

23. Q. When did the 11th Minesweeping flotilla commence operations?
- A. The first sweeping was carried out on the 29th November, 1940.
24. Q. When did the 11th Minesweeping flotilla arrive at Milford Haven?
- A. At the end of October.
25. Q. Is the operation completed yet?
- A. The operation is completed apart from the final check up with an "A" sweep.
26. Q. Is the clearance of this minefield an urgent matter?
- A. Urgent and consistent with the safety of ships.
27. Q. So that when the flotilla managed to get on the ground the time factor was of the utmost importance?
- A. Certainly, it always is.
28. Q. Why did you intend to send "MERCURY" into Waterford?
- A. Waterford was closer.

Evidence of the Prosecutor, Lieut. Commander (Acting Commander)
Leonard Cooper Windsor, R.N. - H.M.S. "SKIRMISHER" (Cont'd.)

29. Q. Were you surprised when "MERCURY" suggested proceeding to Milford Haven?

A. No I was glad.

30. Q. In your knowledge had "MERCURY" been subjected to any undue strain or damage likely to weaken the ship structurally?

A. Yes.

31. Q. That is, prior to the explosion?

A. "MERCURY" was subjected to bombing attacks when the 11th Minesweeping flotilla was on the South Coast of England. On the 7th of July, 1940, she received a direct hit on the focsle of the ship, killing her gun's crew. I believe also there were one or two near miss bombs which considerably shook the ship. Subsequently whilst inside Weymouth harbour for repairs, I understand -

(The Deputy Judge Advocate intervened pointing out Witness's statement commencing "I understand.." was obviously only hearsay, and asked if the Court would like Witness to continue. Court requested Witness to proceed.)

I understand she had some narrow shaves from aerial attack.

32. Q. In the case of your own command, the "JEANNIE DEANS", what Board of Trade Certificate do you carry in peacetime?

A. In the winter months I believe the movements of the ship are restricted to the (southern limit) latitude of Ardrossan, - the southern limit of latitude is that of Ardrossan in the Firth of Clyde. In the summertime I believe the Board of Trade will let her go as far as the Ailsa Crag.

33. Q. From experience of your own command, do you consider paddle minesweepers suitable ships for working in heavy weather?

A. No.

34. Q. In view of what you know of the construction of "MERCURY" do you not consider that the fact that she remained afloat so long reflects great credit on the Officers and ship's company of the ship?

A. I do.

The Accused's Friend then said:- I hope you will appreciate that the questions that I have been asking you have been asked solely in your capacity as the Senior Officer of the 11th Minesweeping flotilla.

Prosecutor - I do.

The Court declined to examine this witness.

Witness withdrew.

Temporary Lieut. Ralph Edmund Blows, Royal Naval called, sworn
Volunteer Reserve. - H.M.S. "MERCURY".) and examined

By the Prosecutor.

35. Q. Are you Temporary Lieut. Ralph Edmund Blows, R.N.V.R. of H.M.S. "MERCURY"?

A. I am, sir.

36. Q. Were you the Executive Officer ^{at.} in/charge of the sweeping operations of the H.M.S. "MERCURY" on the 25th December, 1940?

A. Yes, sir.

37. Q. Your ship at that time was employed clearing a British minefield near the Coning Bay light vessel?

A. Yes, sir.

38. Q. Will you tell the Court ^{what} ~~the~~ adjustments of gear were on your oropesa sweep that day?

A. Do you mean the calibration of the gear?

39. Q. No, the adjustments.

A. 300 feet of sweep wire 50 fathoms kite wire and 15 fathoms float wire.

40. Q. Was your sweeper armed in accordance with Table 5. in my orders?(Exhibit "A")
- A. Yes, sir.
(The Deputy Judge Advocate pointed out that the above was a leading question.)
41. Q. Did you see it done personally?
- A. Yes, sir.
42. Q. Will you tell the Court what cutters were put on the sweep?
- A. Six, sir.
43. Q. Do you remember whereabouts?
- A. Yes, sir. One in the soft eye close up to the otter, one at 16 fathoms one at 39, one at 68, one at 112 fathoms, one at 172.
44. Q. Where were you during the afternoon of the 25th December, 1941?
- A. On the sweeping deck, sir.
45. Q. Will you tell the Court the general state from what you could see of your sweep at the end of the third lap.
- A. At the end of the third lap the oropesa float was running submerged.
46. Q. What happened then?

Evidence of Temporary Lieut. Ralph Edmund Blows, Royal Naval Volunteer Reserve. - H.M.S. "SKIRMISHER". - (Cont'd)
"MERCURY"

46.(Cont'd) A. I reported this fact to the bridge and we suspected an obstruction in the sweep. The next order I received was to "in sweep".

By Deputy Judge Advocate.

47. Q. Who gave that order?
A. The Commanding Officer, - the Accused.

By Prosecutor.

48. Q. Had you cut a mine before or just before you reported ...

(The Deputy Judge Advocate here intervened pointing out that the above was a leading question, and the question was, therefore, framed as follows -)

Q. Will you tell the Court what happened of your own knowledge during the afternoon of the 25th December, 1941, as far as you were concerned?

