

"PYIDAWTHA".

Sug. rept No. 10445.

REPORT OF ENQUIRY
INTO THE STRANDING OF

S. S. "PYIDAWTHA"

HELD IN THE COURT OF THE DISTRICT MAGISTRATE, RANGOON

ON 6TH, 7TH, 8TH & 14TH JUNE, 1955.



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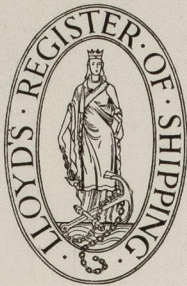
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LLOYD'S REGISTER OF SHIPPING G.1949

UNITED WITH THE BRITISH CORPORATION REGISTER



Port Rangoon,

15th June, 1955.

This is to Certify that

DUNCAN CAMPBELL

the undersigned Surveyor to this Society did at the request of
Messrs. Steel Brothers & Co. Ltd., acting as Lloyd's Agents,
attend the Enquiry into the loss of

S. S. "PYIDAWTHA"

of

R A N G O O N

L.R. No.74343

Gross Tons 1785

held at the Court of the District Magistrate, Rangoon, on
6th, 7th, 8th and 14th June, 1955.

DISTRICT MAGISTRATE:

U Ohn Pe

ASSESSORS:

Captain H. Davies - M.V. "STAFFORD-
SHIRE"

Captain G.H. Jolleff - S.S. "HAVILDAR"

Captain W. Alexander - S.S. "RISALDAR"

GOVERNMENT ADVOCATE:

U Chit, assisted by Captain W.W.
Mortimer, Acting Nautical Adviser
to the Government of the Union of
Burma.

COUNSEL FOR MASTER: -

C. A. Soorma - Advocate.

WITNESSES CALLED: (1)

Name: Captain Richard Stanley
Keating - British Subject.

Age: 55 Years.

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"While the Committees of the Society use their best endeavours to ensure that the functions of the Society are properly executed, it is to be understood that neither the Society nor any Member of any of its Committees is under any circumstances whatever to be held responsible for any inaccuracy in any report or certificate issued by the Society or its Surveyors, or in any entry in the Register Book or other publication of the Society, or for any error of judgment, default or negligence of any of its Committees or any Member thereof, or the Surveyors, or other Officers or Agents of the Society."

Certificate: British, Master Foreign-going No.26131, issued by the Board of Trade on 24th June, 1929 at Glasgow.

Service: Joined Union of Burma Shipping Board as Marine Superintendent 20th June, 1954. Joined "PYIDAWTHA" as Master 18th February, 1955.

(2) Name: Chief Officer Alexander Cant - British Subject.

Age: 51 Years.

Certificate: Certificate of Competency - Master Foreign-going No.24073 issued by the Board of Trade 10th September, 1923 produced to Court.

Service: Joined "PYIDAWTHA" as Chief Officer on 17th February, 1955.

(3) Name: Second Officer Nyun We - Burmese National. (Did not appear in Court).

(4) Name: Chief Engineer P. Binda - Dutch National. (Did not appear in Court).

(5) Name: Second Engineer U Maung Tin - Burmese National. (Did not appear in Court).

(6) Name: Quartermaster Mg Thin Maung - Burmese National.

(7) Name: Look-out Hla Myint, Lascar No.II - Burmese National.

In answer to preliminary questions it was established that Captain Keating had completed seven round voyages Rangoon/Akyab in command of S.S. "PYIDAWTHA" calling at Sandoway and Kyaukpyu northbound and southbound, and had therefore entered Kyaukpyu Harbour fourteen times and sailed from Kyaukpyu Harbour 14 times.

Leaving Rangoon vessel had on board a crew of fifty-nine, the number of passengers was not remembered, cargo stated to be 265 Tons general. Leaving Sandoway passengers on board numbered One hundred and sixty four.

CHART USED AND PRODUCED TO COURT: British Admiralty Chart No.831 (1947) corrected to latest available Notices to Mariners, British and Burmese.

PUBLICATION USED AND PRODUCED TO COURT: Bay of Bengal Pilot, 8th Edition, 1953.

