

Evidence of Leading Seaman Ernest Amos Eastman, Official No.
C/J.41137. - H.M.S. "MERCURY". (Cont'd)

By the Prosecutor.

185.(Cont'd)

A. Leading Seaman, Captain of the foc'sle and in charge at the time of the sweeping. I was in charge because P.O. who was in the ship was just recently joined and he had not had the experience to take charge then of the sweeping. I carried out this duty under the Commanding Officer and the 1st Lieut. and usually I was in charge of the sweep deck. I was relieved very often by Leading Seaman Cope if the sweeping was too hard for one man to continue.

186. Q. Were you retired before this war?

A. Yes, sir.

187. Q. When did you leave the service?

A. In August, 1938.

188. Q. And when did you rejoin?

A. on the 15th of June, 1939.

189. Q. Where were you at 1600 on the 25th of December, 1940?

A. At 1600 I was aft with Leading Seaman Cope on the sweeping deck of the "MERCURY".

190. Q. Will you tell the Court what happened from the time that you relieved Leading Seaman Cope, as far as you were concerned?

A. The sweep was in progress of being heaved in. Some had already been heaved in and I think there was about 174 fathoms still out (as the first cutter which was number 6) as the 6th cutter which then came inboard first was placed 174 fathoms. I gave the order to heave in slowly and as each cutter came in or to the roller it was taken off and cast off and the shoulder piece knocked off. I hove in until I sighted the second cutter which was at 16 fathoms on the sweep. I removed that and then very slowly heaved in the remainder of the sweep until such time as I sighted the otter. Sighting the otter I ordered the winchman to stop and observed there was something fouling the sweep. I reported this to my 1st Lieut. who was near by me and he reported back to the bridge, to the Commanding Officer, who was invited to come aft to investigate with us what was fouling. My Commanding Officer came aft and we investigated together and he agreed with me there was something fouling the otter. What it was we could not discern, but we treated it with every path of safety that we could. My Commandin g Officer then returned to the bridge. The order was given to regain the float or oropesa and have it brought inboard. We grappled this, pulled it alongside, and hooked it on with the usual spring hook, had it hoisted and then unshackled the depth wire from it, turned it inboard and rested it into the crutches. I waited for further orders. I wanted the sweep deck to be cleared, which was done. A few minutes after, the explosion happened.

191. Q. How much sweep wire was there when you sighted the otter?

A. Approximately about 5/6 fathoms.

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By the Prosecutor.

- 192. Q. In which direction was it leading from the ship?
- A. If it was leading at all away from the ship it was leading to the Port Quarter.

- 193. Q. At what angle to the vertical?
- A. It was almost up and down, the amount of tideway was sweeping it away from the ship.

- 194. Q. How far away was the oropesa float at that time?
- A. When we grappled it do you mean, sir? When we grappled it I suppose it must have been about 24/27 feet.
a matter of

- 195. Q. You have said that your Commanding Officer came down to the sweeping deck and with him you investigated. Will you explain what happened whilst you were investigating?
- A. The Commanding Officer came from the bridge. He came down to the sweep deck and the 1st Lieut. and myself and the Commanding Officer when he arrived said what we thought it to be.

(intervening)

By the Deputy Judge Advocate/to Witness.

- 196. Q. You refer to the Accused and Lieut. Blows?
- A. Yes, sir.

By the Prosecutor.

197. Q. Go on.

A. The Accused and the 1st Lieut. and I, when the Accused arrived on the sweep deck, we all had a look over the side. We got just about as far aft as we could. We had a look to see if we could distinguish what the obstacle was that was fouling, but we could not define any shape at all, but we suspected from where we were and what we were doing that it was a mine and we treated it as such. The Accused did not remain long, but returned to his bridge.

198. Q. Can you tell approximately what happened after the float was secured inboard?

A. We were waiting orders to know what was to happen and what we were going to do and I don't know how it came aft, whether it was sent specially, or by voice-pipe, but some instructions were being awaited and the order was given about clearing the sweep deck.

199. Q. And was the sweeping deck cleared?

A. Yes, sir.

200. Q. What happened soon after the sweep deck was clear.

A. A minute or two after, sir, the explosion occurred.

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By the Prosecutor.

201. Q. How long do you think it was approximately between the time that you saw the otter and the explosion?

A. The time I saw the otter? I have no idea.

Cross-Examined by the Accused's Friend by permission of the
President on behalf of the Accused.

202. Q. You have stated in your evidence that the amount of sweep wire out when the otter was hove in for inspection was 5 or 6 fathoms and in an up and down position. Do you know the weight of the charge contained in type 14 or type 292

A. No sir.

203. Q. If it was 500 lbs. now going off 5 or 6 fathoms under the stern of the "MERCURY" do you not consider it would do more damage than it actually did.

