

Formal Investigation Ordered by the Board of Trade into the Loss of the Steamship “Lusitania.”

FIRST DAY.

PRESENT.

The Attorney-General (THE RIGHT HON. SIR EDWARD CARSON, K.C., M.P.), The Solicitor-General (THE RIGHT HON. SIR F. E. SMITH, K.C., M.P.), MR. P. J. BRANSON, and MR. DUNLOP (instructed by Sir Ellis Cunliffe, Solicitor to the Board of Trade) appeared as Counsel on behalf of the Board of Trade.

MR. BUTLER ASPINALL, K.C., MR. LAING, K.C., and Mr. A. H. Maxwell (instructed by Messrs. Hill, Dickinson and Co., of Liverpool) appeared as Counsel for the Owners, the Cunard Company, and the Captain.

MR. DONALD MACMASTER, K.C., M.P., appeared as Counsel for the Canadian Government.

MR. G. A. SCOTT appeared on behalf of the representatives of the late Mr. Alfred Gwynne Vanderbilt, a passenger.

MR. THOMAS SCANLAN, M.P. (instructed by Mr. H. Z. Deane), appeared on behalf of Mrs. Ellen Conghlan [sic], widow, and the representatives of between sixty and seventy, first, second and third class passengers.

MR. ROSE-INNES, K.C., and MR. WICKHAM appeared on behalf of Mr. Crichton and certain passengers (instructed by Messrs. Thorne and Co.).

MR. A. M. LATTE (instructed by Mr. Thomas Priest) appeared for Mr. H. B. Lasseter and others.

MR. COTTER appeared on behalf of certain representatives of the crew.

MR. CLEM EDWARDS, M.P., appeared on behalf of the National Union of Sailors and Firemen.

MR. W. L. MARSHALL (General Secretary), appeared on behalf of the Marine Engineers' Association.

LIST OF WITNESSES.

FIRST DAY (15 JUNE, 1915).

Name of Witness	Description	Examined by	No. of Question
Mr. Alexander Galbraith	Superintending Engineer to the Cunard Line.	The Solicitor-General	1-23
Mr. Albert Laslett	Board of Trade Engineer and Ship Surveyor at Liverpool.	The Solicitor-General	24-49
Captain O. A. Barrand	Board of Trade Emigration Office at Liverpool.	The Solicitor-General	50-53
Captain William Thomas Turner	Master of the "Lusitania."	The Attorney-General Mr. Rose-Innes Mr. Cotter Mr. Clem Edwards Mr. Donald Macmaster Mr. Butler Aspinall	54-121 122-123 124-168 169-176 177-182 183-214
Captain William Thomas Turner	Master of the "Lusitania."	<i>In Camera</i> Testimony in the Presence of The Right Hon. Lord Mersey, Admiral Sir F.S. Inglefield, K.C.B., Lieutenant Commander H.J. Hearn, Captain David Davies, Captain John Spedding, The Right Hon. Sir Edward Carson, K.C., M.P., Attorney-General, Sir Ellis Cunliffe, Solicitor to the Board of Trade, Mr. Butler Aspinall, K.C., M.R. Mr. Laing, K.C. Mr. A.H. Maxwell The Right Hon. Sir F.E. Smith, K.C., M.P., Solicitor-General	n/a

In the Wreck Commissioner's Court.

Central Hall,

Westminster, S.W.

Tuesday, 15th June, 1915.

PROCEEDINGS BEFORE

The Right Honourable LORD MERSEY,
Wreck Commissioner of the United Kingdom,

WITH

Admiral Sir F. S. INGLEFIELD, K.C.B.,
Captain D. DAVIES,
Lieut.-Commander HEARN,
Captain J. SPEDDING,
Acting as Assessors,

ON A FORMAL INVESTIGATION
Ordered by the Board of Trade into the
LOSS OF THE STEAMSHIP "LUSITANIA."

FIRST DAY.

The Attorney-General (THE RIGHT HON. SIR EDWARD CARSON, K.C., M.P.), The Solicitor-General (THE RIGHT HON. SIR F. E. SMITH, K.C., M.P.), MR. P. J. BRANSON, and MR. DUNLOP (instructed by Sir Ellis Cunliffe, Solicitor to the Board of Trade) appeared as Counsel on behalf of the Board of Trade.

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MR. W. L. MARSHALL (General Secretary), appeared on behalf of the Marine Engineers Association.

The Attorney-General: My Lord, I appear on behalf of the Board of Trade, who have requested your Lordship to hold a formal investigation into the loss of the steamship "Lusitania" which was sunk off the Old Head of Kinsale, near the coast of Ireland, on the 7th May last.

My Lord, we have served the formal notices required upon the Captain of the ship, and also upon the owners, and I understand that my friends Mr. Aspinall and Mr. Laing and others appear on behalf of the owners and on behalf of the Captain. I do not know that there are any other appearances in the case.

Mr. Macmaster: I appear on behalf of the Canadian Government.

The Attorney-General: Of course, the only formal parties are the parties upon whom the notice has been served.

The Commissioner: Those, I understand, are the Owners and the Captain?

The Attorney-General: The Owners and the Captain.

The Commissioner: And no one else?