FOLLOWING ALSO PRODUCED TO COURT:

1. Official Log Book and Supplementary Official Log Book (Government of Burma Issue).
2. Chief Officer's Log Book - duly signed by Chief Officer and Master.
3. Chief Engineer's Log Book - duly signed.
4. Official Wireless Log Book - duly signed.
5. Night Order Book.
6. Compass Deviation Book.
7. Official Casualty Report.

It was established to the satisfaction of the Court that all certificates required by International Conventions and the Government of the Union of Burma are in order. The following is a verbatim report of the Enquiry:-

6th June, 1955

CAPTAIN KEATING IN WITNESS BOX QUESTIONED BY
GOVERNMENT ADVOCATE.

1.(Q) In your report on the grounding you gave the position 18° 28'N. 92° 31'E. It is presumed that this is an error and you mean 19° 28'N.

(A) Correct Latitude is 19° 28'N.

Correct Longitude is 93° 31'E.

2.(Q) On the voyage on which the vessel stranded what were the courses set and steered, the speed of the ship and the conditions of weather and visibility encountered?

(Q.a) From the time of departure from Andrew Bay until 0400 on 6th May, 1955.

(A) 5th May, 1955 - Leaving Sandoway - Course Set 265°T.
1817 Hrs Altered Course to 322°T.
2345 Hrs " " " 347°T.

6th May, 1955 - 0233 Hrs Altered Course to 014°T.
0320 Hrs " " " 100°T.

(Q.b) From that time until vessel stranded at 0508 6th May, 1955.

(A) 0400 Hrs to 0440 Hrs Course was 100°T.
0440 Hrs to 0508 Hrs Course was 115°T.

(Q.c) What chart was used and was it corrected to date?

(A) Admiralty Chart No.831 (1947). Corrected to latest available Notices to Mariners.

- (Q.d) Were your Notice to Mariners correct to date, both British Admiralty and Government of the Union of Burma?
- (A) Yes. To date as available. Latest number unknown. Corrected for Government of the Union of Burma Notices No.30 of 1952 (Reliance Shoal Light Buoy established). No.9 of 1953 (Paungnetkyi Island Light established).
- (Q.e) What time did the Master come on the bridge?
- (A) At 0230 Hrs and remained till after the stranding.
Speed: Steaming 10 Knots from 0400 to 0508 Hrs.
Weather: Fine and clear, sea smooth, visibility good.
- 3.(Q) What measures were taken by the Officer in charge of the watch and/or the Master to ascertain and verify the ship's position from 0400 on 6th May, 1955, until the vessel stranded and were such measures proper and sufficient? What was the vessel's speed?
- (A) 0410 Hrs - Rising Bearing of Paungnetkyi Island Light was 100°T, Distance 14 Miles - Light was flashing every 5 seconds.
0430 Hrs - A position was obtained with Paungnetkyi Island Light Bearing 100°T and Pyu Kyun 190°T.
0440 Hrs - Reliance Shoal Buoy sighted - Bearing 110°T - Flashing every second. Position obtained -
Paungnetkyi 102°T
Reliance Shoal Buoy 110°T.
Bearing of Paungnetkyi Island Light frequently checked. Vessel steaming at 10 Knots.
- 4.(Q) What was the position of the vessel at 0430 on 6th May, 1955, and considering all relevant circumstances of weather, visibility and tide were safe and proper courses set and steered after departure from that position so as to pass the North Shoal at a safe distance, and was due and proper allowance made for possible leeway, tide and current? What was vessel's speed?
- (A) 19° 28'N. 93° 27'E.
With Pyu Kyun Bearing 190°T - Distance 2 Miles.
Weather: Fine and clear, smooth sea, visibility good.
0440 Hrs Altered Course to 115°T.
Steaming at 10 Knots.
Set allowed 15°.
- 5.(Q) Whilst proceeding on the voyage after clearing Giles Bank and/or Dicey Shoal on the 6th May, 1955, and considering all circumstances -
- (Q.a) Ought the Master at any time or times and if so when, to have used the lead or echo sounder to determine the position of the ship?
- (A) Echo Sounder used from 0430 Hrs continuously until stranding. Never showed an observed depth of less than 11 fathoms.

