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Q. Forward bulkhead of the after fire room you mean?
A. Yes, sir.

Q. Could you tell at what rate the water was coming into the after fireroom?
A. No, sir.

Q. At the time you left it, what was the water level?
A. When I finally left the ship for the first time it was up to the bottom of the mud drum of the boilers, between the bottom and half way up which was maybe a foot above the deck plates.

Q. Was it still rising?
A. Yes, sir.

Q. Did you either direct or make any searches of the below deck spaces?
A. Yes, sir. I sent a first class shipfitter and a first class IC man.

Q. Would you state their names?
A. First Class Interior Communications Perkins and First Class Shipfitter Gustason. They were familiar with the ship, to search out all the spaces below decks aft of the engineering spaces for anyone that might be trapped down there. I hadn't been down in the after section yet. They reported back that they had ZEBRA set in the after section of the ship.

Q. Did you make any personal search yourself?
A. Yes, sir. I made two I believe after that.

Q. And did you find in fact that condition ZEBRA was properly set?
A. Yes, sir. Hatches and doors were all dogged down.

Q. Did you receive any assistance in this search from members of the crew of HMAS MELBOURNE?
A. There was an Australian Commander, who I now know was the Executive Officer, came on board and we together, we met up in different places, we didn't go person by person I don't believe through the ship. He asked me if everybody was off the ship and I told him everybody was off the ship and I think he then went around to make another check, and I also went on another check.

Q. Did you at this time give any consideration to the rigging of emergency pumps for pumping out any of the spaces?
A. Yes. I tried to find my, I had no electric power, the diesel would run, but the only place we could feed the power to was to the after steering.

Q. Do you know the reason it would not take power anywhere else?
A. I believe the breakers were knocked out on the switch board. I'm not sure. I tried to find this out later and I'm still not sure the exact reason as to why this did not. It could have been all the cables that were broken. It shouldn't have been that way.

Q. How about the emergency pumps?
A. We had no electrical power so that eliminated the use of my electric pump. The plant was secured. I thought of trying to light the plant back off and using the fire and flushing pump up in the after fireroom, but I didn't know whether we should take the time. I first felt we should get the people off. I didn't know how long the ship was going to last. Then I tried to find my emergency P250 pump, portable gasoline pump and it was not in the place where it should have been.

Q. Do you have any explanation for that?
A. Well, when I went back on the ship the second time I found it had been knocked down the passageway and kicked into the repair locker. I assume it was just knocked in there during the collision.

Q. Did you give any thought to requesting help from the MELBOURNE in the way of pumps?
A. I yelled up to the MELBOURNE and I got the answer that they were using their pumps, and I don't know whether this was from an authoritative source or whether this was just from somebody yelling down.

Q. And at this time would you state again the status of the forward bulkhead of the after fireroom?
A. The forward bulkhead was - water was coming in on it and it appeared to be panting. In other words, it was moving back and forth a little bit and the ship had a list to it - a slight list to port.

Q. To which side?
A. To port.

Q. Do you know the status of the rudder at this time?
A. The rudder was amidships.

Q. Do you know how it was placed amidships?
A. No, sir.

Q. I believe that you indicated that the diesel generator was able to supply power to after steering. Is that correct?
A. Yes, sir.

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- FIFTEENTH DAY -

The board reconvened in executive session at 0830 hours, 25 June 1969. During this session the board reviewed and approved the prior day's transcript and planned future proceedings of the board. At the conclusion thereof, the board reconvened in open session at 1005 hours, 25 June 1969.

All persons connected with the board who were present when the board adjourned, were again present.

Senior Member: The hearing is open.

Counsel for the board: There appears to be no one in the room who is a prospective witness.

Lieutenant (junior grade) Jeffery W. Covert, U.S. Navy, was recalled as a witness by counsel for the board, was reminded of his previous oath, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. You will recall at the conclusion of yesterday's hearing, we had taken you to a point at which all personnel had left EVANS to board MELBOURNE. At this time, I would like to review several of the points that were discussed yesterday - prior to that point. You indicated that shortly after you were thrown from your bunk you noted that the After Emergency Diesel Generator was running, is that correct?

A. Yes, sir.

Q. Do you know whether the After Emergency Diesel Generator was set to start automatically upon a loss of electrical load?

A. It was.

Q. Then do you know whether it started that way or not?
A. Yes, it did.

Q. And you indicated you could not explain why it would not take the electrical load, I believe?
A. No, sir. I can't. It's set automatically. It is set automatically to feed the after steering. Perhaps at that time the board was still being fed from the after generator in the After Engine Room. After we had gone back on the ship the second time, we still could not make the board function properly.

Q. Have you requested the Ship Repair Facility or any other activity, to assist you in determining the reason why the distribution did not occur as designed?

A. We went down originally to look at it, and then we went down after the ship went back into the repair facility. I had one of my own electricians with me. We went down and looked at it, and found that the manual bus transfer switch had rolled back the other way.

Q. By back the other way, you mean....

A. From a position that it would be able to feed, to a position that it wouldn't be able to feed the rest of the ship.

Q. Did you note that position after the return to Subic?

A. Yes, that is the position it was in when I boarded the ship at Subic Bay. It could have been moved around by LARSON personnel though. There was an Electrician Chief from the LARSON who went down and looked at the board, and was trying to see about the feasibility of lighting off the diesel at that time. He said it would not take the load.

Q. Have you requested any outside help since returning to Subic, to try to clear up this discrepancy?

A. No, sir. In my mind, I think it might have been caused by personnel who were operating the diesels at the time of collision. The board had been changed around. In other words, at the time of the collision, the second time I went down there, I can't really say. We can't really conduct a... As far as a mechanical malfunction we could have, yes, but as far as personnel, I don't think... I could not have told, at the time I went down there, if it had been set or the shock had knocked it off.

Q. Have you tried to operate the emergency diesel generator since the ship returned to Subic?
A. Yes, we went back - oh - since we returned to Subic Bay?

Q. Yes - at any time subsequent to the immediate aftermath of the collision?

A. When we boarded the ship the second time with the LARSON personnel, we went down there. We had some lines that were torn off there, but they were of small consequence. They were lubrication lines or something like that, but it could have been run. It would have damaged the diesels at that time to run it. Since then, it has been taken off and put on an LST.

Q. Has it been established that the electrical distribution board is now in good operating condition?

A. I believe it has. Yes, sir.

Q. By whom was that established?

A. SRF. I'm not sure who made the decision. I have been told this in passing. I have not....

Q. You made no specific inquiries?

A. No, sir.

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Q. With the ship now in drydock, how is the ship lighted?
A. The ship is lighted by portable light.

Q. It does not go through the ship's distribution board?
A. No, sir. It was deemed unsafe to try to activate that system.

Q. Based on your observations of the actions of the crew following the collision, do you have any comment on the damage control readiness and training of the FRANK E. EVANS crew?
A. Damage Control and Casualty Control Training - they were at a very high state, I would say.

Q. And who was the Damage Control Assistant?
A. LTJG Lare.

Q. And could you make any statement as to the performance of Engineering Department personnel - those who were on watch at the time of the collision in particular?
A. I don't think I quite understand your question, Captain.

Q. I believe you indicated that immediately after you were roused by the collision, you inspected each of the engineering spaces. Based on that inspection and other things that you observed following the collision, can you comment on the performance of the personnel who were responsible for closing down the plant and other engineering actions connected therewith?

A. Yes, sir. I thought they did a very fine job. I have no complaints at all against the actions they took there. All those in the main spaces acted in a very logical manner, I think. They acted in the manner they had been taught and in an exemplary manner. I have no complaints.

Q. How about other engineering personnel you may have observed?

A. Personnel who were back aft, sleeping at the time, all came forward. I won't say all, but many came forward to see if they could be of assistance and to find out what the problem was. I had no trouble with getting people to secure the plant.

Q. Based on your observations, either at the time of the collision or subsequently, do you have any comment as to design features of the ship or of equipment that showed any deficiencies that may have existed?

A. No, I don't think I can. I think the ship held up fairly well - the split plant operation. Casualties could have been much worse.

Q. Returning to the point at which you left FRANK E. EVANS and went to the MELBOURNE, could you state what you did upon arrival on board MELBOURNE?

A. On board MELBOURNE I was directed to a receiving area someplace - mess deck or someplace, I don't know. It was a big area where they took our names and the names of our next of kin. I tried to see who was on board and they seemed to have them all grouped in one room. I could not see the Executive Officer or the Captain or anybody in the forward section of the ship. I assumed that all those had been lost at that time. The XO then came in and I asked him to go back to the ship....

Q. Asked him if you could go back to....

A. Back to the ship. Yes, sir. He gave me permission to leave MELBOURNE and I went to the Quarterdeck and they said that I couldn't leave. I then requested to see the Captain of the MELBOURNE. I went to the bridge and requested permission to go back to the ship. He made a boat available and I went back.

Q. And who accompanied you when you went back?

A. First Class BT Hanna and a First Class Machinery Repairman, Bakken.

Q. Did you then return to EVANS?

A. Yes. We were put in a launch from the MELBOURNE, I believe. I asked the coxwain to take me around the ship so I could see if there was any other damage done than what I had seen before.

Q. And what did you observe at that time?

A. The damage appeared to be all in the forward section of the ship, except for topside breakage and miscellaneous damage. Most of the damage was centered around the bulkhead of the Forward Engine Room. At that point, I could not tell how much bulkhead was left. A lot of it appeared to be missing. A lot of the portion above the water was missing. We circled the stern and the counter was coming out of the water, and it had settled what I judged to be about another foot.

Q. And what was the freeboard in the forward portion at this time?

A. I believe there was about two feet. It appeared to me that it had settled about another foot. I was just judging by things hanging over the side.

Q. And what was the condition of the VDS?

A. The VDS was out. It was strung out...

Q. Could you tell, approximately, how far?

A. It appeared to be about 150 to 250 feet.

Q. And how did you make that judgement?

A. Approximately half the cable was off the drum and we had been streaming it during the exercise at about that number of feet - that depth.

Q. After circling the ship, what did you do then?

A. I noticed the LARSON was close by. I could see preparations being made to get in a boat. I told the coxwain to take me to the LARSON, where I transferred to the KYE whaleboat and talked to

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the Engineering Officer on the LARSON. I asked him if he had any equipment, etc., available. He said he was organizing a party at that time. We waited until we got the gear into the LARSON's boat. We went back to the ship and boarded it.