The Attorney-General: And no one else. Of course, as representing the Board of Trade, I court the fullest possible enquiry into any questions that may arise on the facts, and your Lordship will deal with them as occasion arises.

The Captain of the ship was Captain William Thomas Turner, and the Owners of the ship are the Cunard Company. They have been served with all the formal documents, including the Case representing the facts upon which the Investigation is based, and also a copy of certain questions to which at the proper time I shall have to call your Lordship's attention.

The facts I have to state I can state very briefly. The steamship "Lusitania" which was both a passenger ship and an emigrant ship - and on that I shall have to say something afterwards - belonging to the Cunard Line, was, at the end of April, at New York, and was about to sail for England on the first of May. She left New York about noon on the 1st of May with a crew, of which I will tell your Lordship the details in a few moments, a large number of passengers, and a general cargo, bound for Liverpool. Certain statements have been made which have become public, and certain allegations have been made as between the German Government and America; Notes have passed between them, and it is not inconvenient that I should tell your Lordship the statement which the United States have made as regards the requirements of their laws before the steamship "Lusitania" sailed for Liverpool. The Note states this - and this is the American Note in reply to the German Note: -

"Your Excellency's Note, in discussing the loss of American lives resulting from the sinking of the steamship "Lusitania," adverts at some length to certain information which the Imperial German

Government has received with regard to the character and outfit of that vessel, and Your Excellency expresses the fear that this information has not been brought to the attention of the United States. It is stated that the 'Lusitania' was undoubtedly equipped with masked guns, that she was supplied with trained gunners with special ammunition, that she was transporting troops from Canada, that she was carrying cargo not permitted under the laws of the United States to a vessel also carrying passengers, and that she was serving, in virtual effect, as an auxiliary to the naval forces of Great Britain. Fortunately these are matters concerning which the Government of the United States is in a position to give the Imperial German Government official information. Of the facts alleged in Your Excellency's Note, if true, the Government of the United States would have been bound to take official cognizance. Performing its recognized duty as a neutral Power and enforcing its national laws, it was its duty to see to it that the 'Lusitania' was not armed for offensive action, that she was not serving as a transport, that she did not carry cargo prohibited by the statutes of the United States, and that if, in fact, she was a naval vessel of Great Britain she should not receive a clearance as a merchantman. It performed that duty. It enforced its statutes with scrupulous vigilance through its regularly constituted officials, and it is able therefore to assure the Imperial German Government that it has been misinformed. If the Imperial German Government should deem itself to be in possession of convincing evidence that the officials of the Government of the United States did not perform these duties with thoroughness, the Government of the United States sincerely hopes that it will submit that evidence for consideration. Whatever may be the contentions of the Imperial German Government regarding the carriage of contraband of war on board the "Lusitania" or regarding the explosion of that material by a torpedo, it need only be said that in the view of this Government these contentions are irrelevant to the question of the legality of the methods used by the German naval authorities in sinking the vessel."

May I say here, at the outset, that that being a statement of the enforcement of the Regulations under Statutes at the port of departure, New York, our evidence here fully confirms the statement that was made. There was no such outfitting of the vessel as is alleged and fancied or invented by the German Government; and your Lordship will have the fullest evidence of that from the witnesses we will call in confirmation of what was said by the United States Government.

My Lord, on the morning of the 6th May, having left on the 1st May, as we are informed, all the Class A lifeboats, amounting to 22, were swung outwards under the superintendence of the proper officer and were left swinging and ready for lowering. That was in consequence of the ship then approaching what may be called the war zone or the danger zone. About 10 minutes past 2 p.m. on the 7th May the vessel was off the Irish Coast. She had passed early in the morning the Fastnet Rock at the extreme corner where you turn round to come up the Irish Channel, and had arrived at 2.10 near the Old Head of Kinsale. It is not material at the moment to stop to show your Lordship the point on the map. According to the evidence the ship was about 8 to 10 miles - I think the captain himself says 15, but a good deal of the evidence puts it at less - off the Old Head of Kinsale. One of the questions which will arise on the evidence is as to whether that was, at the time and under the circumstances which your Lordship will hear, a proper place for the captain to be navigating. The weather was fine and clear and the sea was smooth and the vessel was making about 18 knots. That is not unimportant when I come to discuss as to whether everything was done that ought to have been done in relation to the particular matters. Without any warning a German submarine fired a torpedo at the "Lusitania" and she was struck between the third and fourth funnels. There is evidence that there was a second and perhaps a third torpedo fired, and the

ship sank within 20 minutes. I shall give you in a few moments the details of the people who were lost. At the present moment, all I want to emphasise is that there was no warning and there was no possibility under the circumstances of making any immediate preparation to save the lives of the passengers on board. My Lord, the course adopted by the German Government was not only contrary to International law and the usages of war, but was contrary to the dictates of civilisation and humanity; and to have sunk the passengers under those circumstances and under the conditions that I have stated meant in the eye, not only of our law but of every other law that I know of in civilised countries, a deliberate attempt to murder the passengers on board that ship.

