply was received. At 2 51 a.m. the *Beaverhill* and *Ascania* exchanged signals but still nothing was heard of the *Millpool*. At 9 8 a.m. the *Beaverhill* sent the following message to the *Ascania*: "Last heard of *Millpool* was 01 59 G.M.T. Unreadable have been through position twice and signalled him to send up rockets without success. Am also remaining hove-to till weather moderates. Foul weather."

At 1 35 p.m. the *Beaverhill* received a message from the *Wearpool*: "Regret impossible to make towards *Millpool's* position wind and sea increasing here. Wish you every success." At 5 11 p.m. the *Ascania* to the *Beaverhill*: "Have seen or heard nothing am now proceeding on voyage." At 5 51 p.m. the *Beaverhill* to all ships: "Now proceeding on voyage nothing more heard or seen of *Millpool*."

The Solicitor-General also read a report received from the *Millpool* on Sept. 27, 1934, as follows: "Water entering hold No. 1. Can't locate. Can't reduce. Will make for St. John's if we can't proceed direct to Montreal."

"STRUCK BY PHENOMENAL SEA"

Various extracts from the logs of the vessels which attempted to assist the *Millpool* were read, one stating, "It was blowing a hurricane. Phenomenal weather throughout." The *Ainderby's* log contained the statement: "My firm belief is that both *Millpool* and *Ainderby* were struck by the same phenomenal sea."

Sir Donald Somervell then put in three charts showing gale forces on Oct. 1, 2 and 3, and the exact position where the *Millpool* was understood to have sunk. He pointed out that, being of the trunk type, the *Millpool* was of

a different type to the others, into the loss of which the Commissioners had inquired. Her freeboard under the 1906 Act was 5 ft. 4½ in., summer and 5 ft. 9½ in. winter. As with the other vessels investigated, no alterations were made by the 1932 Act as to the depth to which she could be loaded into the water. As with those ships there was an alteration in the figures, owing to there being a different datum line from which the freeboard was measured. Under the 1932 Act the freeboard was 5 ft. 2½ in., summer and 5 ft. 7½ in., winter. The summer freeboard corresponded with a draught of 23 ft. 5 in. She had six steel watertight bulkheads. The hatch covers were of white pine, three inches thick, and they were covered with four tarpaulins.

The pumping arrangements of the *Millpool* would be dealt with by witnesses, said the Solicitor-General. They were of the usual type, and evidence would be given as to what repairs and surveys had been carried out. Some of the messages indicated a breakdown in steering gear, and the question of the steering gear would have to be considered. The gear was similar to that of the other ships with the exception that owing to the trunk structure the chains and rods were all on the same level. There was a difference as to the emergency gear in that in this vessel it was a hand gear on the poop.

HAND STEERING GEAR

"It is interesting to note that in one of the logs I shall put in later there is an entry showing that on some previous voyage this hand gear was successfully operated for some 2½ days," said Sir Donald.

Lord MERRIVALE: That seems to distinguish that part of this vessel from the two other vessels we have had to consider.

Sir DONALD SOMERVELL said that on this vessel there was no brake, no locking device on the rudder.

Lord MERRIVALE: In the previous cases the locking device seems to have been useless.

Sir DONALD SOMERVELL: Yes, useless in an emergency.

Sir Donald Somervell said that the original cost of the vessel was £43,125, and on her final voyage she was insured for £14,000 free of particular average. She was built under Lloyd's special survey and was classed 100 A1. The Board of Trade had received a communication from Lloyd's Register of Shipping stating that they were anxious to give every assistance to the Board of Trade and to the Court which they could if any question arose as to the special survey. "I had the curiosity to inquire as to the connection between Lloyd's Register and Lloyd's Underwriters, and I am told that the underwriters are still represented on the council, or the governing body which manages the affairs of the Register," said Sir Donald.

On the question of manning, Sir Donald Somervell said that as far as they could see, on her last voyage she had eight efficient deck hands as required by the regulations. There were the master, three mates, wireless operator, carpenter, boatswain, two A.B.s and three sailors. The owners would say, and the documents would bear it out, that it was the policy of the owners and managers to have nine men. But the master was unable to obtain two ordinary seamen at West Hartlepool, so he took on one A.B. No apprentices were carried. The eight men were all being paid A.B.'s wages. The Solicitor-General then detailed the vessel's history from 1931, and handed in lists of repairs made at various times.

