



THE MERCHANT SHIPPING ACT, 1894

REPORT OF COURT (No. S.417)

m.t. "Milford Viscount" O.N. 165644

In the matter of a Formal Investigation held at the Town Hall, Milford Haven, on the 27th, 28th, 29th and 30th days of November, 1950, before J. V. Naisby, Esq., K.C., assisted by J. Darkins, Esq., G. H. Nicholson, Esq., M.I.M.E., and H. A. Lyndsay, Esq., B.Sc., M.I.N.A., into the circumstances attending the loss of the motor trawler "Milford Viscount" with the loss of 13 (thirteen) members of her crew.

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 said loss was most probably due to an exceptional combination of weather and sea conditions.

Dated this 1st day of December, 1950.

J. V. Naisby, *Judge*.

We concur in the above Report,

J. Darkins
G. H. Nicholson } *Assessors*
H. A. Lyndsay }

ANNEX TO THE REPORT

At this Inquiry Mr. S. E. Pitts appeared for the Minister of Transport, Mr. J. B. Hewson, instructed by Messrs. Price & Kelway appeared for the owners and the designated manager of the motor trawler "Milford Viscount", and Mr. R. D. Saunders, as agent for Mr. W. H. Thompson appeared for the personal representatives of the late Mr. Vernon Frederick Bouch, a member of the crew.

The "Milford Viscount" was a steel single screw motor trawler built in 1947 and owned by the Milford Steam Trawling Co., Ltd. Her gross tonnage was 313.61 and her length between perpendiculars 140 feet. She had four watertight and one oiltight traverse steel bulkheads and was propelled by a Ruston Hornsby internal combustion engine developing 750 brake horse power. Her official number was 165644.

The vessel was equipped with the necessary life-saving appliances which were rather more than are normally fitted on a vessel of her type and class. They were in good order on the date of her departure and in accordance with the regulations. She had a radio telephone transmitter/receiver, one direction finder, and two Echo sounding instruments all of which had been serviced and checked on the day of departure. The compasses were also in order.

She sailed from Milford Haven about noon on the 29th March, 1950, bound for the fishing grounds to the west of the Republic of Ireland, manned by a crew of 13 hands all told.

After calling at Castletown, Berehaven, for stores on the 30th March, she proceeded to the proposed fishing grounds.

On the 1st April, when the trawler "Damito" was fishing in a position about latitude 52° 30' N. and longitude 12° 20' W., the "Milford Viscount" was seen by the master of the "Damito" some six or eight miles to the W.N.W. fishing and towing in a N.N.W. direction. This is the last record of the "Milford Viscount" having been seen.

On the 2nd April the "Milford Viscount" was in communication on the radio telephone with the "Damito" and with the trawler "Milford Duke" about 7.30 p.m. This is the last reliable information of the "Milford Viscount" having been heard.

The radio conversations between the "Milford Viscount" on the one hand and the "Damito" and the "Milford Duke" on the other were substantially to the same effect, which was that the "Milford Viscount" after fishing in a westerly direction had been compelled to cease fishing by the weather and was "laid," that is, with engines stopped, waiting for the weather to moderate. It is now known that about this time a weather ship about 250 miles further west was experiencing weather conditions of exceptional severity with waves up to 32 feet in height and wind speeds of 37 knots. This disturbance was moving easterly and might well have reached the position of the "Milford Viscount" on the night of the 2nd April, when she was most probably in an area in which, due to rapid shoaling, very confused sea conditions are liable to occur. These conditions are normally accentuated by a quick change of wind. On the night of the 2nd April the wind did shift rapidly from the W.S.W. to N.W., and the weather conditions became very severe.

In our opinion the "Milford Viscount" was most probably lost owing to the exceptional combination of wind and sea conditions on the night of the 2nd/3rd April, 1950.

The "Milford Viscount" was a well found vessel in charge of a competent master and crew. The evidence was all to the effect that she was well maintained. Her lifesaving equipment and boats were in good order and condition, although boat drills had not been regularly carried out, nor had her

rockets, which were overdue for renewal, been replaced. The stability of the vessel was normal and adequate. The main engines and auxiliaries which had just been surveyed were in good order.