I said, my Lord, that the ship was going at 18 knots. Perhaps I ought here to explain that the average maximum at which she had travelled from New York was about 21 knots, and a question will arise as to whether the captain was right in travelling at the time at 18 knots. I ought, further, to mention this, because it is a matter that concerns the owners, that out of 25 boilers they had in use all through the voyage only 19. Six of the boilers in the No. 4 boiler space were not used at all. If they had been used the speed could have been brought up to 24 knots, as I am told, but what the owners of the ship, the Cunard Company, say is, that in consequence of the war and the decrease of passenger traffic between America and this country, they had determined, not merely as regards this ship, but as regards other ships engaged in the traffic, and on other voyages of this ship, to use only the 19 boilers with a view to economy, having regard to the passenger traffic which they anticipated, That enabled them to do with about three-fourths of the coal that would be ordinarily used, and enabled them to save a certain amount of labour. My Lord, I think that is a fact which I ought to put forward in stating the case. Whether that was right or wrong we shall probably have to inquire somewhat into. But it is right to say that even with the boiler accommodation which was in use, I understand, that the "Lusitania," making 21 knots, would be a faster ship than any other of the large trans-Atlantic liners which convey passengers from one country to another.

The torpedo which struck the ship, as I have told you, struck her on the starboard side. That caused an immediate list on the ship, which, if it did momentarily right itself, afterwards increased, and was of such a nature, as will be shown in the evidence, that it made the boats on the port side practically impossible to launch. Some of them I think were filled with passengers, but, as your Lordship will readily imagine, in the few moments that elapsed these boats with the list over fell in-board and some of them fell over upon some of the passengers on the deck. I am not going now in any wise to anticipate the evidence as to how many torpedoes struck the ship. There is some little variation in the evidence, as one would expect on an occasion of this kind.

Let me tell your Lordship the facts about the crew and the passengers, The total crew was 702, made up of deck department 77, engineering department 314, stewards 306, the orchestra 5; that made 702. Of these, there were 677 males and 25 females. 397 males and 16 females were lost; therefore, the total loss of the crew was 413; 280 males and 9 females were saved. Those figures make up the 702.

The total passengers were 1,257, made up of saloon passengers 290, second-cabin passengers 600, third-cabin passengers 367, making a total of 1,257. Of these there were 688 adult males, 440 adult females, 51 male children, and 39 female children, and 39 infants. The number of passengers lost was 785, and the number saved 472. Of the 129 children, 94 were lost and 35 saved.

As regards the nationality of the passengers, I may tell your lordship that 944 were British including Canadians: 360 were saved and 584 were lost. There were 6 Greeks, 5 Swedes, 1 Swiss, 3 Belgians, 3 Dutch, 72 Russians, 2 Mexicans, 1 Indian, 8 French, 1 Danish, 2 Italians, 1 Spanish, 1 Finnish. 1 Norwegian, 15 Persians, 1 Hindoo, and 1 Argentine; and as I have said of the total, 472 were saved and 785 were lost. Taking the passengers and crew together on board they came to 1,959, and of these 1,198 were lost and 761 were saved.

I ought to tell your Lordship, perhaps, something about the ship. The ship was built of steel by John Brown and Company, at Clydebank, in 1907. She had a length of 769.33 feet and a breadth of 87.85, with a depth of 61.72. She was fore and aft rigged; she was fitted with six steam turbine engines of 65,000 indicated horse power, equal to a speed of 24 knots - that is, when all the boilers were working. She was registered at Liverpool, and her tonnage after deducting 17,784 tons for propelling power and crew space was 12,611. The ship was built under the special survey of the Admiralty and the Admiralty requirements. She had accommodation including the crew for over 3,000 persons. She was fitted with 15 transverse bulkheads. The longest compartment was the forward boiler room, which was over 90 feet long, and all the watertight doors and the bulkheads could by special arrangements be closed simultaneously; and I think there is evidence that that was done on this occasion. The coal bunkers were arranged along the sides of the ship and fitted with bulkheads, and there was a double bottom, the depth between the outer and the inner being 5 feet at the centre. I have told your Lordship already that the "Lusitania" was a passenger steamer and an emigrant ship as defined by Sections 267 and 268 of the Merchant Shipping Act, and as a passenger ship she had to be surveyed annually for the passengers' certificate, and as an emigrant ship, every voyage before clearance outwards. She had cleared outwards in the month of March from this country and had received her certificate. She also had to comply with the rules as to life-saving appliances, which had to be surveyed under the 431st section of the Act. There were also special instructions which are not statutory which were given by the Company as regards boat drills, which your Lordship will hear evidence about.

The "Lusitania" held a passenger certificate enabling her to carry 400 passengers of each class, that would be 1,200 altogether, and a crew of 750 hands. She was certified to have, and had as a matter of fact, on board, 34 boats, capable of accommodating 1,950 persons. She had 32 lifebuoys and 2,325 life-jackets. The proper certificates which were required will be proved, and the witnesses will be called before you to show that the proper certificates were made. The vessel last cleared outwards from Liverpool as an emigrant ship, I said, in March, but it was really on the 17th April, and surveys were made by Mr. Laslett of her machinery and life-saving appliances, and an emigration survey was made by Captain Barrant, the Emigration Officer, who gave the clearance certificate on the 17th April. The ship, so far as the facts put before me go, seems in every way to have fulfilled the requirements of the law and the regulations that were laid down.