Q. Refresh my recollection. Did the Executive Officer go with you?

A. No, sir. He was staying there. I believe they were at that time making up a list of the survivors.

Q. And who accompanied you from the LARSON when you went aboard?

A. The Chief Engineer was in charge of LARSON personnel. Also, their DCA was present there too. I believe there were two chiefs and about four other enlisted.

Q. What actions did you take when you went aboard?

A. The first thing we did, Lieutenant Huff and I went forward, looked down in the Forward Fireroom- correction, After Fireroom. We went down and opened the hatch to the After Fireroom. We could still hear the air coming through the hatches as we slowly undogged it. At that time the water was, I believe, above the mud drum. We decided at that time we would have to start pumping or we would have to stop the flooding. We felt we were running very short on time. I went down in the space, as did some of his people. His people were able to locate the source of the flooding.

Q. And what was the source of the flooding?

A. It was the feed pipe. It had pulled out through the bulkhead, the forward bulkhead. There was what I believe was a fire main line down lower that had pulled through, leaving the hole.

Q. Approximately of what diameter was the hole?

A. Eight inches. The other one was small, like it could have been a cooling line off the fire main.

Q. And was that free flooding through that 8 inch diameter hole from the Forward Engineroom?

A. Yes, sir. It was flooding from the Forward Engineroom into the After Engineroom.

Q. What action was taken to close those holes?

A. I got a couple DC plugs. We wrapped rags around them and they pounded them in. That did stop the flooding.

Q. Were those holes above the water level in the After Fireroom?

A. Yes, sir. They were quite high. They were about the level of the upper level in the fireroom.

Q. Did you take any action to pump out the After Fireroom?

A. Yes, sir. We brought one pump from the LARSON....

Q. What type of pump was it?

A. Portable gasoline pump, a P250. We proceeded to pump. We were at least holding - this was before we had the plugs in. We had two operations going on at the same time. It appeared that we were holding our own. I then found our own pump in our repair locker and we drug it over, but the spark plug wires had been broken off. We put them back on but we never did get the pump to run satisfactorily.

Q. Could you - for the purpose of orientation, state approximately what time it was you went back aboard the FRANK E. EVANS?

A. No, sir. I only remember looking at my watch once and that was eight o'clock, and quite a bit later after what had been going on. It was just beginning dawn. I don't know what time sunrise was then.

Q. After you initiated this action in the After Fireroom, what did you do next?

A. We did not know for sure if the ship was going to remain floating or... We felt we had a fairly good chance of maintaining her stability. We wanted to get the records out, the personnel records, health records and the other official correspondence of the ship.

Q. Who took that action?

A. I showed the people where the various spaces were located, and we had a Yeoman off the LARSON who took out the ship's office personnel files and things like that. I felt that he knew better than I did what records should be retained.

Q. Had you received any instructions from anyone as to what should be salvaged and what should be jettisoned?

A. No. As far as machinery and equipment at that time, I had received no word. I asked Lieutenant Huff, who was in charge of salvage, or had anybody been designated as officer in charge, or was I in charge. The word I received was that the CO of the LARSON was to attempt salvage operations.

Q. Going back to the questions of pumps, the portable pumps. How many did EVANS have?

A. We carried two portable gasoline pumps.

Q. That's the P250?

A. Yes, sir. We had 6 electrical pumps.

Q. How often were these tested prior to the collision?

A. At least every month. They were turned over by hand. I think I turned them over about 10 times a day sometimes. I was quite conscious of damage control.

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Q. Were any of EVANS portable pumps put into operation?
A. We put the electric pumps into operation as soon as the LARSON came alongside.

Q. And what was the source of your electricity?
A. We plugged right into her casualty outlet, or her 440 volt sub pump outlets.

Q. Did you run electrical cables directly from where on your ship? Directly to the equipment?
A. Yes, sir. Directly to the pumps.

Q. And what action was taken with respect to disbursing records at that time?
A. I pulled all the pay records. They were in a wooden box of sorts, and I gave them to the First Class MR that was on board.

Q. And do you know what he did with them?

A. He sat on them for a while. I told him to take them over to LARSON when she came alongside. It was either then or later, he took a boat over. I didn't want them running around loose.

Q. And by this time I assume LARSON had come alongside, is that....

A. She came alongside. We had to cut the motor whale boat down, and clear some debris on the starboard side up forward. We cut off the bulwark.

Q. And how did you manage to cut it?

A. Our portable cutting torch we had on board.

Q. What happened to the boat when it was cut loose?

A. The boat was suspended by the after davit. The forward davit itself was attached to the boat. We had no way of getting down there and removing that forward davit. I felt that it had a very good chance of staying afloat. We could not lower the boat, we had to cut the line. - The line was tangled in the boat gripes that were holding it up.

Q. And what happened when you cut it loose?

A. It floated. The bow was about a foot or two feet out of the water.

Q. And was it recovered by LARSON?

A. I believe it was recovered by KYES.

Q. And following the initiation of pumping by yourself and LARSON personnel, what effect did this have on the EVANS?

A. She seemed to improve quite a bit. The roll was a little sluggish when we were on her before. She would roll over and remain over just a little more than I liked. As soon as we got the water out, it seemed to come up out of the water between one to two feet. It became a very snappy roll. It had very good characteristics.

Q. You indicated that as soon as you got the water out this happened. Where had you removed the water from?

A. We removed the water from the After Fireroom. Also we removed water from after officers, in the passage ways. There was water approximately 6 inches. It was up to the coaming, the deck coamings in all those after passageways.

Q. And what action did you take to jettison topside weight?

A. We, the LARSON personnel and myself, cut loose the five inch loading machine which was extremely far forward and up on the O1 level. We removed the dryer, the laundry press and a vent fan that was up forward.

Q. By removed, you mean what?

A. We cut it off with our torch or unbolted it and pushed it over the side.

Q. And what action did you take with regard to the securing of personal effects on board?

A. Originally, we did not have that great a number of persons on board, and the Captain of the LARSON was very particular about keeping people off. As soon as the LARSON came alongside my DCA came aboard. He either came on board when she came alongside or before that - shortly before that. I put him in charge of keeping people out of after officers which was probably the most vulnerable place with everything being unlocked. He was to take a man down into the berthing spaces and gather up any loose, high value or highly pilferable items.

Q. And what did you do with those?

A. He was told to take them to the LARSON.

Q. And how about locked lockers?

A. Locked lockers were to be left alone.

Q. Did the CO of LARSON issue any orders as to these?

A. I believe that the word did come from him. He was very concerned about theft.

Q. And while you were on board, did any additional EVANS personnel come aboard?

A. Yes. The Operations Officer came on board, and got into the safe in his stateroom which contained the Secret documents. He cleared them out.

Q. Lieutenant Dunne?

A. Yes, sir.

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Q. Who else?

A. The Supply Officer, Lieutenant Suhr, came on board. He removed the money from the Disbursing Safe.

Q. Had the safe been opened prior to you coming aboard?

A. No.

Q. And what action did you take with respect to the VDS?

A. To tow the ship, we felt we would have to pull the VDS out of the water. We rigged a casualty power cable from the LARSON casualty power connection box straight into the connection box on the VDS controller. The overload and the mechanical parts of the VDS controller itself were knocked out. We could not operate it in a normal manner by just feeding the power into the.... We rigged casualty power from the LARSON casualty power source to the VDS - straight to the motor controller, the one hydraulic pump motor I needed to operate the VDS. We tried running it through the normal source of power, in other words, cutting the cable and putting it in where the ships power normally fed the VDS. The overload and the circuit breaker were - pieces were missing out of it. They were all there but I didn't know how they went back together. So we put it straight into the motor controller. After two or three tries we finally got the pump to operate and we were able to raise the VDS.

Q. Prior to rigging the ship for towing, were any other significant actions taken either by you or LARSON personnel?

A. Well, we removed some more topside waste , such as liferafts. Threw them down to the main deck, pushed them into the water and had a boat come by and pick them up. Anything that we could get rid of topside, that was of any consequence at all as far as weight, we removed. We left the DASH drones on board.

Q. By this time had you been able to pump the After Fireroom dry?

A. Yes, sir. Approximately the same time LARSON came along side, we had secured pumping back there. We felt that we could contain it with an electric submersible from then on.

Q. What was the state of the damage control equipment of EVANS that you had to use in this operation?

A. Everything that we used was operational except for the one P250 pump. Everything was where I remembered it - where it shoud have been.

Q. Did you find everything you needed in your damage control equipment?

A. Yes, sir. It was at least in the general area of the repair locker.

Q. And can you give the board a general idea of the time at which these actions you have been describing were completed?

A. I believe I left the ship around noon. I'm not sure.

Q. Prior to leaving the ship about that time, did you take any additional actions?

A. No. I left Mr. Lare on board and told him to maintain a security set up until he was told to leave, and to get any personal gear that was loose to the LARSON. They were keeping it up in their Torpedo Hangar.

Q. And in your opinion what was the state of the after section of EVANS as to buoyancy and stability at the time you left?

A. I thought she was in very good shape. She was stable and I was convinced she could take a tow.

Q. What was the condition of the weather at that time?

A. The weather was bright and sunny.

Q. Was the sea calm?

A. Very calm.

Q. Was there any wind?

A. Not that I can recall.

Q. Were any preparations for towing made while you were still on board?

A. Yes. We were rigging a towing bridle. We were having trouble rigging it around the VDS. We wanted to get the VDS up so it would clear it and we could get around the VDS. By the time I left, we had a fairly reasonable towing rig.

Q. You were preparing for towing by what ship?

A. At that time, by the LARSON. I don't think there was an official... It was just a surmise on my part. I later learned that they did have a tug coming out, but I didn't think that it.... I didn't foresee it at that time. I didn't see one for the next couple days.

Q. And when you left at about noon, what personnel remained on board FRANK E. EVANS stern section?

A. The DCA, Lieutenant Lare - Lieutenant (jg) Lare.

Q. Any enlisted personnel from EVANS?

A. No.

Q. Any personnel from LARSON?

A. Yes. They were removing the personal gear under a very close personal supervision of the Executive Officer.

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Q. Prior to the time you left, are you satisfied that all action necessary to assure the survival of the stern section had been taken. Those that were within your power?

A. Yes. I left expecting that I would go back. Before I left, ZEBRA had been set in the stern part of the ship except in those parts of the ship where they were removing the personal items from. The shaft alleys were dogged down, all the voids had been dogged down and magazines were all closed up.

