

## THE "MILLPOOL" INQUIRY

### Former Officer Testifies to Vessel's Seaworthiness

#### LORD MERRIVALE'S QUESTIONS ON INSURANCE

The Board of Trade Inquiry into the loss of the British steamer *Millpool* was continued before Lord Merrivale, sitting as Wreck Commissioner, yesterday. During the day evidence was given by two former officers of the vessel and a donkeyman who had also served in the ship. Sitting with Lord Merrivale as assessors are Commodore H. Stockwell, Mr. Edmund Wilson, Mr. E. H. Mitchell and Captain F. S. Murray.

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. Temperley, 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.

At the opening of yesterday's hearing Mr. HAYWARD said that he would present evidence which, he alleged, would show that between January and May, 1932, portholes of the *Millpool* were in a defective state; the hawse pipe through the firemen's quarters was in bad condition; the cleats on which the beams of No. 3 hold rested were in bad condition; steering gear chains were badly worn; no look-out was kept forward; there was a great deal of play in the rudder head; the ship had to stop for various reasons from time to time during the voyage—for tightening up various bolts, and so on; hatch battens were in a bad condition; decks were worn and very rusted.

For a later period, from June, 1934, onwards, Mr. Hayward alleged that when the vessel sailed, cement boxes were put into No. 1 hold; No. 3 starboard derrick fell down and broke, the wood being in a rotten condition; holds were badly rusted inside, also the bow locker; wooden hatch covers were in a defective condition, and the hatch battens were very thin; portholes were in a bad condition; there was an insufficient number of bolts for bolting the hatch beams into place; the main stay carried away in Hartlepool; plates in the engine-room stokehold were in bad condition; and the tunnel bulkhead was not chipped for fear of holing it.

Mr. WILLIAM GUY ROPNER, a director of the owning firm, who gave evidence on Monday, was further cross-examined by Mr. Hayward. In answer to questions about watches, he said he was not very familiar with how the reliefs were worked. He had not himself worked at sea.

Mr. Ropner said that his firm sold a vessel called the *Levenpool* last year for breaking up. She would be built in about 1911.

#### FAST PASSAGES

Mr. HAYWARD: Do you, in your standing instructions, instruct your masters to make fast passages?

Mr. ROPNER: We do.

He agreed that there was an instruction to the effect that "The object in your mind must be to get the steamer along as fast as possible, consistent with reasonable consumption."

Is that consistent with the warnings to the master about the safety of the vessel?—Perfectly consistent.

On this voyage you instructed the master to try and make a fast passage?—Yes.

This was an old ship, laden down to her summer marks, with a bare minimum crew, bound across the North Atlantic. Is that not putting rather a burden on the master?—I don't think so at all. The question of making a fast voyage is not a very relevant one. The top speed of this steamer was only to 8½ knots.

Was there a ship of yours called the *Saxilby* lost, with all hands, in the North Atlantic in November, 1933?—Yes.

She was eight years younger than the *Millpool*?—That would be about right.

Did you consider the risk of sending the *Millpool* across the Atlantic with this minimum crew on a fast passage?—We always consider the risk.

Is it right to say that this period, although it is the summer period and allows you to load down to the summer marks, is in fact the period of the equinoctial gales?—It is the period when the worst risks of the North Atlantic are over.

Mr. ROPNER said that he considered December, January and February were the worst months.

Mr. HAYWARD then asked Mr. Ropner if he had seen the affidavits of Mrs. Benson and Mr. Piper as to what the third mate was alleged to have said before the vessel sailed. Mr. ROPNER said he had seen them.

Mr. HAYWARD then read from the affidavit of Mrs. Alice Mary Benson, of Stockton-on-Tees, sister of Charles John Lowe, the third officer of the *Millpool*. She stated that she saw her brother frequently during the time just prior to when the vessel sailed from West Hartlepool. "He explained to me it was possible the vessel would never sail again, because she was to be scrapped unless a certain vessel was not available for charter," stated the affidavit. Eventually the vessel sailed, and she received a letter from her brother. She had not preserved the letter, but she recalled that it contained the sentence, "The old rust box has sailed again." "I know he was not at all happy in going to sea in her, but the need for employment was very pressing at the time," concluded the affidavit.

Mr. Piper stated in his affidavit that Mr. Lowe had told him that "he was not very pleased about sailing again in the vessel because of her condition." He described her as "a rusty old crock," and said, "I would not sail in her if I was not so hard up."

#### UNEMPLOYMENT AMONG OFFICERS

Mr. HAYWARD then asked Mr. Ropner whether there was in West Hartlepool and the North generally a good deal of unemployment among ships' officers. Mr. ROPNER replied, "I am afraid there is a good deal. That is why we try to keep our ships running, as far as possible."

Mr. Ropner said he recalled a letter written in July, 1934, to the marine superintendent by Mr. E. R. Townsend, who had been mate on board the *Millpool*, in which he said: "Having watched the behaviour of the vessel for twelve months, may I submit my request for transfer to one of your younger vessels, should opportunity offer? During three short voyages the steamer has made I have converted her from a badly neglected conglomeration of rust into a fairly decently conditioned vessel." Mr. Ropner said that the vessel was valued at £7000 and she was insured for £14,000.

In order that questions of insurance might be dealt with at once, an insurance expert, Mr. DYER, went into the box. In reply to Lord MERRIVALE, he said that the value of £7000 would be the valuation of the owners.

Why do they call it £7000?—That would be approximately her market value at the time of her loss.

Thus, for the purpose of ascertaining the owner's value, you try to determine what is the market value at the time?—We do.