In November, 1949, the vessel had proceeded to the same fishing grounds, but before departure had almost completely filled her oil fuel tanks with about 100 tons. This was somewhat exceptional, as she usually carried about two-thirds of this quantity as being sufficient for her ordinary voyage. On this occasion the vessel while "laid" due to bad weather rolled rather heavily and to an extent which alarmed her crew. Thereupon a deputation went to the mate and asked to speak to the skipper to request him to return to port, as it was assumed by the crew that the roll in question was entirely due to the additional oil fuel. The skipper agreed, and the vessel returned to Milford Haven, where some oil was discharged, and thereafter the entire crew was prepared to proceed again to sea in the vessel, and in fact, at the time of her loss, nine of the thirteen on board in November were still serving on the vessel. It has since been determined that in this condition of loading the vessel had adequate stability.

The vessel was due to return to Milford Haven to land her catch in time to supply the market on the 17th April. When by this date she had not returned, other trawlers belonging to the same owners were ordered to search for the missing vessel in the area around her last known position, and on the 18th April a search of the area was instituted by the Royal Air Force and all shipping warned by radio. The Admiralty also assisted in the search. No trace of the vessel was found, and on the 25th April it was decided that no further good purpose would be served by continuing the broadcasts, and the search was called off. This decision was reluctantly announced in the evening newspapers and in the 6 o'clock news bulletin of the B.B.C. Immediately thereafter a number of messages purporting to be from the vessel began to come in from various sources, and the search was re-instituted, in which up to 25 trawlers were soon busily engaged. A large area was also searched by a United States Air Force stationed in the Arctic. All these efforts proved to be entirely unavailing and the vessel was finally given up for lost on the 5th May, 1950. Reports of messages said to come from the "Milford Viscount" continued to be received up to the 9th May.

The Court is satisfied that all messages received were adequately examined, and where possible suitable action initiated, and considers it desirable that the valuable assistance of the officials of the Telecommunications Section of the Post Office, including the B.B.C., and the work of the many unofficial wireless operators both afloat and ashore should be placed on record. In this connection the concerted efforts of the owners of the "Milford Viscount" and other vessels, the Air Force detachments of the United States and this country and all who assisted in any way, are highly appreciated.

The Court is further satisfied, after examination of all the messages brought before it, that there is no reliable record of any message from the ship after 19.30 hours on the 2nd April, 1950.

The Court recommends that consideration should be given to the whole question of lifesaving appliances on fishing vessels with particular reference to the regular inspection thereof.

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 "Milford Viscount" owned at the time of her loss, and for how long had she been so owned?
- A. Milford Steam Trawling Co. Limited, The Docks, Milford Haven, were the owners throughout the life of the vessel. The designated manager was Mr. James Carpenter Ward.
- Q. 2. When and by whom was the "Milford Viscount" built?
- A. 1947. Cochrane & Sons, Limited., Selby.
- Q. 3. Did the "Milford Viscount," under the command of skipper Alexander Smith, leave Milford Haven with a crew of thirteen all told at noon on 29th March, 1950, bound for the fishing grounds to the west of Eire?
- A. Yes.
- Q. 4. Was the "Milford Viscount" seaworthy when she left Milford Haven on her last voyage, and was she properly manned and equipped to meet the normal perils of a fishing voyage at that time of the year?
- A. Yes.
- Q. 5. Did the "Milford Viscount" call at Castle-town, Berehaven, for fresh stores?
- A. Yes.
- Q. 6. On the 1st April, 1950, at approximately 13.35 G.M.T. was skipper Saunders of the "Milford Duke," whilst in latitude 52° 30' north by longitude 13° 20' west, in conversation with the skipper of the "Milford Viscount" by radio telephone, and was the "Milford Duke" at that time approximately 120 miles E.N.E. of the "Milford Viscount"?
- A. Yes.
- Q. 7. What were the weather, wind and sea conditions, at the time skipper Saunders was talking to the skipper of the "Milford Viscount"?
- A. The conditions were becoming bad, but the "Milford Viscount" was still able to fish.
- Q. 8. Did the weather thereafter deteriorate?
- A. Yes.
- Q. 9. On the 1st April, 1950, whilst fishing in a position latitude 52° 30' north by longitude 12° 20' west, was the trawler "Damito" fishing in 200 fathoms, and did her skipper, Norman Brown, see the "Milford Viscount" approximately six to eight miles to the W.N.W. and towing in a N.N.W. direction?
- A. Yes.
- Q. 10. On Sunday the 2nd April was the "Damito" fishing in approximately the same position, and was the "Milford Viscount" still in sight?
- A. The "Damito" was in approximately the same position, but the "Milford Viscount" was not seen.
- Q. 11. On the 2nd April, 1950, after dinner did skipper Brown of the "Damito" have a conversation on the radio telephone with skipper Smith of the "Milford Viscount"?
- A. Yes.
- Q. 12. What did skipper Smith tell skipper Brown of the "Damito" about the conditions obtaining where the "Milford Viscount" then was?
- A. Skipper Smith said he was "laid" and had ceased fishing, and there was a strong breeze, and if the "Damito" were in the same position as the "Milford Viscount" she would not be able to fish.