Q. Could you briefly describe what spaces were flooded when you left?

A. The port and starboard shaft alleys had water in them when we first came on board. We tightened the packing glands on them and stopped that leakage. When I left, they had approximately three feet of water in them - just over the deck plates.

Q. And what other spaces were flooded? I assume the Forward Engineroom.
A. Yes, sir.

Q. To the same state that you have described earlier?

A. Yes, sir. The After Engineroom had some water in it, but I think that came through the hatch. I could hear no leakage down there.

Q. Was pumping action initiated in the shaft alleys and the After Engineroom?
A. No.

Q. When you left the ship, was it on your own initiative or were you ordered to leave?

A. The CO of LARSON didn't order me to leave. He suggested that I leave because Captain Moore of ASW Group ONE had called them and said that he wanted to see me right away - to see myself and Lieutenant Dunne.

Q. Returning to the time when you first woke up after the collision, was there any particular reason why you made the inspection of all those spaces you described by yourself at that time?

A. I went to Main Control. That would be my logical duty station to go to....

Q. Is that your General Quarters Station?

A. Yes, sir. Seeing no one there then, I would shift back to the After Engineroom, which would be my secondary station. I went to the Fireroom just to see what had happened.

Q. At what stage did you learn that the bow had been lost?

A. It was after I had gone through the three spaces.

Q. Do you know what the source of the water was that was in your stateroom immediately after the collision?

A. No, sir. Do I now?

Q. Do you now or did you then?

A. I didn't then, but I do now. I now know or knew within an hour after it happened that it came in from the starboard side - through the doors on the starboard side.

Q. Was that the result of the roll the ship took?

A. Yes, sir.

EXAMINATION BY THE BOARD

Questions by the Senior Member:

Q. Was there a coaming on the door to your stateroom?

A. No, sir. There's a coaming in the passageway off my stateroom.. It's about 6 or 8 inches. It had come over that.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Was the door to the main deck open?
A. Yes. It was open.

Q. Do you know if it was open prior to the collision?

A. No. It usually was open. We had blackout curtains in front of it and both of the main doors on the starboard side while underway. There were people working in the offices, etc. It was for comfort.

Q. Lieutenant (junior grade) Covert, was a copy of the FRANK E. EVANS Damage Control Book recovered?

A. Yes, sir.

Q. Do you have a copy in your possession?

A. Yes, sir. (handing it to counsel)

Counsel for the board: At this time Counsel would ask that this copy be marked Exhibit 77 for purposes of identification. (Handing it to the Senior Member).

EXAMINATION BY THE BOARD

Questions by the Senior Member:

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Q. Mr. Covert, could you state what the status of this book is, as to being up to date, as to the time of collision?

A. It was corrected by Long Beach Naval Shipyard, August 1968. I feel it is a very accurate reproduction of what the ship has.

Counsel for the board: At this time counsel will not tender this into evidence but would like the board to examine it for a later tender of the applicable parts that are helpful in this investigation, sir. And, we would like to leave it marked as Exhibit 77 for identification, sir.

Senior Member: That's quite satisfactory, counsel.

Questions by the senior member (continued):

Q. Is this the master copy?
A. No, sir.

Q. Was the master copy recovered?
A. Yes, sir. It's locked up in the SRF Files.

Q. Does it differ from this?
A. It shouldn't. No, sir. I haven't made any corrections to it.

Q. Are you confident that it does not differ from this?
A. Reasonably confident. I haven't page checked that one since I put it together. I could produce the master one I'm sure.

Counsel for the board: Would it be acceptable with the board if we would have Lieutenant Covert check this book against the master and return it to the board for its use?

Senior Member: This should be corrected to the master before we make any use of it.

Witness: I can bring the master if that would be....

Counsel for the board: Perhaps that would be a better course. We will substitute the master as Exhibit 77 for identification.

Witness: I believe that's the one I have in SRF.

Senior Member: If the master is available, let it be substituted into the record for this one.

Counsel for the board: Aye, aye, sir.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Mr. Covert, I believe, in addition to your testimony, you are, at the request of counsel, annotating certain pictures of the damage section of EVANS for the benefit of the board. Is that correct?

A. Yes, sir.

Q. Do the pictures which you are annotating properly depict the status of the EVANS as it exists in dry dock at the present time?
A. Yes, sir.

Q. And will the annotations on the pictures, which will be presented at a later time, properly represent the condition of EVANS - of the sections depicted?

A. Yes, sir. The Engineering spaces are as they were on the day of the collision except for two pieces I know of that we had to cut away. Other than that, from the main deck to below it is a good likeness.

Counsel for the board: Counsel would like to advise the board at this time that this process is not complete and we will tender those at a later time.

Senior Member: Very well.

Q. Lieutenant (junior grade) Covert, did you note any particular performances by individuals that you deem worthy of comment to the board?

A. I thought the entire crew acted in a very exemplary manner on the fantail. I'm sorry I can't... I just don't remember who I was directing back there, name for name. Lieutenant Huff of the LARSON was extremely helpful as were his crew members. They were a very efficient damage control party.

Q. After the collision did you notice if there was any indication of water present or dripping from the air ventilation ducting of any portion of the after section?

A. No, I don't recall. I know that subsequent to this, right now it is because the vent ducts are cut on the port side and rain can come in, but right after the collision I don't remember.

Q. In your estimation could water have come through the vent ducting when the ship rolled to starboard immediately upon colliding with MELBOURNE?

A. You mean the officers section?

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Q. Any portion of the after section?

A. I don't think so. I know it can't get back into after officers. There is no exterior ventilation except one small, very small duct on the port side. I can't recall, off hand, any ventilation ductwork on the starboard side to living spaces or office spaces on the main deck.

Counsel for the board: Counsel has no further questions of this witness, sir.

EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Covert, there are certain items which, after the collision, gave you a certain amount of trouble or didn't function as designed. I had in mind such items as drawers under your bunk which flew out blocking the door, P250 stowage retainer device, if any, didn't withstand the shock of collision. Contacts on the VDS electrical control were found to be in pieces or pieces that were not in their designed functional state and the after diesel switch board was apparently or may have been malfunctioning. I'm sure there may be other items of this character which, post-collision, did not appear to be in place or ready for use because of shock of the collision or for whatever reason. It may be, for instance, that the drawers had adequate catches on them but they weren't closed all the way. It may be that the P250 stowage clips or turnbuckles were not used or taken up properly. Do you have any comments at all on this kind of design problem which the board could take into consideration with a view to improving the design of naval ships? Now you may not wish to answer that off hand.. It seems to me you are in an ideal position to make an assessment of design functionalism, and the proper and improper design of some of these items. If you would rather not answer it off hand, it might be useful if you would give this question further thought.

A. Yes, sir. I'd like to do that.

Q. Well, would you get in touch with counsel when you have additional material that you would like to present along this line?

A. Yes, sir.

Q. In this regard, this would not just be restricted solely to your own thoughts. If your associates of your ship's company have any additional comments, you might properly include them in your submission. What I have in mind, of course, is a written document which could be a proffered to the board for its consideration. It might be necessary in connection with it to ask you to come before us again.

A. Yes, sir.

Senior Member: The board has no further questions.

Counsel for the board: Mr. Covert, you are advised that you are privileged to make any further statement covering anything related to the subject matter of the investigation that you think should be a matter of record in connection therewith, that has not been brought out by the questions you have been asked.

A. I think the reason the ship had the port list immediately following the collision- and also the panting of the forward bulkhead in the After Fireroom - I feel that there is a strong possibility that MELBOURNE might have been entangled in some of the obstructions hanging over the port side, pulling us down as she maneuvered or as we were being maneuvered, and causing the list or the ship to go down a little faster than it should have for the size hole we had in the bulhead. At that time, I didn't know MELBOURNE was alongside and I didn't put the two together.

Counsel for the board: May I ask you a question in clarification of that?

A. Yes, sir.

Q. Did you see the list immediately correct itself when the MELBOURNE cast off, or were you in a position to observe that?

A. No, when I came up on deck, her flight deck was rubbing against the stack and she was pushing us slightly. I don't remember it when we pulled away - if when we pulled away, it corrected itself or not.

Q. When you went back aboard did it have a port list?

A. Very slight - maybe one to two degrees.

Counsel for the board: Any further questions from the board in connection with this?

Senior Member: Not now.

Counsel for the board: Lieutenant Covert, we normally instruct witnesses not to discuss their testimony with anybody else, any prospective witness. In this case we temper that advice, authorizing you to discuss with others the items of design deficiencies which you may want to bring to the attention of the board. Other than that we ask you not to discuss your testimony with any witness or any prospective witness, and you should not allow any such witness to discuss his testimony with you. Do you understand the warning you have been given?

A. Yes, sir.

Witness was excused subject to recall, and he withdrew from the board room.

Senior Member: We will take a short recess.

The board recessed at 1103 hours, 25 June 1969.

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The board opened at 1115 hours, 25 June 1969.

All persons connected with the board, who were present when the board recessed, were again present.

Lieutenant (junior grade) Robert M. Hiltz, U. S. Naval Reserve, was called as a witness by counsel for the board, was sworn, and examined as follows:

Counsel for the board: Lieutenant Hiltz, you have been called as a witness for this board of investigation which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS, because it is understood that you have evidence which may assist the board in its investigation. Under United States law, no witness may be compelled to answer any question, the answer to which may tend to incriminate him, and you may refuse to answer any such questions. Do you understand that?

LTJC Hiltz: Yes, sir.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board:

Q. Would you state your name, grade and present organization?

A. Robert M. Hiltz, Lieutenant (junior grade), United States Naval Reserve.

Q. What ship are you attached to?

A. USS FRANK E. EVANS (DD-754).

Q. Were you attached to her on 3 June?

A. Yes, sir. I was.

Q. Inviting your attention to the collision which occurred in the early morning, could you tell the board what was your first indication that something amiss had occurred?

A. Yes, sir. On that morning I had awoken at approximately 0250. I had gone to bed early that night, so I just naturally woke up. I looked at my watch, and realizing that I didn't have to get up for awhile, I turned back over and went back to sleep. I wasn't in a deep sleep. I feel that I was thrown into the starboard bulkhead by my bunk.