A. Towards the end of the third lap the oropesa float dipped and subsequently a mine was cut. Following this the float continued to run erratically and submerged. This was reported to the bridge and evasive action was immediately taken to endeavour to clear the sweep. After this had been done without result, the order was given to "in sweep" and in accordance with the usual procedure the kite was hove in very slowly and found to be clear and brought in-board. The sweep was then treated in a similar manner and as the cutters came in sight they were removed and we realised that by the strain on the sweep wire which was abnormal there was still something there.

49.

Q. Will you go on.

A. When we had approximately 6 to 8 fathoms of sweep wire from the cutter line to the otter still veered the white mass of the otter came into view. In order to define the obstruction I requested the bridge to stop engines and so reduce water turbulence.

(The President intervened to administer the following warning to witness. - "You are privileged to refuse to answer any question, the answer to which may tend to expose you to any penalty or forfeiture. It will be for you to raise the objection and for the Court to decide whether you are to answer the question or not."Continue.)

A dark object was then visible in the otter. This was immediately reported to bridge and the Accused came aft himself to investigate. As there was still no indication of the nature of the obstruction we decided to heave the float inboard, unshackle the float wire from the float, go slow ahead carefully veering the sweep wire and when sufficient had been veered for the safety in all contingencies, cut the sweep.

Evidence of Temporary Lieut. Ralph Edmund Blows, Royal Naval Volunteer Reserve. - H.M.S. "~~SUBMARINE~~". - (Cont'd)
"MERCURY"

50. Q. Was that discussed on the Sweeping Deck?

A. Yes, sir.

(The Deputy Judge Advocate called attention to the fact that the the above was a leading question, but the answer had already been given.)

51. Q. Will you continue.

A. Soon after that the explosion occurred, we having previously cleared the Sweeping Deck.

By the President.

52. Q. Who do you mean by "we"?

A. Well, I cleared the Sweeping Deck, sir.

By the Deputy Judge Advocate.

53. Q. Consequent on the President's question, you mentioned "we" throughout. Will you say what you meant by that? Did you mean "the Accused and I"?

A. Well, no, sir, I ought really to correct that, because the Accused and I had consultation regarding procedure after the dark object had been sighted, but in the rest of the case it would probably be the watch and I working as one unit.

54. Q. In your statement "the watch and I" what do you refer to?

A. The hands engaged in the minesweeping operation aft, sir.

By the President.

55. Q. The sweeping watch?

A. Yes, sir.

By the Deputy Judge Advocate.

56. Q. You also referred to "the bridge" on several occasions. Could you be a little more precise?

A. The Officer of the Watch or the Accused, sir, whoever answered the voice-pipe.

By the Prosecutor.

57. Q. Has the otter that has been used in H.M.S. "MERCURY" whilst you have been the Sweeping Officer there ever run foul to your knowledge?

A. It depends what you mean by foul, sir.

(The Deputy Judge Advocate pointed out that this was a leading question.)

(By the President. - I think it would be better if you put your question "Has it ever given any trouble, or words to that effect.")

Evidence of Temporary Lieut. Ralph Edmund Blows, Royal Naval Volunteer Reserve. - H.M.S. "~~SYDNEY~~". - (Cont'd.)
"MERCURY"

58. Q. Has the otter used in H.M.S. "MERCURY" ever given you any trouble?
A. Not since that one was calibrated, sir.

59. Q. Have you ever noticed or encountered your otter slings getting a turn in them?

~~By the~~ *W.*

(The Deputy Judge Advocate drew the attention of the President to the fact that the above was a leading question, to which the President agreed.

By the Deputy Judge Advocate to the Prosecutor - "Try to put your questions in such a way that witness gives required information without having them put into his mouth." } e.g. "What has been your experience in regard to the working of the otter?"

By the Prosecutor.

60. Q. What has been your experience with sweeps in H.M.S. "MERCURY"?
A. Sweeps, sir, or otters?

61. Q. Sweeps in general.
A. You mentioned otters just now, by a foul otter do you mean as regards the irregular running of otters?

52. Q. The present question is, what has been your experience with regard to the satisfactory running or otherwise of the minesweeping gear of H.M.S. "MERCURY" since you have been with her?
- A. We have had cases where the kite or the otter were brought inboard going into port and when they were hoisted outboard again the chains have been kinked, by kinked I mean two links would not be fully extended, with the result that the otter does not run correctly.
53. Q. Will you explain to the Court what the effect would be on the otter if the kink you have described occurred?
- A. It would shorten one of the legs of the chains and, depending whether it was the inboard chain or the outboard chain, the calibration would be affected.
54. Q. Will you explain what you mean by calibration?
- A. It is the correct running of the otter relative to the float in an arc from the stern of the ship.
55. Q. Will you say or tell the relative position of the float when the sweeps are running correctly?
- A. About 30° off the port quarter in the case of the port sweep.