A. I could not say, sir, because I am not in the electrical department and have had nothing whatever to do with mining except the sweeping.

204. Q. Did you find anything on board the "MERCURY" after the explosion?

A. Yes, sir.

205. Q. What was this in your opinion?
- A. It was a piece of metal of no definite shape and it weighed, I should imagine, about $1\frac{1}{2}$ lbs. The size was roughly about the size of the top of my cap (witness refers to uniform cap). It was penetrated several times and there were a good many dents in it. I picked it up myself with the remark "I have got a souvenir". Leading Seaman Cope and myself examined it and then I had it sent down to the Commanding Officer's cabin for custody as I thought it was a very valuable piece of information to be found.
206. Q. What did you think this valuable piece of information was?
- A. Well, of course, sir, I thought after the explosion had happened, the thing was not on the ship before, and I assumed that it was a piece of the mine. It just fell on the deck.
207. Q. ^{did it} Whereabouts on the deck ~~was it~~ you find this?
- A. As near as I can tell in the centre of the sweep deck. It was just lying flat on the deck.
208. Q. Do you consider that if the mine had exploded immediately beneath the stern of the "MERCURY" this fragment, if it was a fragment of mine, would have been found where you found it?
- A. Well, it was surely not there before sir.

Evidence of Leading Seaman Ernest Amos Eastman, Official No.
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By the Accused's Friend.

209. Q. Were any mines exploded close to the "MERCURY" either on the 24th or 25th December?

A. Yes, sir. I think on the run up previous to this happening I think there were two or three in our own sweep. On the day previous there was a mine exploded in the sweep of another ship not more than 200/300 yards away from us on our port side.

210. Q. Did any of these explosions shake the ship to any extent?

A. Well the usual concussion you feel, sir, of a high explosion near to the ship. We felt that tremendous vibration.

211. Q. Did any vessels come alongside the "MERCURY" at any time after the explosion?

A. Yes, sir. There were three ships if I remember rightly, - there was H.M.S. "SCAWFELL", the "MANGROVE" and there was the "ALMOND".

212. Q. Were there any incidents connected with these ships coming alongside?

A. Yes, sir. When H.M.S. "SCAWFELL" came alongside she came under our starboard quarter, that is to say, abaft our starboard paddle and after she departed, I didn't actually see the incident happen, but the "MERCURY" starboard aft lifeboat was pulled right down and the davit was bent right in double. As I say, I did not see the incident happen as I was standing right in the middle of the ship preparing for the tow to be taken from us.

The Court declined to examine this witness.

Witness withdrew.

Temporary Lieutenant (E) Andrew Henderson, R.N.R.) called, sworn
H.M.S. "MERCURY".) and examined

By the Prosecutor

213. Q. Are you Temporary Lieut. E. Andrew Henderson?

A. Yes, sir.

214. Q. R.N.R.?

A. Yes, sir.

215. Q. Are you serving on the T.124 Agreement?

A. Not just now, sir.

216. Q. Were you serving on the T.124 Agreement on the 25th December, 1940?

A. I was, sir.

Evidence of Temporary Lieut. (E) Andrew Henderson, R.N.R. (H.M.S. "MERCURY")

(Cont'd)

By the Prosecutor.

- 217. Q. Were you the Chief Engineer of the ship in peacetime?
A. No, sir. I was 2nd Engineer in peacetime.
- 218. Q. Were you the Senior Engineering Officer in H.M.S. "MERCURY" on the 25th December, 1940?
A. Yes, sir.
- 219. Q. Did you keep any watches on the 25th December, 1940?
A. Yes, sir.
- 220. Q. Which ones?
A. I was on from noon till 1800.
- 221. Q. Can you give an account of what happened as far as the Engineers and you yourself are concerned from 1600 on that day?
A. Yes, sir. I was on watch at 1600 and taking in sweeps. I had my engines stopped about 1620 and they were stopped until the time of the explosion 1632. After the explosion had happened I went aft with the Commanding Officer to see the damage. I inspected the damage. I came back and started pumping in the after compartment. I kept pumping the ship until the finish of my watch at 1800.

222. Q. You have said that the engines were stopped at 1620. At how many revolutions a minute were your paddles moving immediately prior to them being stopped at this time?

A. 10 revolutions, sir, no more. We were going very slow.

223. Q. Have you any estimate of the speed that 10 revolutions would give you through the water?

A. Roughly about 3 knots, sir.

224. Q. 3 knots with the sweeps out?

A. No, not with the sweeps out.

225. Q. Without any sweeps?

A. Without any sweeps.

Cross-examined by the Accused's Friend, by permission of
the President on behalf of the Accused.