Q. What room were you in?

A. I was in after officers in the furthestest aft and starboard stateroom.

Q. Approximately what frame was that?

A. That is, approximately, frame 110. I was thrown into the bulkhead and then I was thrown onto the deck between my bunk and a file cabinet which is in the stateroom. Mr. Murphy, who sleeps in the same stateroom, fell out of his bunk on top of me. This pushed my head into the water. It felt like there was about 2 feet of water. This scared me quite a bit. I scrambled up trying to get out of the stateroom. I ran forward through the passageway in after officers and went out on the starboard side, out the passageway and out onto the starboard side on the main deck. I heard, "GQ, GQ, go to your Battle Stations."

Q. Where had you heard this from?

A. I am not positive. I am really not positive where it came from. I heard it when I was in my stateroom and as I was going out. I can't say where I heard it from, but I did hear it - "GQ, GQ, go to your Battle Stations." So when I got on the main deck, I tried to go to my General Quarters Station. I went up the ladder going up to the torpedo deck on the starboard side and started to go forward to go up to Combat where my Battle Station was. I noticed that the forward part of the ship was missing. So I went back down that ladder, down onto the main deck and told the people that I saw there to go back to the fantail. They were still moving forward and I didn't think that we ought to be going forward, so I told them to go back to the fantail. The people were telling me that they had to go to their GQ Stations, so I had to tell them to go to the fantail. To get them to go to the fantail, I had to tell them the forward part of the ship was missing. So from there I went back to the starboard side of the fantail myself and saw Mr. Covert who seemed to have the situation well in hand back there. He had people organized and they weren't running around. They were standing there and he was talking to them. I think it was him, but I am not sure, somebody said, "We need life jackets." So I went back up the starboard side and I went into my stateroom because I knew that I had a life jacket there. I picked that one up and then went back out and went up on the torpedo deck looking for life jackets in the life jacket locker that is up there.

Q. What types of life jackets are stowed in that locker up there?

A. Kapok life jackets are stowed in the one on the torpedo deck.

Q. Do you know, approximately, how many?

A. I would say that there are about fifteen of them that are stowed there. They are for the midships stations. Those life jackets had already been taken. So from there I went into the helo hangar with SN Hoots, who was with me, and picked up the...Went up into the loft, that is a loft in the helo hangar, where we stow our test equipment, and picked up, I would say, about six inflatable type life jackets there. While I was up there I knew that we were scraping alongside something, because I heard the metal ripping and could feel the hangar shaking from something hitting alongside it. So we got out of there. I got back on the helo deck and went down the starboard ladder there and went back to the fantail. Then I went into Mount 53 to see if there were any more life jackets in there. There was a Seaman Moneaux in that mount. He was getting the last of the life jackets out of there at that time. He had already cleared most of them out.

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Q. Seaman who?
 A. Moneaux.

Q. Would you spell it?

A. M-O-N-E-A-U-X. He had thrown the last of those out. So I got out of there and I could see we were sitting up against the starboard - I think it was the starboard quarter of the MELBOURNE. I went up the port side and I saw a Lieutenant Commander from the Australian Navy on the fantail of the MELBOURNE. I didn't know his name then but I have seen him since. It was Lieutenant Commander Dennis Rose (sic), Australian Navy. He yelled at me that he had a line for me. I could see the line dangling down from the fantail, so I hollered for two people that were standing on the port quarter to come up and give me a hand. I don't remember who they were, but they were two engineering types. They came up, took the line, pulled it through the chock and secured it to the bitt. Then the MELBOURNE passed a wire line that they wanted us to secure to the torpedo deck. Lieutenant (junior grade) Murphy from the EVANS was there, and he went up to the torpedo deck to get that secured. So I went from there....I saw a light on the stern section shining down from the MELBOURNE, on the flight deck, and he said, "Tell your people to come up here, they can step right across." What he was talking about was up at our ECM Two, our secondary mast, there was a platform. It was leaning right against the MELBOURNE. So I went back to the fantail and told Pruden, Signalman First Class, and Copley, Gunner's Mate First Class, to start routing the people up across the helo deck and over across the ECM mast onto the MELBOURNE. Half of them went down the other way up the port side where they had thrown over some ladders, some Jacobs ladders.

Q. Retracing your steps - after you obtained the life jackets you referred to, what was your observation as to whether or not all personnel had life jackets?

A. Everyone that I saw on the fantail at that time had one, but I saw other people later on the port side that did not have a life jacket on. There were very few that didn't have life jackets, but I don't know how many it was.

Q. What were the circumstances under which you left the EVANS?

A. After I had gone back to the fantail and was walking around there trying to make sure that everybody went in one line or the other and got off, I started to take a walk around the deck to make sure that everybody had gone off. I went up the starboard side and when I came back down to the fantail the Executive Officer of the MELBOURNE was there, and I told him that I was checking to make sure everyone was off and he told me that everyone was off. I remember his exact words. He said, "Go on and get off the ship." So I checked around and looked around and everyone was off except, I'm pretty sure, Mr. Covert and Mr. Dunne were still on board. So I walked around to the port side where they had thrown a Jacobs ladder over and I went up with Mr. Murphy and Mr. Bowler. We all three went up the ladders.

Q. And based on your observation of the events in the vicinity of the fantail, do you believe that the efforts of EVANS personnel were well directed and effective?

A. Yes, sir. I do. Through the coordination, I guess, of Mr. Covert. I wasn't there at all times, but people I noticed that were doing a good job - making sure that everyone got out of the compartments and didn't run around, getting organized - were Pruden and Copley, the Signalman First Class and Gunner's Mate First Class. They were helping people out of the compartment, telling them what to do, and generally organizing the people on the fantail. All the people were listening to them and going where they were told to go. I think that Pruden and Copley did a real fine job back there on the fantail.

Q. Now going to a slightly different subject, you indicated you woke up at 2:50 and realized that you had some time before you had to get up. What time would you normally have had to get up?

A. I would have been awakened at about 0320.

Q. And for what purpose?

A. I was to relieve the watch on the bridge.

Q. Who would you have relieved?

A. I would have relieved Lieutenant (junior grade) Ramsey.

Q. Have you relieved Lieutenant (junior grade) Ramsey on prior occasions?

A. Yes, sir. I have. Many times, I would say, since we left Subic the last time during the workup phase of the exercise that we were in, during the exercise itself, I did relieve Mr. Ramsey.

Q. On every occasion?

A. I couldn't be real sure. I tried to go back in my mind and say for sure. I relieved him a lot of times but I'm not sure if it was every time.

Q. Did you find that he passed on adequate information to you at the time you relieved?

A. I'd say that I got an excellent relief from Mr. Ramsey. Whenever Mr. Ramsey passed the watch to me, I had the full picture. He went to great lengths to make sure that everything was right. If there was an exercise coming up where specific information had to be passed to the OCD, that message was there or information was there and he would have the appropriate operating procedures and OpOrders there and would have them marked. Everything was passed on to me in a really good manner. I'd say that I got an excellent relief from him, Mr. Ramsey, every time.

Q. Did you find any inaccuracies in the information that he passed on to you at any time?

A. No, sir. I did not. This is why I say that I think I got an excellent relief.

Counsel for the board: Counsel has no further questions for this witness.

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EXAMINATION BY THE BOARD

Questions by the senior member:

Q. Mr. Hiltz, do you have any comments on life jacket stowage on board ship as a result of your experience in searching for life jackets?

A. Admiral, I have one comment that...When I went back on board the ship, when she came into Subic, I went into one of the engineering spaces. I think it was the After Fireroom, I'm pretty sure it was the After Fireroom, where I noticed all the inflatable type life jackets that we have for the personnel down there were still hanging on a railing where they were normally kept. They were buckled and hanging on a railing. It seems strange to me with everyone looking for life jackets, that these people had them right in their space. I don't blame them, I wouldn't have stopped to get them either. However, I was wondering if maybe there shouldn't be a place right before the engineering spaces that they could stow them so that if they did have to come out they could get to them. This is just an observation on my part. As far as fore and aft stowage, I think they are split up very well for the number of people.

Q. In FRANK E. EVANS the practice was, I presume, that General Quarters was where each person could don a life jacket?

A. That is affirmative, sir.

Q. This is perhaps the reason that they were stowed in the engineering space itself?

A. Yes, sir.

Q. Are you suggesting that an additional number should as well be stowed outside?

A. No, sir. I was thinking that when we did go to General Quarters, if they were stowed right at the access, the people could put them on as they were going to their station, pick them up as they were going down into their engineering spaces.

Q. In regard to your hearing the word passed about General Quarters as you emerged from your stateroom, it is possible that it was simply someone in the passageway at the time?

A. Yes, sir. Very possible.

Q. Is it possible that it was an announcement over the 1MC announcing system?

A. Yes, sir. They are both very possible. The speaker is in that passageway there. The one thing that I did notice is that I did not hear the bells that go along - the gong or the bells, that go along with the General Quarters alarm.

Q. Are there any microphones for the 1MC system in the after part of the ship?

A. Yes, sir. There are. In the midships passageway, and there is one that can be set up on the quarterdeck, if the quarterdeck is aft. But it was not set up at that time.

Senior Member: The board has no further questions for Mr. Hiltz.

Counsel for the board: Mr. Hiltz, at this time you are privileged to make any further statement concerning the subject matter of the investigation which has not been brought out by the previous questions asked of you by the board, or by counsel. Do you have anything to add?

LTCG Hiltz: No, sir. I do not.

The witness was duly warned concerning his testimony and withdrew from the board room.

Chief Storekeeper Larry I. Malilay, U. S. Navy, was called as a witness by counsel for the board, was sworn, and examined as follows:

Counsel for the board: Chief, you have been called as a witness for this board of investigation which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS, because it is understood that you have evidence which may assist the board in its investigation. Under United States law, no witness may be compelled to answer any question, the answer to which may tend to incriminate him, and you may refuse to answer any such questions. Do you understand what I have said?

SKC Malilay: Yes, sir.

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board?

Q. Would you state your name, your grade and the ship to which you are assigned?

A. Larry I. Malilay, SKC, USN, 467 92 12, USS FRANK E. EVANS (DD-754).

Q. How long have you been assigned to EVANS?

A. Since October of 1965, sir.

Q. How long have you been in the Navy, Chief Malilay?

A. Over fifteen years, sir.

Q. Inviting your attention to the early morning hours of 3 June, what was the first notice that you had that something might be happening - something unusual might be happening?

A. I was asleep, sir. There was just a big crunch. It threw me out of my bunk and everybody in the CPO quarters stood up just like I did. We were groping our way to get out of the compartment.