(Q.b) If the lead or echo sounder was not used was such omission justifiable?

(A) Not valid.

(Q.c) When was Radar watch set? If not set, why not?

(A) Radar out of action since leaving Rangoon. On 3rd May, after passing China Bakir Light Vessel, radar was switched on to pick up Krishna Light Vessel and was found to be defective. It was not in operation at any time.

(Q.d) At what time was the first bearing taken of Laws Island Light (Paungnetkyi) and Reliance Shoal Light buoy? What were these bearings? What was the compass error on those bearings?

(Q.e) Were any positions of the ship plotted by Laws Island Light (Paungnetkyi) and Reliance Shoal Buoy Light? Or by the land?

(A.d & e.) Answered in Q. 3.

(Q.f) What was the state of the moon?

(A) Moon set at 0430 Hrs. Full Moon.

(Q.g) What was the state and set of the tide at time of stranding?

(A) 2½ Hrs Flood. Low Water at Kyaukpyu being at 0236 Hrs. The time of High Water and Low Water at Kyaukpyu is irregular.

Set should have been Due North.

(Q.h) What allowance was made for set of the tide?

(A) 15°.

(Q.i) In Casualty Report (4) Master reports course on stranding 115°. Is this the usual course? From this course it appears that vessel was known to be too far North, at what time was it realised that the ship was too far to the Northward?

(A) No. Course varies every trip according to the set of the tide. (A dispute regarding the second portion of this question took place between the Government Advocate and the Defending Solicitor. The position as to whether the question would be asked was left with the Assessors who replied to the effect that it is implied that realisation took place at 0400 Hrs.)

(Q.j) Did you pass North or South of Giles Bank?

(A) Vessel passed South of Giles Bank.

(Q.k) Did you see Pagoda Rock?

(A) I do not know where Pagoda Rock is. It is not on my chart. (The chart used by the Nautical Adviser whilst compiling these questions was one printed in 1945). I saw Kyaukpandu Island shortly before vessel grounded through my binoculars. I was unable to get a bearing of it as it was not visible to the naked eye. Distance approximately 1½ Miles at the time of sighting.

CONTINUATION OF EXAMINATION OF CAPTAIN KEATING BY GOVERNMENT ADVOCATE

Supplementary Questions

7th June, 1955

1. (Q.a) In your Casualty Report you state that at 0430 Hrs Laws Island Light was bearing 102°T distant 7.5 miles. Is that correct?
- (A) I did not state that Laws Island Light was bearing 102°T distant 7.5 miles.
- (Q.b) Under Heading 16(c) (Casualty Report) it states that true bearing of Paungnetkyi Island 102°T - 7.5 miles. Is that correct and did you enter it?
- (A) Yes Sir. That entry is correct. I believe that Paungnetkyi is also known as Laws Island.
- (Q.c) Again you stated that at 0440 Hrs Reliance Shoal Buoy was bearing 110°T distant 3.5 miles.
- (A) Yes Sir.
- (Q.d) The difference of time between 0430 Hrs and 0440 Hrs is 10 minutes. At the time the vessel was assumed to be steaming at 10 knots; this is equal to a steaming distance of 1.66 miles; how did you reconcile that with the plotted positions which are only approximately 1.5 cables apart?
- (A) The distance is not 1.5 cables.
- (Q.e) What was your position at 0440 Hrs when you Altered Course to 115°T ?
- (A) $19^{\circ} 28'\text{N}$. $93^{\circ} 28'\text{E}$.
2. (Q.a) At 10 knots from your position given at about 0440 Hrs you should have been abeam of Reliance Shoal Buoy at about 0500 Hrs.
- (A) Yes Sir.
- (Q.b) As you were not coming up to the Buoy, did not this lead you to think that your original position at 0440 Hrs was probably incorrect?
- (A) The Angles between the bearings which I obtained at 0440 Hrs were only 8° - at the same time the Echo Sounder showed a depth of 11 fathoms. If the depth had been accurate the vessel would have been to the south of the position I obtained by bearings. As the latter was the one of greater danger, it was assumed to be correct. An additional 5° leeway to account for the Northerly set was allowed. My normal method of approach on a Flood Tide is to steer for Reliance Shoal Buoy ahead approximately 110° until Ledaung Kyun is about 3 points on the Port Bow, and then enter Harbour passing Reliance Shoal Buoy to Starboard about $\frac{1}{2}$ a mile. In the dark when approaching a light, it is a very difficult matter to estimate one's distance. The Chief Officer and I were both engaged in the navigation of the vessel, and I personally did not appreciate how quickly the time was passing.