- Q. 13. At the time of the conversation referred to in Question 12, was the "Milford Viscount" able to fish, and was the "Damito" able to fish?
- A. The "Damito" was, but the "Milford Viscount" was not able to fish.
- Q. 14. Did the weather still further deteriorate, and at what time on what day did the "Damito" have to cease fishing?
- A. Yes, and about 11 p.m. on the 2nd April the "Damito" ceased fishing.
- Q. 15. When did the weather moderate in the vicinity of the trawler "Damito"?
- A. Probably within 36 hours.
- Q. 16. After skipper Saunders of the "Milford Duke" spoke to the skipper of the "Milford Viscount" on 1st April, 1950, did he try on a number of occasions during the next few days to contact the "Milford Viscount" again by radio telephone, and was he at any time successful?
- A. Yes, but he was not successful.
- Q. 17. Is there any authentic record of the "Milford Viscount" being heard to send out any message or signal after the conversations her skipper had with the skipper of the "Damito"?
- A. It would appear that skipper Saunders spoke to skipper Smith immediately after the conclusion of the conversation referred to in the question and received similar information to that given to skipper Brown. Thereafter there is no reliable information of any further contact with the "Milford Viscount."
- Q. 18. Was the trawler "Milford Viscount" known to have been seen at any time after the skipper of the "Damito" saw her fishing about seven or eight miles away from a position, latitude 52° 30' north by longitude 12° 20' west on the 1st April, 1950?
- A. No.
- Q. 19. Was one of the "Milford Viscount's" life-buoys found near Black Rocks, Men's Strand, Ballybunion, Co. Kerry, Eire, at approximately 8.30 a.m. on the 16th of April, 1950, and were two of "Milford Viscount's" life-buoys found at Meenoghane Causeway, Co. Kerry, Eire, at approximately 5 p.m. on the 22nd April?
- A. Yes.
- Q. 20. Apart from the lifebuoys referred to in Question 19, has any wreckage or equipment from the "Milford Viscount" been found and identified?
- A. Not so far as is known.
- Q. 21. Was the "Milford Viscount" posted as a missing vessel at Lloyds, London, on the 24th May, 1950?
- A. Yes.
- Q. 22. Were the life saving appliances and light and sound signals equipment of the "Milford Viscount" satisfactory and in working order when she sailed on her last voyage?
- A. See Annex.
- Q. 23. Was the "Milford Viscount" fitted with a radio transmitter/receiver of the radio telephone type in good working order when she left Milford Haven on her last voyage?
- A. Yes.
- Q. 24. Was the late skipper of the "Milford Viscount" quite familiar with the radio transmitter/receiver, and was the particular type installed at his request just before leaving Milford Haven?
- A. Yes.
- Q. 25. Was "Milford Viscount's" radio transmitter/receiver working properly at the times when the skippers of "Milford Duke" and "Damito" reported having conversations with the skipper of the "Milford Viscount" round about the 1st and 2nd days of April 1950?
- A. Yes.
- Q. 26. What were the normal ranges for daylight and darkness of the "Milford Viscount's" radio transmitter/receiver?
- A. Daylight 150 miles; darkness up to 800/1,000 miles.
- Q. 27. When was the trawler "Milford Viscount" due back at Milford Haven from her last fishing voyage?
- A. She was due to catch the market on the 17th April, 1950.
- Q. 28. What was the cause, or probable cause, of the loss of the motor trawler "Milford Viscount"?
- A. The most probable cause of the loss was an exceptional combination of weather and sea conditions.

J. V. Naisby, *Judge.*

J. Darkins
G. H. Nicholson } *Assessors.*
H. A. Lyndsay }

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