Now, my Lord, there is one other matter to which I must refer. There were, as your Lordship would expect under war conditions, certain general regulations which had been issued by the Admiralty with a view of giving directions having regard to the menace of submarines and mines when you get within what we may call the war zone. In addition to that, having regard to existing conditions on the south coast of Ireland, and what had been observed there during the two days previously, or one day at all events - May

6th, and the morning upon which these people were murdered, there were certain specific information and directions sent out by the Admiralty by wireless telegraphy to the "Lusitania," and which so far as I know reached the captain. As representing the public here, as I do, I have to state to your Lordship that, in my opinion, and upon the advice of the Admiralty, whom I have myself consulted, it is not thought desirable - indeed we are pressed very much the undesirableness of it - or, indeed, possible to state these general regulations or the communications that were made, in public. That will not relieve us from the necessity of going into them, and it will be quite evident that one of the main questions which will have to engage your Lordship's consideration is as to those instructions and those communications and how far in accordance with the circumstances the Captain acted upon them. I shall have in course of the case, subject of course to your Lordship's approval, to ask your Lordship to take that part of the inquiry in private. It is essential that we should go into it. It is essential that we should not have these matters published; it would shake I think the confidence of those who have to navigate our Mercantile Marine at this difficult time, with the kind of enemy we have to deal with, if we were to make these matters public, and I hope your Lordship will see your way to comply with the request we will make.

It is not necessary for me now I think to say any more. The case is not of the ordinary type of case into which these inquiries are held. The first question that has to be decided in an ordinary case is: how did the accident occur? Well, we know in the present case that there was no accident. We know that there was a premeditated design to murder these people on board this ship by sinking her. Everything points to that perfectly clearly and perfectly plainly, and therefore what in other cases takes a considerable time will not in the present case. I think, necessarily lead, at all events, to any very long or continued investigation. The real questions that will arise upon that are only two. The first is as to the navigation of the ship, having regard to the instructions, and the suggestions and the information from the Admiralty, and the second is as to whether everything was done that possibly could be done to save human life and alleviate human suffering after the ship had been torpedoed. That is a matter which it would serve no useful purpose for me to survey at the present time. Your Lordship can, of course, picture what the feeling on board a ship suddenly torpedoed in this way must have been. There is one thing which I might state which I think all the witnesses concur in, that there was no panic. Your Lordship will hear what was done as regards the boats and the attempts to launch them. For my own part, while I think every inquiry ought to be made, I think your Lordship will see at once that in certain circumstances of this kind, and with the number of human beings who were on board, it is not very easy to get any very accurate description of what did really happen as regards each boat, or anything of that kind. However, we will put all the necessary evidence before you. But, my Lord, I do not propose, so far as I am concerned, to protract an inquiry of this kind. There is no use as far as I can see in calling witness after witness to prove exactly the same thing, and when we have satisfied your Lordship and the Court by sufficient evidence of what are the general outlines of the facts and of the efforts that were made, of course we shall court inquiry and evidence, as is our duty, from any other person who wishes to come forward here, and if there are complaints against either the master or the owners or the crew everybody here as I understand will have the fullest opportunity of stating it. That is one of the objects of the investigation, but as I said before, this investigation differs from all others that I know of which have been held in these wreck inquiries, because, unfortunately, the cause of the loss of life is only too clear.

My Lord, with these observations I shall now proceed to call the evidence before you.

Mr. Butler Aspinall: On behalf of the Cunard Company may I be allowed to take this early opportunity of conveying to the relatives and friends of the victims of this deplorable tragedy their sincere and heartfelt sympathy.

Mr. Cotter: I should like to make an application at this point to appear as representing 150 men of the "Lusitania."

Mr. Rose-Innes: I have a similar application to make on behalf of the relatives of a lady passenger who lost her life, and also on behalf of Mr. Crighton [sic], to appear with Mr. Wickham.

Mr. G. A. Scott: I have a similar application to make on behalf of the representatives of the late Mr. Vanderbilt.

Mr. Clem Edwards: I wish to appear on behalf of the National Sailors' and Firemen's Union, of whom about 150 men were lost.

Mr. Marshall: I also ask permission to appear on behalf of the Marine Engineers. We have had 14 or 15 of our members lost and we desire to be represented.

The Commissioner: The different gentlemen who have applied to me will be at liberty through me to put any questions that they think they ought to put, but I am not going to make anybody party to this Inquiry except those people who have been mentioned by Sir Edward Carson, namely, the owners and the Captain. Of course, it is understood that if at any time during the Inquiry I desire to clear the Court and to take any part of the Inquiry in private, the gentlemen who have spoken to me must retire. Mr. Attorney, will you let me have a note of the figures of the passengers, crew, and dimensions and so on of the ship.

The Attorney-General: Certainly, my Lord.

Mr. Alexander Galbraith, Sworn.

Examined by the Solicitor-General.