Supplementary Questions (Continued)

3.(Q) After you Altered Course at 0440 Hrs to 115⁰T, on what Bow was Reliance Shoal Buoy?

(A) On the Port Bow.

ORIGINAL QUESTIONS FOR CONSIDERATION OF THE COURT
WERE REVERTED TO AS FOLLOWS

6.(Q.a) What in your opinion was the cause of the stranding of the vessel?

(A) In my opinion the cause of the grounding was an unexpected strength and unusual direction of the Tide, a reduction in Engine Revolutions without the Bridge having been informed, lack of certain navigational aids namely three Buoys which are charted but not in existence. Had the Buoy which is charted as being on the Southwest corner of North Shoal been in position, it is almost certain that it would have been observed in time to take avoiding action. The existing navigational aids are inadequate when making this Harbour during the hours of darkness and during the monsoon.

(Q.b) Was the vessel abandoned?

(A) The vessel was declared abandoned on 8th May at noon.

7.(Q) Was the stranding of the S.S. "FYIDAWTHA" and the serious damage which she sustained thereby caused by the wrongful act or default or negligence of the Master or any other person?

(A) (The answer to this question was left to the Court to decide.)

CAPTAIN KEATING QUESTIONED BY MR. C.A. SOORMA (DEFENDING COUNSEL)

1.(Q) Reverting to the last answer in which you state three Buoys are charted but not now in existence, can you tell the Court if you drew the attention of anyone to this?

(A) Yes. Mr. Mortimer, Inspector of Lights, in March 1955, about the absence of a Buoy on North Shoal. This was done verbally. I now produce a letter from Captain Caws, Port Officer, Akyab, stating that he also drew attention to the necessity for a buoy. I assume it was the attention of the Inspector of Lights.

2.(Q) Did you consider the absence of this Buoy to be an unnecessary hazard?

(A) I do.



3. (Q) Referring to the Bay of Bengal Pilot, Page 279 - Is there any reference on that page to North Shoal Buoy?
- (A) I read now from the Bay of Bengal Pilot, 8th Edition 1953, relevant portion, where it is stated on Page 279, Lines 8 & 9 : "A Can Buoy is moored close south-westwards of North Shoal".
4. (Q) Apart from this Buoy you stated two others - does the absence of these constitute an unnecessary hazard?
- (A) Yes Sir, it does.
5. (Q) Apart from Giles Bank Buoy, there is also an indication of a Buoy at Dickey Shoal?
- (A) Yes Sir, there is.
6. (Q) Does it exist?
- (A) No Sir.
7. (Q) The Chart which you were using had been corrected by whom?
- (A) 21st August, 1954, by Motion Smith of Singapore, and no subsequent Notice to Mariners has been available in Rangoon affecting the Chart in question.
8. (Q) You were therefore forced to rely on that Chart for navigational purposes?
- (A) Yes Sir.
9. (Q) In February this year, when you joined the "PYIDAWTHA", was the light on Reliance Shoal Buoy lit or not?
- (A) It was not lit.
10. (Q) Did you report this and to who?
- (A) Yes Sir, by radio to the Shipping Board.
11. (Q) Can you tell the Court about what time approximately this light was lit?
- (A) Early in April 1955 it was re-lit.
12. (Q) Refer to Bay of Bengal Pilot, Page 29, part referring to Tides, Lines 54 & 55 - What does it state?
- (A) "The Tides in the Bay of Bengal are greatly affected by Diurnal inequality, both of time and height." That means that the times and heights of High Water and Low Water cannot always be relied on and are subject to local variation, which cannot always be predicted.
13. (Q) During the period when the vessel was stranded, what did you note regarding the tides?
- (A) Principally that we got the greater part of the Flood Tide during the first two hours. The vessel was aground throughout 4 Spring Tides; the rise and fall was 12 ft; the greater part of this rise occurred during the first two hours Flood.