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Q. May I stop you at that point a moment? Where were you sleeping?
A. I was sleeping in the forward section of the ship just behind the forecastle.

Q. And on what deck is that compartment located?
A. That would be from the maindeck, then the CPO mess and below, sir.

Q. The second deck below the main deck?
A. Yes, sir. The second deck below the main deck.

Q. Do you know the number of the compartment? Do you recall the number of the compartment?
A. I cannot recall, sir.

Q. How many other chiefs were in the compartment at the time? Do you know?
A. There were eleven of us, sir. Two of the senior chiefs - one senior chief and one master chief - sleep in the officer's stateroom just across from the XO's stateroom, and one was on watch. So there were eleven CPO's in the compartment when it happened.

Q. When you felt this "crunch," were there any lights in the compartment?
A. I recall, sir, there is one battle lantern which has got a wire so that you cannot take it off. That automatically lights when the power switch is shut off from the main generators.

Q. Did it go on at this time?
A. It went on, sir, but you cannot take it off from where it is located. It has the wire attached to it.

Q. Then what happened, after you gathered together in the compartment. What happened next?
A. The ship made a 90 degree list and it was hard for us to get out of the compartment.

Q. A 90 degree list to which side, Chief?
A. It was to the starboard side, sir. We were stepping on the bulkhead instead of the deck and lockers were strewn all over the place making it hard for us to get to the hatch. Chief Cannington recalled that he had a penlight in his locker and said that he would get that penlight. When he was able to get the penlight he handed it to the first man close to the hatch. With that little penlight, we were able to locate a little exit going out of the compartment.

Q. Were you able to go up the ladder to that exit?
A. By crawling underneath, because of the doors and the lockers which are all over the place.

Q. Who was the Chief in the lead that he handed the light to?
A. I recall, sir, it was Chief Cash, Machinist's Mate.

Q. Do you spell his name C-A-S-H?
A. Yes, sir.

Q. After he found the door, the hatch, what did you do then?
A. Well, he shouted, "This is the way going out." We all lined up in orderly fashion and tried to get out of that hatch. I recall that Chief Cannington was the last man in the group.

Q. Do you recall where you were in the line to get out?
A. I was the third man from the last, sir.

Q. Who was behind you?
A. It was Chief Proctor. He is a Gunner's Mate, sir.

Q. And Chief Cannington?
A. Chief Cannington is the last man, sir.

Q. Would you tell the board then how you managed to get through the hatch and out of the ship?
A. Well, we crawled our way to that hatch. I just followed the next man in front of me because it was dark. When Chief Cash was out of the hatch, he handed the penlight to the next man and so on. I just followed the next man in front of me until the water started coming into the next level of the hole.

Q. What level was that? Was that in the Chief's Mess?
A. Yes, sir.

Q. How much water was coming in, Chief?
A. It was coming in pretty fast, sir. The man in front of me, when he got out of the hatch on the main deck, it was already under the water. I barely brought myself out of the hatch by straining myself, holding onto that cover of that hatch and forced myself way out. By the time I was out of the water, I would say that it was already under five feet because I had to swim up when I got out of the hatch.

Q. After getting to the level of the CPO Mess, what route did you follow from there to get to the main deck and off the ship?
A. From the CPO Mess, sir?

Q. Yes.

A. There was one ladder that goes up to the main deck. I just followed the ladder where the next man in front of me went out. We were lucky that the hatch was not jammed in that part. When I went out of there, I just shot to the surface.

Q. Was that the hatch to the forecastle that you are talking about?
A. Yes, sir. That is the same hatch. There is only one hatch there.

Q. Was the hatch open, do you recall, or was just the scuttle open?
A. The hatch was open, sir.

Q. Was it braced open by the rods that hold it open?
A. I cannot recall, sir, but all I noticed is that it was open.

Q. What was the lighting in the CPO Mess when you went through it? Was it illuminated in any way?
A. No, sir. I didn't see any lights at all in there.

Q. Do you know if it has a battle lantern like the one in the CPO Quarters?
A. It has got one, sir.

Q. Did you notice if it was lighted?
A. I didn't recall that there was any light, sir, in that part.

Q. When they handed the penlight back along the line did it eventually reach you?
A. I can't recall that it reached me. I was just following the next man because everybody was going as fast as we could to get out.

Q. Did you see anyone other than the other chiefs leaving the ship?
A. Well, when I surfaced, sir, I saw the next man behind me, Chief Proctor. He surfaced also.

Q. He did?
A. Yes, sir.

Q. How about Chief Cannington?
A. I didn't see him surface at all.

Q. Of the eleven men that were in the CPO Quarters, how many of them survived the accident?
A. Eleven of us, sir, not counting the two in the officers stateroom.

Q. Did Chief Proctor get out?
A. Yes, sir.

Q. But Chief Cannington did not?
A. I didn't see him, sir.

Q. And were there some in the line ahead of you that did not get out?
A. No, sir, everybody got out ahead of me.

Q. You were what number in line? Eight?
A. Yes, sir. I was the third from the last.

Q. Do I understand your testimony that everyone in the Chief's compartment with you, except Chief Cannington, survived, is that correct? Everyone that was in the compartment at that time?
A. I didn't say survived, sir. Two of the chiefs that I know that went out did not survive, although they were able to get out of the compartment.

Q. You saw them leave the ship?
A. Yes, sir. I am sure because they were ahead of me and when I looked back only two of the chiefs were behind me. So I presumed that everybody was out then.

Q. And which two were those?
A. That was Chief Proctor and Chief Cannington.

Q. Which are the two that you did not see later that were ahead of you?
A. Well, that was Chief King and Chief Hess, sir.

Q. Did any of you have life jackets on?
A. Not one of us had a life jacket. There are no life jackets in the forward section of the ship.

Q. Where is your life jacket normally kept?
A. It is kept close to the ship's office - close to the laundry. There is a locker there for the life jackets, close there to the laundry section, sir.

Q. Is that your General Quarters Station?
A. Yes, sir.

Q. Where is your General Quarters Station?
A. It is close to the Supply Office making emergency breakouts for any parts that would breakdown in the ship.

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Q. So was it the ship's practice to keep life jackets at the General Quarters Station? Was that the ship's practice?

A. Yes, sir. That is the location of the life jackets.

Q. And you indicated that the hatch you went through was under water when you emerged. Is that correct?

A. Yes, sir.

Q. What did you see when you surfaced?

A. I saw the rest of the Chiefs swimming there and shouting for help towards the MELBOURNE.

Q. Could you see the MELBOURNE at that time?

A. Yes, sir. It was lighted and the only thing that we could see was the ship that was the closest to the vicinity of where the EVANS collided - where the EVANS was hit.

Q. Did you observe the bow of EVANS after you got clear?

A. Yes, sir.

Q. Would you describe what you saw?

A. Well, when I went out of the hatch and was swimming to the surface I looked back at the ship and it was turning "turtle", outside from making that 90 degree list. It kept on turning "turtle" with the keel almost way up. Mostly because of the gun mounts and because of the bridge, the weight of it, that turns the ship upside down.

Q. Did you see it sink?

A. Yes, sir. I saw it sink. I tried to swim as fast as I could away from it, because one of the Chiefs hollered to get out from there because there might be some suction and it might suck us in.

Q. How far away were you when it did sink?

A. Just about 10 yards I would say, sir.

Q. What part sank first.

A. It was the severed section of the ship, sir.

Q. The after part of the bow went down first?

A. Yes, sir.

Q. Could you see the sonar dome sticking up?

A. No, sir. I didn't see the sonar dome.

Q. How long were you in the water?

A. It had been a long time, sir. About an hour, because I had been swimming towards the MELBOURNE the moment I surfaced. Everybody started swimming towards the MELBOURNE. I did the same thing and the more I swam towards MELBOURNE, I didn't realize that the MELBOURNE was still going fast because of the speed of the ship when it hit the EVANS. I thought that it was very near... I could see it was very near, but I didn't know it was still going. The more I tried to swim towards the MELBOURNE, the farther it seemed to get. The current seemed to carry me further away from the rest of the group. After swimming for quite a long time I noticed that the boats from the MELBOURNE and the helicopters were picking up survivors and I was too far away from the group. That is why I was picked up last.

Q. Did you have anything to hang onto during this swim?

A. No, sir.

Q. Were you able to stay close to the other chiefs?

A. No, sir. Everybody was swimming towards it. I had been a good swimmer, and I thought I could get faster to the MELBOURNE. I didn't realize that the distance was so far away and I was not able to reach the MELBOURNE at all.

Q. Did you see the two chiefs that you identified as Chief Hess and Chief Cash in the water after you left the EVANS?

A. You mean Chief Hess and Chief King, sir?

Q. Chief King, I'm sorry. Did you see them afloat in the water after you got away from the EVANS?

A. I did. Yes, sir. They were shouting for help just like everyone else. I thought they were swimming, just like I was. Everybody was looking for something to cling on. I didn't see them later on after that.

Q. Going back to the life jacket question. If there had been a locker in the CPO Quarters for such jackets, do you think you would have stopped to put one on when you were exiting the CPO Quarters?

A. Yes, sir. I think so.

Q. And how were you eventually picked up, Chief Malilay?

A. After floating for a long time, sir. I could see the halo making a big circle in the scene of the disaster. They hadn't picked up any survivors. I was on the point of exhaustion. The helo was on its way to the MELBOURNE, I think, when it passed by me and saw me. They lowered a man down to pick me up by hoist or something from the helo.

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Q. I missed the last part, did you say you were picked up by the helo?
A. Yes, sir.

Q. Did a man come into the water also from the helo?
A. Yes, sir.

Q. You indicated that it seemed like a long time. Are you basing this on what it seemed to you, or did you actually have a watch that you looked at during this time?
A. Yes, sir. I had a watch and when I was brought to the MELBOURNE, I lost consciousness when I was airborne. When I woke up in MELBOURNE's sick bay I looked up at my watch and it just read four thirty-five.

Q. Had you looked at your watch prior to that time?
A. No, sir.

Q. I presume that your watch is water proof, is that correct?
A. Yes, sir. The same watch I'm wearing now.

Q. Returning to the life jacket question again. Would the life jackets for personnel who have their General Quarters Stations in the bow of the ship be in the bow of the EVANS?
A. No, sir. The life jackets are being placed in designated lockers and not in the personal possession of the man.