1. *The Solicitor-General:* This witness, my Lord, proves the dimensions. (*To the witness.*) You are the assistant superintending engineer to the Cunard Line? - I am the superintending engineer.
2. What was the tonnage of the "Lusitania"? - The gross tonnage was 30,395 tons; the net tonnage 12,611 tons.
3. By whom was she built? - John Brown & Co., Clydebank.
4. And she was registered as a British steamship at the port of Liverpool? - That is so.
5. With the official number of 124,082? - Yes, that is right.

6. Will you describe the propelling machinery. Tell me generally what the propelling machinery was? - The main propelling machinery consisted of two high pressure ahead turbines, two low pressure ahead, and two astern turbines, driving four lines of main shafting. The two outer lines of shafting were each driven by a high pressure ahead turbine. The two inner lines of shafting were each driven by a low pressure ahead turbine. Forward of each low pressure ahead turbine and on the same line of shafting was an astern turbine, so that when going astern only the inner shafts were driving the ship. Steam was supplied by 23 double ended boilers and two single ended boilers, arranged for a working pressure of 195 lbs. per square inch.

6a. I want you now to give a general description, which I think you have prepared, of the dimensions of the vessel. What was her length over all? - The length over all was 785 feet.

7. And between perpendiculars? - 760 feet.

8. And the extreme breadth? - 88 feet.

9. The depth? - 60 feet 4½ inches.

10. What was her draught? - 36 feet

11. Her displacement? - 41,440 tons.

12. The accommodation for first class passengers? - I do not appear to have that.

13. I am putting it from your statement: First class passengers, 552; second class, 460; and third class, 1,186. Would that be right? - I have not the figures.

14. *The Commissioner*: Do not you know how many first, second and third class passengers this boat was licensed to carry? - Yes, but unfortunately I cannot pick it up in my notes.

The Attorney-General: It is in the Certificate.

14. *The Solicitor-General*: What was the type of engine? - Turbine driven.

15. Do you recollect the number of furnaces? - The number of furnaces was 192.

16. What was the steam pressure? - 195 lbs.

17. The total heating surface? - 158,350 square feet.

18. The draught? - 36 feet.

19. And the total indicated horse-power as designed? - 68,000.

19a. The speed? - 25 knots.

20. She was classed 100 A1 at Lloyds, and the hull and machinery were built under special survey? - That is so.

21. What was the structure of the vessel? - The vessel was built throughout of steel and had a cellular double bottom of the usual type, with a floor at every frame, its depth at the centre line being 60 inches, except in the way of turbine machinery, where it was 72 inches. This double bottom extended up the ship's side to a height of 8 feet above the keel. Above the double bottom the vessel was constructed on the usual transverse frame system, reinforced by web frames, which extended to the highest decks. At the forward end the framing and plating was strengthened with a view to preventing panting, and damage when meeting ice. Beams were fitted on every frame at all decks from the boat deck downwards. An external bilge keel about 300 feet long and 30 inches deep was fitted along the bilge amidships. The heavy plating was carried up to the shelter deck. Between the shelter deck and below the upper deck a depth of 14 feet 6 inches was double plated and hydraulic rivetted. The stringer plate of the shelter deck was also doubled. All decks were steel plated throughout, The transverse strength of the ship was in part dependent on the 12 transverse watertight bulkheads which were specially strengthened and stiffened to enable them to stand the necessary pressure in the event of accident, and they were connected by double angles to decks, inner bottom and shell plating.

The Commissioner: What point, Mr. Solicitor, does all this go to?

The Solicitor-General: I thought the Court would desire to know what the construction of the vessel was at some time or other in the Inquiry.

The Commissioner: But all these details produce no impression on my mind. We have other and much more important matters to enquire into.

The Solicitor-General: My Lord, that may be so, but at the same time surely it would be necessary, even if there were more important matters, that the Court should be informed of these things?

The Commissioner: Is there to be any suggestion that this ship was not seaworthy?

The Solicitor-General: Until we know what suggestions are made in the course of the Inquiry, it is a little difficult to tell.

The Commissioner: Have you any reason to believe that there will be any such suggestions?

The Solicitor-General: No, my Lord. I have no reason to believe anything. As to what will be suggested, I do not know.

The Commissioner: If I might suggest it, I think you had better defer all these details until you do hear something in the nature of a suggestion.

The Solicitor-General: If your Lordship pleases. Then that disposes of the whole of the evidence of this witness, except that I should like to put in the plans.

The Commissioner: What are these drawings I see?

22. *The Solicitor-General:* They represent various sections of the “Lusitania.” Those are the boiler rooms; the other one is what is called a profile plan. (*To the witness*): Do you produce the plans of the vessel? - That is so.

23. Have you them in Court? - I have.

The Solicitor-General: I put in the certified copy of the official register. (*Handing in the same.*)

(*The witness withdrew.*)

Mr. Albert Laslett, Sworn.

Examined by the Solicitor-General.

24. Are you a Board of Trade Engineer and Ship Surveyor at Liverpool? - I am.

25. Was the “Lusitania” as regards her machinery surveyed when she was built in 1907? - She was.

26. Under the arrangement then made was a system of running surveys contemplated? - It was.

27. Under this system is it a fact that only a six months' declaration could be issued at any time? - Yes.

28. When was the “Lusitania” last inspected and surveyed? - On the 17th March last.

29. Was that in Liverpool? - Yes.

30. Had you anything to do with the survey? - I had.

31. What have you to say as to the results of that survey as a general statement? - I was perfectly satisfied.

32. In every respect? - In every respect.

33. Are you able to give us information about the boats? - I am.

34. Will you look at this plan (*handing the same to the witness*). Does that plan indicate the number and the position of the boats on the “Lusitania”? - It does.