13. (A)(Cont'd)

On one occasion the crew who were standing by, took to the boats and remained secured to the ship by means of a long painter. Although the boat was secured to the after end of the ship, it was necessary to use the oars, as there was a strong whirlpool effect drawing the boat back alongside. Similarly, when the boat was secured foreward on the Flood Tide, the opposite effect occurred and the boat was drawn in on the same side as it was on the ebb - the starboard side in both cases.

14.(Q) Were the boats at any time kept clear of the ship by the Tide?

(A) No Sir.

15.(Q) The course steered, was it normal?

(A) No Sir, I was allowing an extra 5°.

16.(Q) You have assumed that the ship was steaming at 10 knots. Have you reconsidered this?

(A) Yes Sir, I have. That the ship was not doing anything like 10 knots. I estimate that the speed at grounding was 7 knots.

17.(Q) On what do you base this assumption?

(A) I base my estimate on the amount of initial damage and the ease with which the vessel grounded. Had I been going at a greater speed there would have been more damage.

CAPTAIN KEATING RE-EXAMINED BY GOVERNMENT ADVOCATE

1.(Q) Just about the time of grounding you now state speed at 7 knots. You earlier stated vessel assumed steaming 10 knots.

(A) I had given orders for a speed of 10 knots and that order was never rescinded. On reflection, since the occurrence, I have arrived at the conclusion that although I had given orders for 10 knots by Engines-60 Revolutions - the length of time taken to travel the distance between my fix at 0430 hrs and the position of grounding at 0508 hrs, I consider that the Engine Revolutions had been reduced without the Bridge being informed, and that I had an exceptionally strong set and drift of the tide. A reduction of 5 Revolutions would cause a reduction of engine speed of 1 knot.

2. (Q) You told us that you based your assumption on the amount of initial damage. Explain initial damage.

(A) Only one compartment was damaged - No.2 Hold - at the time of grounding. No.3 was damaged later after Low Water.

3. (Q) In answer to Mr. Soorma you stated that there was one unlit buoy. Did you say there were four unlit buoys charted?

(A) Yes Sir, namely, Bombay Shoal, Dicey Shoal, Giles Shoal and North Shoal.

4. (Q) During your time in command of "PYIDAWTHA", did you have these buoys as aids to navigation at any time?

(A) No Sir.

EXAMINATION OF CHIEF OFFICER BY GOVERNMENT ADVOCATE

(During preliminary questions regarding Chief Officer's Log Book, it was disclosed that the Chief Officer's Log Book (Fair copy) was lost when abandoning ship, and it is the scrap log (written up in ink) which was produced to the Court by Captain Keating).

1. (Q) At what time did you come on watch on the morning of 6th May, 1955?

(A) I took over the watch at 0400 Hrs on 6th May, 1955.

2. (Q) The Master states he was on the bridge at 0400 Hrs. Is this correct and was he on the bridge all the time from 0400 Hrs until the vessel grounded?

(A) Yes, all the time till grounding.

3. (Q) Were you on the bridge when the vessel grounded?

(A) Yes.

4. (Q) Did you leave the bridge at any time between the taking over charge of the watch at 0400 Hrs and the time of grounding?

(A) No.

5. (Q) When you Altered Course at 0440 Hrs on 6th May, 1955, on what Bow was Reliance Shoal Buoy when on new course of 115°?

(A) Port Bow.

6. (Q) What was the course of the vessel at the time of grounding?

(A) 115°T.

7. (Q) What do you estimate speed over the ground at the time of grounding?

(A) Estimated speed of between 6 and 7 knots.

CHIEF OFFICER QUESTIONED BY MR. C.A. SOORMA
(DEFENDING COUNSEL)

(Q) Did you at any time query the ship's position of courses set and steered?

(A) No.



EXAMINATION OF QUARTERMASTER BY GOVERNMENT ADVOCATE.