Q. Now supposing a man is assigned the gun mount in the forward part of the ship. Would his life jacket be there in the gun mount?
A. I used to see some life jackets in there, but I cannot say if they leave life jackets in there for that certain purpose.

Q. But your life jacket was at your General Quarters Station?
A. Yes, sir. In the Supply Office.

Q. Chief, did you notice the performance of duty of any particular individuals during this disaster that you think are deserving of comment?

A. Well, I would say, sir, that for Chief Cannington, who volunteered to give us his flashlight, it helped us a lot in getting out of that compartment. Because it was dark in there and we were lost because of the 90 degree list of the ship, it was hard to find our way out. With that penlight Chief Cannington gave to the first man, it helped us a lot in getting out of that compartment.

Q. What had been his position in line before he went to get the flash light?
A. We were still in groups at that time. We weren't lined up when he went to get the flash light.

Q. Did he volunteer to take the last place in the line after he gave the flash light to the first man?
A. Yes, sir.

Counsel for the board: I have no further questions.

Senior Member: I have no questions of this witness.

Counsel for the board: Chief, at this time you are privileged to make any additional statements connected to the subject matter of the investigation which you think should be brought out that have not been brought out by the previous questions. Do you have anything to add to what you have stated?

A. Nothing, sir.

The witness was duly warned concerning his testimony and withdrew from the board room.
The board recessed at 1155 hours, 25 June 1969.

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The board reconvened at 1345 hours, 25 June 1969.

All persons connected with the board who were present when the board recessed, were again present.

Senior Member: The hearing is open.

Counsel for the board (CDR Glass): The hearing is reconvened in open session. Any person who may be called as a witness is asked to withdraw.

LCDR Allen John Leslie Tyrell, Royal New Zealand Navy, was called as a witness by counsel for the board, was sworn and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. You have been called as a witness before this board which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS because it is understood that you have evidence which may assist the board in its investigation. You are warned that you may refuse to answer any question, the answer to which may tend to expose you to a penalty or forfeiture. It will be for you to raise the objection and for the board to decide whether you must answer the question or not. Do you understand those matters?

A. Yes, sir.

Q. Your full name and rank, please?

A. Allen John Leslie Tyrell, LCDR, Royal New Zealand Navy.

Q. And were you on the night of the 2nd and 3rd of June assigned for duty on board HMAS MELBOURNE?

A. No, sir. I was assigned for duty on the staff of Flag Officer Commanding Australian Fleet.

Q. I see.

A. As opposed to MELBOURNE.

Q. And under what circumstances did you, as a member of the Royal New Zealand Navy, come to be serving on the staff of FOCAS?

A. Arrangement purely for Exercise Sea Spirit, sir, to give me experience in the operational end under these conditions.

Q. And the experience you were to get was in what particular department of naval activities?

A. With the organization, sir. I was responsible for surface operations, replenishment, gunnery and intelligence for the exercise.

Q. Now, where were you at the time the collision occurred?

A. In the Admiral's office, sir.

Q. Awake or asleep?

A. I was asleep until I heard a pipe made, sir.

Q. What pipe was that?

A. It was indistinct, but I clearly remember the word, "collision."

Q. What was your first observation thereafter?

A. That the engines were going astern, and almost simultaneously the compartment I was in whipped violently from starboard to port. All the loose objects in the office were thrown from starboard to port.

Q. Did you note the time of this occurrence?

A. Yes, sir. By my watch it was 0315.

Q. And how reliable can we judge your watch to have been at that time?

A. It's an old watch, sir, but it's fairly reliable.

Q. Had you recently checked it against any other clock?

A. No, sir.

Q. Later did you check it?

A. No, sir.

Q. Do you believe it was correct, or do you believe it was ahead or astern of the correct time?

A. I believe it was correct, sir.

Q. What time did it show?

A. 0315, sir.

Q. What was the first thing you did after that?

A. Immediately after the impact, I left the Admiral's office and proceeded forward about 30 yards through a passageway and out onto the port after sponson.

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Q. Where is that in relation to the length of the ship on the port side?
A. About 30 yards up the port side from the port quarter, sir.

Q. From the...
A. Port quarter.

Q. Port quarter?
A. Yes, sir.

Q. And what did you observe from that point?
A. I observed a vessel, which I took at first to be a complete vessel lying on its starboard side and breaking away to port - from MELBOURNE's bow.

Q. Through what angle had it rolled to starboard in your estimation?
A. 80 degrees.

Q. And how was it sitting in the water as regards the bow and stern of the section?
A. The bow was up 10 degrees in relation to the after end.

Q. What was the next event that commanded your attention?
A. The bow section had reached the position, roughly abeam to port of MELBOURNE's island and then it rolled further to starboard. To my estimation, looking at the keel and the bilge rails, it was over at an angle of about 150 degrees from the normal upright position to starboard. At this stage, there was a lot of noise coming from inside the hull which I assumed at the time to be cable shifting in the cable locker.

Q. Did you observe any life rafts at this time?
A. Yes, sir.

Q. What did you see in that connection?
A. I observed a number of life rafts had been launched from somewhere forward on the port side of MELBOURNE. Also the group I was with at the time, we launched two from immediately forward of the port after sponson.

Q. Now the life rafts that had been released from the port side of MELBOURNE, did they inflate correctly?
A. Forward or aft, sir?

Q. Forward.
A. I only saw inflated life rafts, sir.

Q. Did they have lights burning?
A. Yes, sir.

Q. Could you see any life rafts at this time that had come from EVANS?
A. I don't know, sir.

Q. Did you see any people in the water near the bow section?
A. Yes, sir.

Q. Would you tell us what you saw?
A. Approximately 20 persons in the water around by the bow section. I could hear them calling out. There were approximately a dozen on the bow section itself hanging on to the bilge rail and the keel.

Q. What happened to those persons as the hull rolled further to starboard?
A. Approximately 8 of them slipped down the hull and into the water and remained in the vicinity of the hull. The remaining 4 continued to cling on to the hull itself.

Q. What was the next thing that you observed?
A. About 4 minutes later the bow section completed rotating to starboard until it was completely inverted. At the same time, the bow angle went up to about 60 degrees and in that position it slid straight down, sir, fore and aft line in the water.

Q. When was this?
A. That was at 0324 by my watch, sir.

Q. And what did you notice happening as this bow section slid under water?
A. There was a large disturbance of air bubbles, including 1 or 2 very large bubbles, came up from what I judged to be an open hatch just abaft the capstan on the forecastle.

Q. And what happened to the people who had been left clinging to the hull?
A. Those four persons, sir, I lost sight of them in this disturbance in the water. When it subsided there were a large number of people still in the water including those who had left the hull earlier. But whether that number included those 4 still left on the hull, I can't say, sir.

Q. Did you see any boats nearing the survivors at this stage?
A. Yes, sir. There were two boats from MELBOURNE about half way to the bow section at this time.

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Q. Did you keep on observing until the boats reached the survivors?
A. No, sir.

Q. When you ceased to observe them, how far were they from the people in the water?
A. 150 yards, sir.

Q. Well, from where you were observing, where did you go?
A. I went down to the Quarterdeck, sir.

Q. And what did you find there?

A. I met the Commander, Commander Stevens, who instructed me to take charge on the Quarterdeck and secure the stern section alongside.

Q. And how was that done?

A. When I reported on the starboard side of the Quarterdeck, I found LCDR Rose had just arrived, and so I said to him that the Commander had instructed me to take charge. I said I would look after securing the stern of the EVANS if he would look after the actual process of getting survivors off the stern section. And we passed a nylon line to hold it temporarily against the MELBOURNE's ship side. Then we passed a double wire through what I took to be a replenishment at sea strong point, back onto MELBOURNE. And the stern, at this stage, was lolling slightly and as it lolled towards MELBOURNE, we took slack down until we had the wires taut. I then positioned a man with an axe by the fairlead, and instructed him he was to cut that wire on order from me and from nobody else and he was to take no instructions from anybody else. My intentions at this stage were - basically the stern section seemed stable. And it had gone down approximately 4 feet forward during this time and what I considered, if it did sink or even tried to roll, the amount of negative buoyancy could be held by this doubled up wire until we got everybody off, and then we could cut it free.

Q. And how many people at that stage were on the fantail of EVANS?

A. My estimate was 60, sir.

Q. And who was the senior officer present?

A. As the last survivors were coming off, the Commander and myself called out down to see if there were any officers there. At this stage, it wasn't clear. We couldn't see anyone wearing badges of rank, and there were in fact three officers. We got them on the quarterdeck of MELBOURNE, asked who was the senior officer and an officer identified himself as LT Dunne. He gave me a report then of the state of the ship internally which was relayed to the bridge.

Q. And had all the persons who had been on the fantail of EVANS by that time got on board MELBOURNE?

A. Yes, sir.

Q. And what did you do at that stage?

A. I waited for instructions from the bridge about casting loose the stern section. Prior to this, MELBOURNE's Commander (E) had given his professional assessment of its stability and he said that he thought that it could go down in 5 or 10 minutes. Commander Stevens then left the quarterdeck and proceeded to the bridge with this information and a telephone call was made to the quarterdeck instructing us when we were certain that the MELBOURNE personnel who were stationed on the stern section were clear, to cast it off.

Q. Had you yourself noticed any deterioration in the position of the EVANS stern section during the time you had been there?

A. Yes, sir. From the time of my arrival to the time we cast it off, the forward end had sunk, I would say, 4 feet.

Q. And having sunk 4 feet, how much freeboard was there at the forward end?

A. It was only a rough guess, sir. I can't really remember, but I would say 3 or 4 feet.

Q. The decision having been taken to cast off the stern section, how was it done?

A. We released the doubled up wire and cleared that, and the last man on the stern section, LCDR Patterson from MELBOURNE, released the nylon hawser and came back up the aluminum ladder we had rigged.

Q. And did you observe the stern section after that time?

A. Yes, sir.

Q. What did you see?

A. It floated out astern. I think MELBOURNE moved her port engines to clear herself from the stern section in case it did topple, and then it floated out astern to a distance of about, initially 100 yards, and then further away as time progressed.

Q. Did you notice any change in the way it was sitting in the water after it cleared MELBOURNE?

A. I thought that the forward end had settled another foot, perhaps two feet, but it seemed to be, to me at that stage, to be remarkably stable.

Q. Were you using binoculars at any stage when you were making these observations?
A. No, sir.

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Q. When you saw these survivors in the water in the vicinity of the bow section, what light did you have to enable you to observe what was happening?