35. Can you tell me when the boats were last inspected? - By me on March 17th last.

36. Were they then as shown in this plan? - They were arranged as shown here.

37. What was the total boat accommodation? - Of the boats which were capable of being accepted at that time for the whole period for which the vessel was then being passed, the total capacity was 1,950. There were other boats on board of a capacity of 657, but which would not have been passable for the whole of the period of the certificate.

38. That means that over a limited period you would have passed them, but not indefinitely? - They were passable up to the 1st July next.

39. That is the July which is coming now? - Yes.

40. That would make a total boat accommodation for how many? - 2,607.

41. When were the lifeboats last examined? - On that day.

42. Did you examine them? - I did.

43. I think you turned over singly and examined the crew's belts when those had been stacked in the crew's quarters? - I did.

44. Did you have the passengers' belts stacked in tiers of ten in the alley ways? - Yes.

45. Then did you examine them? - I did.

46. I think you found some 200 of them were short of tapes, and those you ordered to be replaced? - I did.

47. On the 15th April last did you visit the vessel in the Mersey before her departure on the last outward voyage in connection with the emigration survey? - I did.

48. Did you walk round the boat deck and make proper examinations on that occasion? - I did.

49. And I think you signed the Survey 27 after making that inspection? - I did.

The Attorney-General: I think it would shorten matters to put in the surveys, because they give the particulars, and the certificate of what I stated, the number of passengers certified for, and the crew. Those are the figures, and I think that bundle shows that everything was complied with. (*Handing in the same.*)

(The witness withdrew.)

Captain O. A. Barrand, Sworn.

Examined by the Solicitor-General.

50. Are you a Board of Trade Emigration Officer at Liverpool? - I am one of them.
51. Did you make an inspection of the "Lusitania" on April 16th last? - I did.
52. Did you make a full inspection on that day and on the 17th? - On both dates.
53. What was the result of your inspection quite shortly; did you find everything satisfactory? - I was perfectly satisfied with everything.

(The witness withdrew.)

Captain William Thomas Turner, Sworn.

Examined by the Attorney-General.

54. Were you the Master of the "Lusitania"? - I was.
55. On the voyage from New York to Liverpool? - I was.
56. You started your voyage on the 1st May? - Yes.
57. I will not go into the particulars of the crew and cargo, because we know what it was. What certificates do you hold? - Extra Master.
58. Have you got it? - The Company has it.
59. At the time when the ship started, so far as you know was she in good condition? - Yes.
60. And well found? - And well found.
61. Was she armed or unarmed? - Unarmed.
62. Had she any weapons of offence or defence against an enemy at all? - None whatever.
63. Or any masked guns? - None whatever.
64. Before you left New York was there boat drill carried out? - There was.

65. And fire and bulkhead drill? - And fire and bulkhead drill also.
66. Were these in accordance with regulations issued by the owners? - Yes, sir.
67. Can you tell me, during the voyage between the 1st May and the day when the ship was sunk, was there daily muster drill at the boats? - At the sea boat, one boat.
68. How often was that? - Once a day.
69. Tell us what course you came across? - I steered a course from Sandy Hook to 40.10 N. and 40 W., thence on a circle course to within 100 miles from Fastnet, and then steered about 20 miles south of Fastnet.
70. When you got to Fastnet how far out from the shore were you? - I estimate about 25 to 26 miles south of Fastnet; we did not see it.
71. On the morning of the 7th May was there a fog? - There was.
72. Up to what time? - I forget the time; I could not tell you.
73. Then we will prove that by another witness. Did it clear off? - It cleared off.
74. And being 25 miles, you say, off Fastnet, what did you do then? - We held up a bit, to make the land closer, to make out something, and we saw the Brow Heads shortly afterwards, and then, if I remember aright, we put her on her course again parallel with the land.
75. Do you remember the time she was struck? - My watch was 2.15; it stopped at 2.36¼.
76. According to your statement, whereabouts was the ship at that time? - I estimate about 15 miles out.
77. Off where? - The Old Head of Kinsale.
78. Going to Liverpool? - Bound for Liverpool.
79. At the time was the weather quite clear? - Beautifully clear.
80. Was the sea smooth? - Quite smooth.
81. Do you know anything about the tide? - It was slack water.
82. How far were you from Liverpool at that time? If you cannot tell me I will get it from another witness.
- Kinsale is about 255 miles, as near as I can remember.