(Joined ship on 19th December, 1954, as Quartermaster. It was established that this witness came to the Wheel at 0400 Hrs on 6th May, 1955).

1. (Q) Which officers were on the Bridge at 0400 Hrs?
(A) The Captain, Chief Officer and Second Officer on the Bridge at 0400 Hrs, 6th May, 1955. Second Officer left the Bridge at 0405 Hrs.
2. (Q) How was the wheel when the vessel grounded?
(A) (The answer to this question was never given to the Court. Discussion regarding witness' ability to speak English followed, after which the following question was put to witness.)
3. (Q) Before grounding what course were you steering?
(A) 120°.
4. (Q) Did you receive any order just before grounding?
(A) Chief Officer gave me Helm order just before grounding.
5. (Q) What was the order?
(A) Alter Course from 98° to 120° about 25 minutes before grounding.
6. (Q) Any alteration after that?
(A) No.

EXAMINATION OF HLA MYINT, LASCAR NO.II(LOOK-OUT) BY GOVERNMENT ADVOCATE.

1. (Q) Were you on look-out at time of grounding?
(A) Yes.
2. (Q) What are your duties?
(A) To strike a bell when I see lights.
3. (Q) Would you report rocks?
(A) It is not my duty to report rocks, only lights, (followed by) If I saw a rock and saw the ship going to it, I would ring a bell. I never saw a rock.

8th June, 1955

CAPTAIN W. W. MORTIMER, NAUTICAL SURVEYOR TO THE GOVERNMENT OF THE UNION OF BURMA IN WITNESS BOX QUESTIONED BY THE GOVERNMENT ADVOCATE.

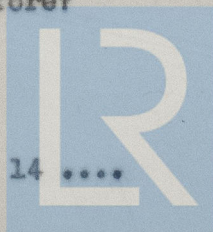
(In the original deposition the Chief Engineer, P. Binda and the Second Engineer, U Maung Tin, of the "PYIDAWTHA" were to be called as witnesses. The Assessors asked if the Second Officer could be called as a witness. The purpose of putting Captain Mortimer in the box was to explain why they could not be present at the Court.)

1. (Q) Do you know Chief Engineer Binda of the S.S. "PYIDAWTHA"?
- (A) I know Mr. Binda, Chief Engineer of the "PYIDAWTHA".
2. (Q) He was on the ship last voyage?
- (A) I cannot answer to that.
3. (Q) Where is he now?
- (A) At present he is sick in Room No.28, Rangoon General Hospital.
(Mr. Binda is detained in hospital suffering from the after effects of over-indulgence in local country spirits).
4. (Q) Will he be able to attend Court in the near future?
- (A) I understand, no.
5. (Q) Do you also know U Maung Tin, Second Engineer?
- (A) I do not know him personally. It is reported that he was Second Engineer of the "PYIDAWTHA".
6. (Q) Where is he now?
- (A) He was sent to Germany to join the "AUNGTHITSA" by the Union of Burma Shipping Board.
7. (Q) Do you ^{know} when he left Burma?
- (A) I do not know.
8. (Q) When do you expect him back in Burma?
- (A) Not in the near future.
9. (Q) Did you receive any documents in connection with U Maung Tin's statement from the Union of Burma Shipping Board?
- (A) An Affidavit received on 27th May, 1955.
(Affidavit was produced to Court and was received subject to objections made by the Defending Counsel).
10. (Q) Where is the Second Officer?
- (A) The Second Officer, Nyun We, is at present in Kyaukpyu, assisting salvage operations on the "PYIDAWTHA".

CAPTAIN KEATING IN WITNESS BOX QUESTIONED BY ASSESSORS.

1. (Q) If the absence of buoys made entering the Harbour dangerous, in your opinion would it not have been safer to have waited for daylight?
- (A) I agree that it would have been safer to wait for daylight, but the conditions at the time of grounding were better than would have been experienced in daylight hours during the monsoon. You get very heavy rain. I have been in twice as a passenger when it was necessary to use Radar as there was nothing visible. (Monsoon officially broke on Burmese Coast May 21st).