A. Well, it was a clear night, sir. There was a considerable amount of moonlight, and also the flight deck "moonlighting" gave illumination. There was a search light from MELBOURNE's island onto the stern section, but there wasn't one on the bow section, and looking at the angles I thought this was because the edge of the flight deck in fact masked the bow section from the position of the search light on the island.

Q. Did you observe whether the "moonlighting" was on when you first came on deck?

A. No, sir.

Q. How much of the "moonlighting" on the flight deck of MELBOURNE spilled over into the water on the port side?

A. I couldn't answer that, sir. All I know is what I observed, and there was sufficient light to see quite clearly what was going on on that bow section. I didn't worry about lights at all at that stage.

Q. Have you ever observed from an outboard position the extent to which MELBOURNE's moonlights illuminate the water - the extent to which MELBOURNE's moonlights are visible?

A. No, sir. I've never operated with MELBOURNE before.

Q. When the bow section finally sank, at what distance was it from MELBOURNE?

A. By my estimation, sir, 250 yards on a bearing of red 160 from where I was standing, which would make it a bit different from the bridge of MELBOURNE.

Counsel for the board (CDR Glass): Counsel has no further questions.

EXAMINATION BY THE BOARD

Questions by a member (CAPT Shands):

Q. On the quarterdeck, were all the lights on?
A. Which lights?

Q. Quarterdeck lights.
A. I can't recall that.

Questions by the senior member:

Q. Did you notice whether any portions of the after section of EVANS, while she was secured alongside MELBOURNE, were touching MELBOURNE's side or sponson or any other part of MELBOURNE?
A. Yes, sir. Part of the after superstructure was fouling the after whip aerial on MELBOURNE. In fact at one stage we thought we were going to lose that whip aerial, but it eventually passed clear as the stern section moved a little further aft.

Q. Did you observe any interference between the smoke stacks of, the smoke stack of the after section and the MELBOURNE's sides or superstructure?
A. No, sir.

Senior Member: The board has no further questions.

Counsel for the board (CDR Glass): You have the opportunity, LCDR Tyrell, to make a further statement covering anything relating to the subject matter of the inquiry that you think should be recorded and which has not yet been brought out by questions. Is there anything that you wish to add?

A. Well, my part in this, sir, was very much as an outsider. I was a bit reluctant in the first place to hop in and do something. I was told by the Commander to do something. I was a guest on the ship. And the way the people reacted on the quarterdeck, and I wouldn't like to pick out anyone in particular, I think everybody there was doing what they were trained to do and what you could expect them to do under these circumstances. The one person who does stand out in my mind was LT Dunne of the EVANS. When he identified himself he gave us a very good, concise, clear-cut description of the state of the ship, the state of the watertight integrity and that it was clear of all American personnel. I think he had done a pretty good job.

EXAMINATION BY THE BOARD (Cont'd)

Questions by the senior member:

Q. Mr. Tyrell, in your comments just now when you used the word "quarterdeck", were you speaking of the fantail of EVANS or the quarterdeck of MELBOURNE or some other spot?
A. The quarterdeck of MELBOURNE, sir.

EXAMINATION BY COUNSEL FOR THE BOARD (Cont'd)

Questions by counsel for the board (CDR Glass):

Q. I think you said he was one of the last to come on board MELBOURNE, among those those who had been on the fantail, is that right?
A. Yes, sir.

The witness was duly warned concerning his testimony, and withdrew from the board room.

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LCDR Dennis Chamberlain Rose, Royal Australian Navy, was called as a witness by counsel for the board, was sworn, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. You have been called as a witness for this board of investigation which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS because it is understood that you have evidence which may assist the board in its investigation. Under Australian law it is necessary to warn you that you may refuse to answer any question, the answer to which may tend to expose you to a penalty or forfeiture. It will be for you to raise the objection and for the board to decide whether you must answer the question or not. Do you understand those two observations?

A. Yes, sir.

Q. Would you please state your full name and rank?
A. LCDR Dennis Chamberlain Rose.

Q. And to what duties were you assigned on HMAS MELBOURNE on the night, 2nd and 3rd of June?
A. Well, I'm the Air Group TAS Officer, sir, Torpedo Anti-Submarine Officer, and on that night I was briefing and debriefing air crew taking off for ASW patrols.

Q. And how long have you occupied that position in MELBOURNE?
A. In MELBOURNE, sir, since mid-April, early April of this year.

Q. Now, shortly before the collision were you on watch or asleep?
A. I was on watch, sir.

Q. And where were you keeping that watch?
A. Well, it was split between the Briefing Room and the Air Direction Room and the Operations Room.

Q. And where were you shortly before the collision?
A. In the Air Direction Room, sir.

Q. And what was it that first drew your attention to the fact that something was happening?
A. When I heard two short blasts on the siren.

Q. What did you then do?

A. I was in the middle of the Air Direction Room. I then moved towards the door in the after end of the ADR, about half way there. And as a result of having heard the similar two sirens a couple of nights before, I decided that having a job to do, I would leave it to the people on the bridge, so I went back to my job at the plot table, at the time.

Q. And what was the next thing that you heard?

A. The next thing that I heard was the pipe, "Hands to collision stations," and I then went straight out the door and out on the flight deck.

Q. And on the flight deck, what did you observe?

A. I just got to the doorway of the island on the flight deck. I think I looked forward and I saw the impact of the ships.

Q. And what caught your attention in that impact?

A. Well, sir, I have a vivid mental impression of seeing the main mast and funnel of EVANS rising above the bow in a cloud of steam and smoke. It seems there must have been light there because I saw this fairly clearly and then it dropped back slowly out of sight, beneath the bow.

Q. Can I just take you back one step. Over what system did you hear the alarm sounded before that?

A. Well, I think it must have been the Main Broadcast, sir. It seemed to me to be fairly faint, and thinking about it, I think it must have come from the Main Broadcast speaker outside the door of the Operations Room - or the ADR rather, in the passageway. Outside the door which was closed.

Q. Well, did you hear the sound associated with the collision?

A. Well, I think I did, sir. I'm sure I must have. There was a roar, a breaking of metal, there was just a great noise really of all those things mixed up.

Q. Were you able to identify any other sound that you heard at that time?
A. Any particular sound, sir?

Q. Yes.

A. No, sir. I think it was mostly metal, metallic sound and a roar, which I later took to be similar to escaping steam.

Q. And what effect did the collision have on your footing on the deck?

A. It wasn't obvious at the time, but it was more recollection, sir, I was right in the doorway with, as far as I know, one foot inside the island and one foot on the flight deck outside, and I think I had my hands braced on the edges of the doorway. There was a jolt. It didn't seem to me to be as bad a jolt or shaking as I would expected. And it only lasted two or three seconds, I thought, and then the ship was still again. I later discovered I had a bruise on my left thigh and I think I was thrown against the door edge. Although I hadn't noticed it at the time.

Q. Well, what did you observe thereafter of the EVANS?

A. Well, I went to the... around to the forward of the island on the starboard catwalk which runs alongside the island at flight deck level and looking forward towards the stern section hanging on the starboard bow. It was slowly drifting astern, but virtually that is the best way of describing it, just hanging on to the bow. And I think the mast was probably touching the forward sponson at the time.

Q. And did you notice the screws?

A. I didn't notice the screws, sir. I noticed what seemed to me to be wake bubbling from the stern, a twin screws type wake as if the screws were still turning ahead.

Q. Did you notice her VDS?

A. I noticed the VDS cable hanging over the stern in the water.

Q. Did you see any men?

A. Yes, sir. I saw what I estimate to be 20 or 30 men standing around on the quarterdeck, well, standing, running, shouting.

Q. What else did you observe at that time?

A. Well, I saw one man in the water passing fairly quickly aft. The ship was still moving ahead and so was EVANS. He was shouting, waving his arms and swimming at the same time.

Q. Can you give us an estimate of the speed at which MELBOURNE was moving at this stage?

A. I'd say 4 or 5 knots, sir, but we were slowing down all the time.

Q. Well, what did you do with respect to liferafts?

A. Well, because this chap was moving fairly quickly aft, I ran down to the after end of the catwalk and released the after liferaft in the hopes that it might be some use to him. Unfortunately when it hit the water, it wouldn't inflate, while another sailor and myself attempted to pull the rope and inflate it. By that time he was past then. I knew there were people down aft. I could already see liferafts in the water down there, so I left then.

Q. Did you see any other - how many liferafts did you see down near the stern?

A. Well, I remember seeing one, I think there might have been two, sir.

Q. What was the next action you took?

A. Well, after having seen the stern section pass beneath me further aft, I then went on to the flight deck and found that everybody there was mustering, obviously at emergency stations. I asked one officer where the bow section was. He told me that it had just sunk - -

Q. What time was this?

A. What I think was about 5 minutes after the collision, sir.

Q. Yes.

A. I then asked another officer in the Air Group, the Air Electrical Officer, if he had anything for me to do, and he said he didn't. So instead of waiting around I went, with nothing to do, I went down to the Briefing Room where I guessed the air crew would be mustered, plus the Air Group Commander who is my senior officer, asked him if there was anything he had for me to do and he said, "No." So with his permission I then left the Briefing Room and went aft to see if there was anything I could do to help.

Q. Where did you go to help, how far aft?

A. I went straight to the quarterdeck.

Q. And what did you find there?

A. There I found that EVANS had rested alongside the starboard side of the quarterdeck. There must have been about 20 people on the quarterdeck, a lot of shouting, running around, and some just standing looking at things. The only people doing anything constructive that I noticed immediately was Petty Officer Scott, who was the quarterdeck petty officer trying to organize some men to get a line off a reel and there was a midshipman standing there giving orders, I think, to that effect, to get a line out to the EVANS. So I took charge, told him I would take charge, sent him to the phone to contact the bridge to tell them that I was going to get a line across and secure the ship alongside.

Q. And was that in due course, done?

A. That was done, sir, yes.

Q. And was LCDR Tyrell there taking part during that operation?

A. Yes, sir, he arrived I would say, 5 minutes later. I don't know quite when. It was about the time that we were getting the first line across.

Q. While we have that liferaft which didn't inflate in our mind, can I ask you whether you later ascertained why that had happened?

A. I did ask the Safety Equipment Officer, sir, but he wasn't able to identify the liferaft that I was talking about. He said that this sometimes happens, and it might have been the lifeline that is flaked down inside the covering of the liferaft, snagging, and not coming out properly. But that was the best I could do.