83. I have a calculation here made, which I daresay you will accept, of about 240 miles. - From the Don Ship it is 240 miles to Liverpool.
84. And you say you were 250 miles away? - 250 miles - all that.
85. At 2.15, at the time you were struck, what speed were you going at? - 18 knots.
86. Can you tell me what was the average speed at which you had come from New York across? - About 21 knots.
87. What was the highest speed you were able to make if you put full speed on? - 24½ or 25 knots.
88. Could you have made that during this voyage? - No, not under the condition of boilers.
89. That is what I want you to tell his Lordship. What was the condition of the boilers? - We were only working 19 out of 25.
90. Was that by the direction of the owners? - It was.
91. Where were you at the time when the ship was struck? - On the port side of the lower bridge.
92. Will you tell his Lordship and the Assessors in your own way what happened? - The officer called out "There is a torpedo coming, sir," and I went across to the starboard side and saw the wake, and there was immediately an explosion and the ship took a heavy list.
93. Could you observe where she was struck - which side first? - The starboard side.
94. Do you know where she was struck? - A big volume of smoke and steam came up between the third and fourth funnels, counting from forward - I saw that myself.
95. Did you say that you yourself saw the wake of the torpedo? - I saw a streak like the wake of a torpedo.
96. Somebody cried out that there was a torpedo? - Yes, the Second Officer, on the bridge.
97. When the ship was struck tell us what happened? - I headed her for the land to see if I could make the land.
98. Did she list? - Heavily to starboard.
99. Were you yourself thrown down? - No.
100. What did you do then? - Ordered the boats to be lowered down to the rails, to get the women and children in first.

101. Before doing that, did you go on to the navigation bridge? - Yes.
102. I want to take it in order, you know. You went up to the navigation bridge? - Yes.
103. What did you do then? - Put her head on to the land, and then I saw she had a lot of way on her and was not sinking, so I put her full speed astern, to take the way off her.
104. When you did that, was there any response from the engines? - None whatever.
105. What did you conclude from that? - That the engines were out of commission.
106. When you had ordered full speed astern and had headed her for the land, what did you do? - I told them to hold on lowering the boats till the way was off the ship a bit, which was done. I told the staff captain to lower the boats when he thought the way was sufficiently off to allow them to be lowered.
107. Did you notice any other concussion that would lead you to believe there was a second torpedo? - One immediately after the first.
108. When you told them to lower the boats, was there any difficulty about any of the boats? - They could not very well lower them on the port side because of the heavy list.
109. Can you give us a little more information as to the extent of the list? - I should say about 15 degrees.
110. What happened to the boats on the port side? - They caught on the rail and capsized some of the people out. Some were let go on the run, and some of them fell inboard on the deck and hurt some of the passengers.
111. Did you give any directions about the women and children? - I said "All women and children into the boats first," and I told them to lower them down to the rails.
112. Was there any panic on board? - Not that I saw.
113. How long was it from the time when the ship was first torpedoed until she sank? - I should think about 18 minutes. My watch was 2.10, and it stopped at 2.36¼ .
114. *The Commissioner*: You went into the water, did you? - Yes, my Lord.
115. *The Attorney-General*: How long did you remain on the bridge? - Until she went down under me.
116. You put on a lifebelt, I suppose? - Yes, I put on a lifebelt.
117. How long were you in the water? - That I do not know; I did not take the time.
118. I daresay it seemed a very long time? - Well, yes, it did.

119. Then were you picked up? - Yes, they picked me up in one of the ship's boats, and transferred me to the "Bluebell" trawler and landed me at Queenstown.

120. So far as you were concerned, or could observe, was everything done that was possible to get the boats out and save lives? - Yes, everything possible.

121. You got certain instructions from the Admiralty, I think? - I did.

The Attorney-General: I do not say more than that at the present moment; that I shall have to deal with later on.

The Commissioner: Yes.

Mr. Butler Aspinall: I have some questions to ask this gentleman, but I do not know whether your Lordship might not think it better that I should wait until the other interests have put their questions. It is the more usual course.

The Commissioner: By all means.

Mr. Butler Aspinall: and it may save time.

Examined by Mr. Rose-Innes.

Mr. Rose-Innes: I desire to put this question to the witness: whether the boats on the port side were swung clear or only lowered to the deck?

The Commissioner: Do you mean whether they were swung out?

Mr. Rose-Innes: Yes.

122. *The Commissioner:* (To the witness) Were the boats on the port side swung out? - They were.

123. *Mr. Rose-Innes:* Did that apply also to the starboard side? - It applied to the starboard side.

Mr. Rose-Innes: The other questions I desire to put are such as cannot be put at the present moment having regard to your Lordship's ruling.

The Commissioner: I do not know what that means. What does it mean?

Mr. Rose-Innes: They have reference to the Admiralty instructions.

The Commissioner: I shall not, I think, allow you to put any questions about that.

Mr. Rose-Innes: No, my lord, I understand so, if the Inquiry takes place *in camera*. If we are excluded, according to your Lordship's ruling, from so much of the Inquiry as takes place in camera, I cannot put them.

The Commissioner: No, I do not want to go into those matters at all now.

The Attorney-General: May I say as regards my learned friend, that if he has any communications he likes to make to me, I will consider what questions I can put upon them.

The Commissioner: You hear what the Attorney-General says, Mr. Rose-Innes: If there are any questions you would like to put you may submit them to him, and if we have to retire and hold any part of the Inquiry *in camera* he will consider whether they are questions which he ought to put.

Mr. Rose-Innes: I am obliged, my Lord.

Examined by Mr. Cotter.