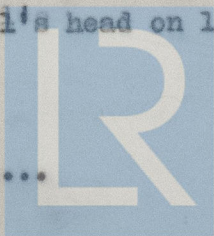
2. (Q) On arriving at about Latitude $19^{\circ}28'N$ and Longitude $93^{\circ}26'E$, was the visibility such that the surrounding land shown in profile on the chart could be distinguished?
- (A) The Island of Pyu Kyun was clearly visible.
3. (Q) In accepting the soundings of depths obtained at 0440 in preference to the Chief Officer's bearings, was allowance made for the flood before comparing it with the charted depth?
- (A) No Sir. When I got the position at 0440 hrs I Altered Course to 115° - no allowance was made for rise of tide.
4. (Q) On raising Paungnetkyi Island Light, why was it not brought to bear 099° and kept on that bearing as recommended by both Sailing Directions and Chart No. 831?
- (A) I have always approached on a bearing of 100° and I have no reason to offer why I did not steer 099° .
5. (Q,a) While steering 115° did you notice the Reliance Buoy Light drawing ahead?
- (A) Yes Sir.
- (Q,b) Did you take any action when you saw the Reliance Buoy Light drawing ahead?
- (A) No Sir. I did not Alter Course because Paungnetkyi Light was maintained on a bearing of 102° and the Echo Sounder was still showing not less than 11 fathoms.
6. (Q) Having had a position at 0430 Hrs and another at 0440 Hrs, why was not one taken at 0500 Hrs?
- (A) Between 0440 Hrs and 0500 Hrs the bearing of Paungnetkyi Light was frequently checked and also the depth recorded by the Echo Sounder. These two in conjunction were, to my mind, more satisfactory than a position obtained by a light and a buoy.
7. (Q) Did you ever notice Reliance Shoal Buoy on the Starboard Bow?
- (A) Reliance Shoal Buoy commenced drawing ahead about 0445 Hrs and shortly before grounding was fine on the Starboard Bow.
8. (Q) During your previous entries into this Harbour, have you noticed signs of shoal water around North Shoal?
- (A) The extent of North Shoal can never be determined from a ship's bridge. During fine weather it does not break. When it is blowing, broken water, tide rips and whirlpools extend clear across the Strait.
9. (Q) Referring to Captain Keating's statement regarding reduction of engine speed without informing the Bridge, has this happened before?
- (A) No Sir.



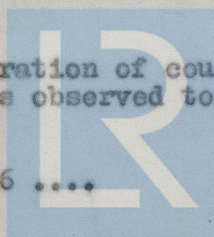
10. (Q) In your opinion, was the Engine Department run efficiently?
- (A) No Sir.
11. (Q) Do you know who wrote up the Chief Engineer's Log Book and from where he got the information to make the entries?
- (A) No Sir.
12. (Q) Do you know who was in charge of the Engine Room between 0400 Hrs on 6th May, 1955 and time of stranding?
- (A) Yes Sir, the Second Engineer.
13. (Q) Who personally gave half an hour's notice to the Engine Room?
- (A) The Chief Officer.
14. (Q) By what means were the charted positions from 0230 Hrs till the raising of Paungnetkyi Light obtained?
- (A) By dead reckoning - South Terribles were not sighted.
15. (Q) Was the impact felt when the vessel grounded?
- (A) The vessel first grounded apparently on a mud or sand bank and immediately afterwards struck another sand bank and a rock.
16. (Q) Having navigated on dead reckoning positions from 0230 Hrs till the raising of Paungnetkyi Light, did you consider it wise at 0320 Hrs to Alter Course to 100° as it shows the passing of a rock which dries to 2' in a position 19° 28'N, 93° 18.5'E at a distance of 1.25 miles.
- (A) Yes Sir, because there was a full moon. This rock breaks heavily and would have been observed in time, and the set of the tide was to the northwards.
17. (Q) Who was in charge of navigation from 0400 Hrs on 6th May, 1955?
- (A) I was.

CHIEF OFFICER IN WITNESS BOX QUESTIONED BY ASSESSORS.