"After this inquiry was announced, the Board of Trade had a communication from a Mr. Marlow, who was on this ship as a donkeyman in 1928 and 1929. He said he could give us information of importance, and we took a statement from him," said Sir Donald.

"He is here and I shall put him in the box. He says, in fact, that there was continuous trouble with the pumping arrangements, and also that there were wooden plugs instead of metal caps on the bilge sounding pipes on the weather deck. We made inquiries from the owners as to these allegations, and they have given us two or three affidavits from officers who were serving on the vessel at the time. One witness, who is in Court and can be called, contradicts to a large extent what Mr. Marlow says. As I understand my position, it is, on behalf of the Board of Trade, to put before the Court statements, however contradictory, about the vessel. I mention it at this stage because it goes back to 1928, and since that time she had undergone her special survey."

Sir Donald Somervell then gave groups of figures for repairs to the *Millpool*, adding, "The net result of these figures is that for general upkeep and survey you have spent £2764 since June, 1930. In addition to that, you have for classification expended £4000." This concluded the Solicitor-General's opening of the inquiry.

The first witness called was Mr. GEORGE BROWN CHAMBERS, of South Shields, who said he had been employed since 1926 by R. Ropner & Co., Ltd., as marine superintendent. He held a first-class chief engineer's certificate. In July, 1931, the vessel was repaired, following damage supposed to have been caused by striking a submerged object. That was the time of the beginning of her special survey, and, at the conclusion of the repairs, witness considered she was in perfect order. Since the *Millpool* had last been dry-docked, he had received no report of damage to the bottom of the vessel.

Sir DONALD SOMERVELL: Prior to the master's wireless message in September referring to a leak, had you any experience of a leak in that part of the vessel, apart from when she struck a submerged object?—Mr. CHAMBERS: I have no knowledge.

Mr. Chambers said that the pumps were of the ordinary type. The steering gear was of the rod and chain type. When the survey was completed in October, 1931, the vessel was in perfect condition.

Mr. HAYWARD: We are told from the log books that after a day or two at sea in 1931 the steering gear broke down?—That is quite possible. You might find that in a new ship.

You say that if a vessel is in perfect order the steering gear might break down in a day or so?—Quite so. There are some things that one has no control over.

Are you not putting it far too high when you say this ship was in perfect condition?—I don't think I am.

Mr. HAYWARD: I am thinking of the camel and the last straw that will break its back.

Lord MERRIVALE: I think that is going a little too far.

"AN ABSOLUTELY FREE HAND"

Mr. MILLER then asked Mr. Chambers: So far as you survey the vessels of Messrs. Ropner and come to the conclusion that certain repairs should be done, is any restriction placed upon you by the owners?

Mr. CHAMBERS: None at all. We have an absolutely free hand. What I recommend to be done is always done.

Mr. JOHN BEGUY NICOL, chief marine superintendent of R. Ropner & Co., Ltd., also gave evidence.

Mr. WILLIAM GUY ROPNER, a director of Sir R. Ropner & Co., Ltd., said that the *Millpool* was insured for £14,000 hull and machinery, and £3500 freight, and they took their own particular average risk. They insured against total loss only. Before the vessel left West Hartlepool special instructions were given to the master that, as they took their own particular average risk, it was important that he should keep the *Millpool* out of all

difficulties. They would rather he should lose a little time than incur any damage. He was to take particular care in the vicinity of the St. Lawrence.

In reply to Mr. HAYWARD he said that they valued the vessel at £7000.

Mr. Hayward then asked if Mr. Ropner would regard it as a proper state of affairs if the portholes in the fore-castle were in such a bad state that they had to be so jammed with wood, that no light was available other than an oil lamp, and if the chain cable carried mud into the fore-castle.

Mr. ROPNER said that those conditions—if they existed—would not be a proper state of affairs.

The SOLICITOR-GENERAL complained that these questions ought to have been put to the marine superintendents.

Mr. HAYWARD said he would give notice this morning as to when this state of affairs was alleged to have existed.

The inquiry was then adjourned until this morning.



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WS56-0115.1^{2/2}