She stood in the company's books at about £3500?—Yes.

How is that?—That is purely a book-keeping value, my Lord. Each year a certain amount is set aside out of profits for depreciation of the boat in the books of the company.

She became a total loss in October. What were your proceedings in respect of the underwriters?—We informed the underwriters of the loss of the vessel and claimed after a fortnight or so the total loss amount under the ship's policies.

Do you know what that would be?—£14,000, hull and machinery.

#### FORMER SECOND OFFICER'S EVIDENCE

FRANK JONES, second officer of the *Millpool* on her penultimate voyage, was then called, and said that he joined the vessel on June 21, 1934—her first voyage after she had been laid up for two years. He served in her until Aug. 29, 1934, when he was transferred to the *Ashby*. He described her condition as quite seaworthy. There were three tarpaulins for each hatch cover, and their condition was very good. The bilge and tank sounding pipes were all fitted with metal taps. If they required to repair a link in the steering gear chain they would always be able to get at it. In a south-westerly gale in the North Sea the vessel behaved very well.

Mr. MILLER: Did you have any trouble, as far as you know, in regard to sea water getting into the fore-castle?—There was no trouble.

Steering gear?—It was in perfect condition as far as I know.

Had any repairs or renewals to be made to the gear?—None while I was aboard the ship.

There is a question of water having got into No. 1 hold; can you remember anything about the ports of No. 1?—As far as I can remember, they were in good condition.

On the day you left the vessel those ports were in good order and had been all the voyage?—Yes.

In reply to Mr. HAYWARD, JONES said that a look-out was kept from sunset to sunrise. The sailors were on watch and watch, four hours on and four off.

Can you suggest any reason why Mr. Lowe should say anything untrue about the ship?—I have no remark to pass on that.

Everything in the ship was in good condition when you joined her?—She was in a seaworthy condition.

A ship may be in a seaworthy condition if a lot of things in her are not in a good condition?—I will say a good condition if it is different.

#### NO HEAVY RUST

Did you see any rust in the holes?—Just a scale, just a little, but no heavy rust.

Mr. Hayward asked about rust in other parts of the vessel, and Jones replied that these parts were in good condition.

Are you sure of this?—Yes.

Mr. Hayward then asked about an occasion when the sampson post of one of the derricks was bent, and Jones explained that the load had caught on the front deck and the winch continued to work.

In reply to Mr. MILLER, JONES said that no cement boxes were fitted in No. 1 hold.

The reason for an accident to No. 3 starboard derrick was that the sailors were lowering the derrick on the drum instead of the barrel end of the winch. The derrick carried away. It was not the fault of the derrick.

It is said that the wood of the derrick was rotten?—That is the first I have heard of that.

Here Mr. PILCHER remarked that he noticed that a number of the points of complaint mentioned by Mr. Hayward at the beginning of the session

had not been touched upon. Mr. HAYWARD said he had generally tested Jones's evidence in regard to the points of complaint. He then went on to put other points, which he had mentioned, to the witness.

JONES swore that the portholes in the fore-castle needed no repairs at the time he left the ship in August. The hatch covers were in good condition.

HERBERT CHARLES JAMES said that he held a master mariner's certificate and joined the *Ainderby* as chief officer on Mar. 13, 1934, and served in her in that capacity until Apr. 13, 1935. In regard to the voyage from Swansea to Montreal, which started on Sept. 4, 1934, James said that after clearing Ireland they picked up the *Millpool* by wireless. They were in daily touch with her. "We had continuous bad weather after leaving the South of Ireland. It continued practically the whole time.

#### "A WHOLE GALE"

"It reached its height on Oct. 2 at about 6 p.m., G.M.T. I should say it was a whole gale. The sea came over the fore-castle head. We were hove to at the time. The sea stove in the after part of No. 1 hatch, cleared the fore-castle ventilators, carried away the ventilators on the bridge deck, and partly destroyed the bridge. The telegraph was brought down flat on the deck. The mast headlight at a height of about 30 ft. was carried away. Water was getting into the hatch." He was knocked down and injured, he said, and bled very badly but kept on until 10 20.

James made a remark about having been criticised in regard to giving evidence about the loss of the *Millpool*. Asked by Lord MERRIVALE, he said that he had been criticised by men in his own profession.

In Messrs. Ropner's employment or others?—Others.

Mr. MARLOW, of Swansea, said that he was in the *Millpool* as donkeyman from August, 1928, until January, 1929, and went on to describe two voyages.

The SOLICITOR-GENERAL said that it was only fair to tell Marlow that statements taken from other men did not agree with points in his statement.

MARLOW then alleged that when he was in the vessel there was trouble with the pumping arrangements. On the first voyage on which he went the pipe was practically perforated with age. He referred both to the tank and bilge lines. He could not get sufficient suction on the pump, and had to make temporary repairs himself. None of the bilge sounding pipes had metal caps, but were fitted with wooden plugs.

Asked if he wished to refer to other matters, Marlow said that his main point was the pumping arrangements.

"There was a remark the Chief Engineer made to me —," he was saying, when Lord MERRIVALE remarked, "No. At the proper time, if there is such a matter."

Asked by Lord MERRIVALE why he left the *Millpool*, MARLOW said, "I was scared of her." Lord Merrivale then took a note of Marlow's service in various ships.

Mr. DYER was then recalled and gave further details about the manning of the *Millpool*.

The inquiry into the loss of the *Millpool* was then adjourned until to-day, and Lord Merrivale proceeded to give his findings in the case of the *Blairgowrie*.



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