1. (Q.a) Was the vessel being navigated by the Standard or Steering Compass?
- (A) Standard Compass.
- (Q.b) If by the Standard Compass, who steadied the vessel's head on 115°?
- (A) I steadied the Vessel's head on 115° on the Standard Compass.



1. (Q.c) What is the difference between the Standard and Steering Compass on 115°?
(A) I believe the difference between the two compasses was 2° - the steering compass being 2° plus. (The answer was given after referring to the Compass Deviation Book).
(Q.d) What is the error on 115°?
(A) 1°E allowed.
2. (Q) Where does the Officer of the Watch obtain the information he enters in the Deck Log Book produced in Court?
(A) The Officer of the Watch, on completion of his watch, enters up details concerning alterations of course, points of land passed and other information relative to his spell of duty. It is the usual custom to mark on the chart the time and log readings when passing objects, land marks or navigational aids. The Officer of the Watch, at the end of his watch, refers to the chart for the information necessary to enter into the Rough Log Book.
3. (Q) Was the assumed reduction of speed from 10 knots to 6 or 7 knots noticed by you on the Bridge?
(A) I noticed no reduction in the vessel's speed.
4. (Q) Who received the half hour's notice given to the Engine Room?
(A) The Second Engineer took the message over the telephone.
5. (Q) Did you check the Steering Compass after steadying the ship on 115° by Standard Compass?
(A) No. The Master was in the Wheelhouse and he checked the Steering Compass. This fact I confirmed when I descended from the Monkey Island to the Wheelhouse.
6. (Q) What was the course by Steering Compass?
(A) 117°.
7. (Q) Why was no bearing charted at 0500 Hrs?
(A) I received no instructions to take bearings at the time.
8. (Q) Did you ever notice Reliance Shoal Buoy on the Starboard Bow?
(A) Reliance Shoal Buoy Light was picked up fine on the Starboard Bow.
9. (Q) Did you observe Reliance Shoal Light on the Starboard Bow at any time after the course was altered to 115°?
(A) No. After the alteration of course to 115°, Reliance Shoal Buoy Light was observed to be on the Port Bow.



10. (Q) Are you in the habit of waiting for orders before taking any bearings?
- (A) When I am in charge of the Bridge I take frequent bearings for my own satisfaction, but when I am not in charge of the Bridge, it is my practice to await instructions.
11. (Q) After the position at 0440 Hrs did you at any time have any reason to suspect that the vessel was North of where you thought she was?
- (A) I had no reason at any time of suspecting that the vessel was North of where I thought she was.
12. (Q) Were any bearings taken of Paungnetkyi Light after 0440 Hrs?
- (A) Yes. Several bearings of Paungnetkyi Light were taken by myself.
13. (Q) Why were they not charted?
- (A) Because I was asked by the Master to check the bearing of Paungnetkyi Light. In addition to this I was busy giving instructions to the Deck Serang for the preparation of the ship for working cargo immediately on arrival. This entailed stripping the awnings, stowage of same, removal of awning spars, ridge wires and stanchions, also rigging No.2 Derrick.
14. (Q) Tell the Court exactly where you were standing when the vessel grounded.
- (A) I was standing in the Wheelhouse alongside the Engine Room Telegraph which is situated in the Starboard forward corner of the Wheelhouse.
15. (Q) Did you feel the impact when the vessel first grounded?
- (A) Yes. I experienced a gentle lift as if we had struck a mud or sand bank.
16. (Q) What were you doing in the Wheelhouse at the time of grounding?
- (A) Conning the vessel.

CAPTAIN MORTIMER QUESTIONED BY ASSESSORS.

- (Q) Has the position of Reliance Shoal Buoy been verified since the grounding?
- (A) Yes, by the Inspector of Lights, Mr. Dunlop, on Light Tender "MEE PYA".

9th June, 1955

The Magistrate announced to the Court that he had received the advice and verdict of the Nautical Assessors, and that he would be in a position to give his finding at 1130 Hrs on Saturday, 11th June, 1955.

11th June, 1955

The Magistrate announced that he would give his verdict on Tuesday, 14th June at 1130 Hrs.

14th June, 1955

The Magistrate read his summing up and announced his verdict, both of which are reported hereafter.



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