Q. Did you see any injured men being brought on board the quarterdeck of MELBOURNE from EVANS?

A. Yes, sir. We were concerned first to get injured men rather than those who obviously who were standing and unhurt off the ship. We asked and eventually found that there... were told that there was one stretcher case at least. He was brought on to the deck from somewhere, I don't quite know where. But he arrived on the scene on deck below me.

Q. Did you observe what injuries he had?

A. When he came on board, sir, he seemed to have had burnt hands and arms and the front of his body. But this is an unprofessional opinion, and it was very quick.

Q. What other injured persons did you see being brought on board MELBOURNE?

A. He was about the only one, sir. A couple of others had cuts and a lot of fuel oil and stuff over them, but he was about the only one.

Q. Did you do anything yourself about passing stretchers?

A. Yes, sir. I wasn't sure after having got this man on board that there weren't others somewhere on the ship, so I asked somebody on the deck of EVANS if there were any other stretcher cases. And although I thought there weren't any, and expected to have it confirmed, I was told that there were six more, so I sent a man away to get six Neil Robertson stretchers and had them brought to the quarterdeck and down on to the deck of EVANS, ready to use. But as it turned out there weren't any others.

Q. And were any of them used?

A. No, sir. We recovered them from EVANS before we cast her adrift.

Q. Did you do anything yourself about inspecting the EVANS for survivors?

A. Not physically, sir. I attempted to find out if there were any officers amongst the men on the deck of EVANS. I was told that they were searching the ship and eventually 3 officers appeared, 3 men appeared towards the end of having got the most people off, who said they were officers and they said they had searched the ship and found it clear.

Q. Well, what was the next action that you took or joined in taking?

A. After having recovered all survivors you mean?

Q. Yes.

A. Well, on instructions from the Commander, who had discussed the question on the phone with I think, the Captain on the bridge, sir, and under his instructions I cast off the stern section.

Q. Approximately when was that?

A. Well, I said later I thought it was around 0430 in time, because so much had happened and I hadn't looked at my watch and I thought things must have taken about an hour to happen. But I didn't look at my watch at that stage. I subsequently think it happened earlier, from what I hear.

Q. And how was it cast off?

A. We had two lines over, sir. We had one to a fair lead bollard about half way between the stern of EVANS and where she was cut, and one to one of the legs of a tripod high point forward of the funnel. We cast that off first and then LCDR Patterson, who was the last off of EVANS, cast off the nylon from the bollard amidships and then ran forward and up a ladder on to the quarterdeck.

Q. And in what manner did the stern section move off?

A. Well, the Captain had to go ahead on the port screw, sir, to swing the stern around.

Q. Did you observe how the stern section was lying in the water?

A. Yes, sir, she was down forward. There must have been 4 feet of freeboard forward at the most. The boot topping was completely out of the water astern and part of the bilge keel was beginning to appear, down aft.

Q. What is the distance between the place in the room where you heard the two blasts and the doorway you used to go out to the flight deck?

A. I would say 30 or 40 feet, sir.

Q. Did you hear anyone in EVANS ask for the use of portable pumps?

A. No, sir.

Counsel for the board (CDR Glass): Counsel has no further questions of this witness.

Senior Member: The board has no further questions.

Counsel for the board (CDR Glass): LCDR Rose, you have the privilege of making any further statement relating to the subject matter of the inquiry that you think should be a matter of record, but which has not been fully brought out by previous questioning. Do you wish to say anything in answer to that invitation?

LCDR Rose: Yes, sir. I would just like to pay tribute to the calm way in which everybody with whom I was associated with acted on that morning in getting the job done quickly and effectively. And also the men in EVANS who, almost without exception were calm and appeared to know what was going on in spite of being shocked, particularly the officers of EVANS who appeared to take their responsibilities properly and look through the ship and who afterwards I thought displayed calmness and responsibility in regard to their men before they left the ship.

Counsel for the board (CDR Glass): Are you able to identify the officers in EVANS to whom you refer?

LCDR Rose: Well, I think particularly of LT Hiltz, sir, who at the time, although I am still not sure if he was the senior officer surviving on the after section, I thought at the time he was. He appeared to me to be taking charge and I thought that when I saw him on the deck of EVANS, on the quarterdeck, then in the wardroom and later still when he was mustering his men and looking after them before leaving MELBOURNE to go to KEARSARGE, that he at all times was calm and quite impressive in the way he carried out his tasks.

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The witness was duly warned concerning his testimony, excused, and withdrew from the hearing room.

LCDR Desmond Noel Rogers, Royal Australian Navy, was called as a witness by counsel for the board, was sworn, and testified as follows:

EXAMINATION BY COUNSEL FOR THE BOARD

Questions by counsel for the board (CDR Glass):

Q. LCDR Rogers, you have been called as a witness for this board of investigation which is inquiring into the circumstances surrounding the collision of HMAS MELBOURNE and USS FRANK E. EVANS, because it is understood that you have evidence which may assist the board in its investigation. Under Australian law it is necessary to warn you that you may refuse to answer any question, the answer to which may tend to expose you to a penalty or a forfeiture. It will be for you to raise the objection and for the board to decide whether you must answer the question or not. Is that understood?

A. Yes, sir.

Q. Your full name?

A. Desmond Noel Rogers.

Q. And your rank?

A. LCDR.

Q. And what duties are assigned to you in HMAS MELBOURNE?

A. I am the Commanding Officer of 817 Squadron. 817 Squadron is an ASW Helicopter Squadron.

Q. And how many helicopters have you under your command?

A. The squadron's complement is 6 ASW helicopters and 2 SAR, which is search and rescue configurated aircraft.

Q. And did you have the whole of the complement on board on the night of the 2nd and 3rd of June?

A. Yes, sir.

Q. And what previous experience have you had in these duties?

A. I was Commanding Officer of 817 Squadron from the 15th of January 1968 until the 30th of June 1968. And I regained command of the squadron on the 16th of March of this year.

Q. And continued in that command until time of collision?

A. Yes, sir.

Q. Were helicopters in the air before the collision took place?

A. Yes, sir. I, myself, I was in one aircraft and there was another aircraft on the screen at the same time.

Q. And when did your aircraft become airborne from the ship?

A. The time was 0305. That's GOLF time.

Q. GOLF time, and what aircraft was that?

A. Wessex 831.

Q. And what duties was it performing up until the time of the collision? I'm sorry, what duties was it performing before you were recalled?

A. We were directed to a screening station on the port side of the convoy and at the time that the aircraft was recalled, we were about to enter the hover.

Q. The?

A. The actual hover. We were about to mark dip and lower the sonar transducer.

Q. And when was it that you were recalled?

A. You will excuse me, sir, if I --

Q. The board will permit you to refresh your memory, from notes that you have there.

A. I refer to the narrative which was made by the observer in the aircraft during the whole trip. And the time he has is 0317:GOLF, ordered by FLYCO to return to MELBOURNE.

Q. Do you believe that to be an accurate note of the time?

A. Yes, sir.

Q. And what instructions were you given at 0317?

A. At 0317 the only order was to return to mother.

Q. Yes.

A. At 0318 we were informed that MELBOURNE had been in a collision and to search the area for survivors.

Q. And did you do that?

A. We arrived at the ship at 0323, and commenced the search.

Q. And what sort of illumination did you have to assist you in that operation?

A. The aircraft is fitted with a landing lamp which can be controlled by a small button on the collective lever by either pilot.

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Q. What crew did you have in this aircraft, the helo?
A. The crew consists of two pilots, one observer and an air crewman.

Q. And as you searched with the aid of that illumination, what did you see?
A. When we first came to the area, which was approximately 200 or 300 yards off the port quarter of MELBOURNE - -

Q. Port quarter?
A. Port quarter.

Q. Yes.

A. All we saw in the water was, in my estimation, about 30 or 40 men swimming in the water. I didn't see any man with a life jacket on at all, to my knowledge. There were lots of pieces of paper and general debris in the area.

Q. Did you notice where the 30 or 40 men were in relation to the bow section of EVANS?
A. There was no bow section there.

Q. Where were they by range and bearing from MELBOURNE?
A. I would place the group by recollection, to be in a rectangle at 90 degrees to a fore and aft line of the ship.

Q. And with what sides of the rectangle?
A. It's very hard to estimate, sir. On the - at night from a helicopter but I would say an area probably of 150 yards by maybe 75 to 100 yards.

Q. Which side was 150?
A. It would be width, sir.

Q. The fore and aft line of the ship, or - -
A. Right angle.

Q. When you said you were on the convoy screen, did you mean MELBOURNE's screen or the convoy proper?
A. The convoy proper.

Q. And how far was that from MELBOURNE? It's not classified, I don't think.

Senior Member: No, it's all right.

A. Our screening station was in an area, but at the time we were approximately 14,000 yards from MELBOURNE.

Q. And that's where you were when recalled?
A. Yes, sir.

Q. Now, in your search in the rectangular area you described, did you observe a particular man?
A. Yes, sir.

Q. What was his situation?
A. I saw a body floating below the surface of the water in an upright position with his arms similar.

Q. Would you describe how his arms were extended?
A. He was, as if he were standing up in the water, vertical, and floating, had his head down on his chest and his arms were - -

Q. Extended, at right angles with his body, with the hands drooping down below the level of the arm.

A. No, sir. I would say that they would be level. It's very difficult to tell from an aircraft, but I would say they were level.

Q. Well, what was done with respect to that man?

A. The original intention when we arrived in the area in the aircraft, was to search the area mainly for people who needed help. Most of the people we saw were swimming and appeared to be in no real trouble at the time. The main idea was to find somebody, if we could, who may have needed desperate help. We didn't see anybody other than this one man.

Q. Yes.

A. And my immediate intention was to lower my sonar operator by winch and see if he could apply mouth to mouth resuscitation on this person.

Q. Was that intention carried out?

A. No, sir. Just before we started to lower the sonar operator, a man swam into the arc of the landing lamp, waving and I changed my mind thinking that he obviously needed help or wanted to be picked up. And I thought it better to save a man who needs help than one who I had no doubt in my own mind that was beyond help.

Q. Yes. So what did you do for his benefit?

A. I moved the aircraft forward until the man disappeared underneath the helicopter. My observer took control and directed me over the top. We lowered the winch to this person, he climbed into the strap very quickly and we winched him back into the aircraft, and I then landed on board the carrier and put him on the deck.

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