226. Q. Can you recollect at what time the water entering the ship started gaining on the pumps?

A. Well, it was coming in pretty fast after the explosion happened.

227. Q. Do you mean that at no time you had command, as you might say, of the water coming into the ship?

A. No, I couldn't keep the water down with the pumps that I had.

Evidence of Temporary Lieut. (E) Andrew Henderson, R.N.R. (H.M.S. "MERCURY")

(Cont'd)

By the Accused's Friend.

- 228. Q. Had "MERCURY" previously been subjected to any strain or damage likely to weaken her structurally?
- A. Yes, sir. She had been at Weymouth also Portland before that and she has had some heavy gales outside here too, sir. She had a very heavy passage from Weymouth back to the north in September last. That is all I know about that.

- 229. Q. Did "MERCURY" make water normally when sweeping?
- A. She made a little in the after poop when sweeping.

Re-examined by Prosecutor.

- 230. Q. Did you think the ship could manage to get back to Milford Haven?
- A. At first I did, before we started towing. I thought I could hold the water. I could not hold the water.

Accused's Friend to President of the Court. - "Will the Court ask witness if the water was kept under control until such time as the "MERCURY" was taken in tow?"
 The Court approved.

By the Court
(President)

- 231. Q. Will you inform the Court if the water was kept under control until such time as the "MERCURY" was taken in tow?
- A. It was kept under control until she started towing.

232. Q. Will you inform the Court exactly in which compartments the water was entering the ship?
- A. It was entering into the second compartment aft, through the aft peak bulkhead. That is all the damage I could see.
233. Q. Can you inform the Court in your opinion the cause of the increase of the flow of water when the ship was taken in tow?
- A. It may have ~~been~~ opened up a fracture already in her, plus the weight of the water in the ship.
234. Q. Can you inform the Court if, due to any previous explosions, there was any damage done to the ship's Hull, apart from the bombing you have mentioned?
- A. Any damage to the ship's hull?
235. Q. Or any undue strain put on it?
- A. Her riding gear was out at anchor and
236. Q. No, any mine explosions?
- A. Yes, sir, there were some near explosions that weakened her structure but did not pierce the hull during the previous two days.

Witness withdrew.

The Accused was asked by the Deputy Judge Advocate if he wished to call any witnesses for the Prosecution who had not been called by the Prosecutor and he replied that he wished to call Temporary Lieut. Archibald Campbell, R.N.R.

Temporary Lieut. Archibald Campbell,) called, sworn and
R.N.R. - H.M.S. "MERCURY") examined

By the Prosecutor.

237. Q. On the 25th December, 1940, were you temporary Lieut. Archibald Campbell in the R.N.R.?

A. Yes, sir.

238. Q. And were you serving under the T.124 Agreement?

A. Yes, sir.

Examined by the Accused's Friend by permission of the President on behalf of the Accused.

239. Q. Were you the peacetime Master of the "MERCURY"?

A. Yes, sir.

240. Q. What Board of Trade Certificate did you carry?

A. Home Trade Master.

241. Q. I don't mean for yourself, but for the ship as regards her movements?

A. Passenger Certificate No.2.

242. Q. Where, in what quarters did this allow you to work?

A. The line joining between Stranraer and Campbeltown.

243. Q. Do you consider the "MERCURY" was a suitable ship to stand heavy weather?

A. Yes, sir, - of her class.

244. Q. Knowing your ship as you do, do you not consider that it was largely due to the efforts of the Officer and ship's company that she remained afloat as long as she did?

A. Yes, sir.

Prosecutor did not wish to re-examine this witness.

Evidence of Temporary Lieut. Archibald Campbell R.N.R. - H.M.S. "MERCURY"
(Cont'd)

Examined by the Court.
(President)

- 245. Q. Will you inform the Court if you can work your paddles independently, - that is, stop one engine and not the other?
- A. No, sir.

Witness withdrew.

The Court wished to recall Temporary Lieut. Ralph Edmund Blows, R.N.V.R. - H.M.S. "MERCURY".

Witness recalled and examined by the Court (President).

- 246. Q. In your previous evidence you stated that on the day in question, Christmas Day, 1940, and the day before, apart from the explosion in question several other mines were detonated in the vicinity of the ship?
- A. Yes, sir.

- 247. Q. Will you tell the Court how many were exploded in sweep or by rifle or gun fire.
- A. The three mentioned were exploded in the sweep, -(also one in the sweep of another ship.)

- 248. Q. On the same day?
- A. On the same day, in the sweep off the port bow.

- 249. Q. During the particular operation were any minee exploded by rifle or gun fire?
- A. Not so far as I am aware, sir.