124. Is it a fact that you had boat drill in Liverpool before the ship left Liverpool? - Yes.

125. Is it the custom of the Cunard Company to give each member of the crew a boat badge with the number of his boat? - Yes.

126. Was that done on the last voyage? - It was.

127. Was the crew of the "Lusitania" proficient in handling boats, in your estimation? - No, they were not.

128. Were the stewards proficient in handling boats? - Just about the same as they all are now, as ships' crews go now.

129. Then your contention is that they are incompetent to handle boats? - They are competent enough - they want practice. They do not get practice enough, and they do not get the experience.

130. You say you had boat drill with one boat every day? - Yes.

131. Was that with the object of giving the crew some experience? - That is right.

132. How many boats did you carry on the "Lusitania"? - 48.

133. How were they fixed on the decks? - They were swung in davits and landed on the deck on skids.

134. What kind of davits did you have? - Iron davits.

135. But what class - You know there are several classes of davits? - We had the Whelin [sic] davits and the ordinary davits.

136. Where were the Whelin [sic] davits situated on board? - Both sides, starboard and port, about amidships.

137. Had you any Whelin [sic] davits aft - on the after deck? - I forget now whether there were or not.

138. How many Whelin [sic] davits had you on the port side? - I do not know whether there were any or not of that pattern.

139. You know the class of davit I mean? - Yes, I know the class of davit you mean.

140. When you gave the order to lower the boats to the rail, were the crew then attending to the various boats? - Yes, they were.

141. Did you notice if they had any difficulty? - Lots of difficulty, owing to the list.

142. The difficulty was owing to the list? - Yes.

143. The boats swung in-board? - No; they leaned against the ship's side; some swung in-board.

144. The result was that there would be difficulty in loading them with people and getting them to the water's edge? - Quite right.

145. Did you see any accident to any of the boats? - Yes, they dropped one down the after end.

146. Did you see any boat actually lowered, with passengers in it, into the water on the port side? - Yes.

147. Coming to the starboard boats, were they swung out? - They were.

148. When she took the list, did they swing further out? - Naturally.

149. They were not lashed to the side? - No.

150. Did you notice whether the passengers had any difficulty in getting into them? - No, I did not notice that.

151. They would have difficulty, would they not? - No doubt they would have a slight difficulty.

152. When did you issue any orders with regard to bulkhead doors? - I issued those earlier in the morning.

153. I mean after the ship was struck? - All the bulkhead doors were closed.

154. Did you order them to be closed? - Yes.
155. Do you know whether they were closed as a matter of fact? - It was reported to me that they were.
156. By whom were they closed? - By those connected with each department, the stewards' department.
157. Did you notice whether any of the stewards were giving lifebelts out to the passengers? - I believe so.
158. What class of lifebelts did you carry? - The body lifebelts and the cork lifebelts.
159. Where were they situated as regards the first, second, and third class? - In racks.
160. Did you have any buoy lifebelts for the third class? - Yes.
161. As well as the first class? - Yes.
162. Would the passengers know where to get them? - Yes, and there were notices in the rooms where to get them, and how to put them on.
163. Were the crew assisting to put the lifebelts on the passengers? - I understand they were.
164. And your orders were carried out as far as it was possible to carry them out? - Yes.
165. Owing to the list of the ship was it very difficult to carry them out? - In some instances.
166. How long after she was struck did she heel over so that it was impossible to stand on the deck? - Almost momentarily; within 10 seconds I should think.
167. In 10 seconds it was impossible to stand upright on the deck? - Yes.
168. Then it must have been very difficult for any member of the crew to do their duty at all? - It was.

Examined by Mr. Clem Edwards.

169. At the time you were struck were you steering a perfectly straight course? - As straight as you can steer.
170. To get the maximum speed how many of your boilers ought to be fired and linked up? - Eighteen knots we were going.

171. Yes, but to get your maximum speed out of the "Lusitania," which you said was 24½ to 25 knots? - Yes.

172. To get that maximum speed how many of the boilers had to be fired? - Twenty-five.

173. At the time you were struck how many of the boilers were in fact fired? - Nineteen.

174. Was it a matter within your discretion, or was it in consequence of orders from your owners that you had only nineteen of your boilers fired? - Orders of the owners.

175. So that at that time if you had thought it the right thing to keep full speed ahead you could not have attained anywhere the maximum speed of 24 to 25 knots? - No; 21.

176. 21 knots was the maximum you could have got? - With 19 boilers, yes.

Examined by Mr. Donald Macmaster.

177. On the morning of the 7th May were you aware that you were in a danger zone? - I was.

178. And that you might possibly be subject to a torpedo attack? - Yes.

179. Did you give any special instructions or take any special precautions with a view to observing whether submarines were in the neighbourhood on the morning of the 7th May? - I did. I gave orders to the engineers in case I rang full speed ahead to give her extra speed.

180. Did you give orders to look out for submarines? - The look-outs were already doubled.

181. Can you tell me about how far the vessel travelled from the time she was struck until she ultimately went down? - Probably two to three miles.

182. Did she keep her head? - She had headway when she was going down.

Examined by Mr. Butler Aspinall.

183. You told us you hold an extra Master's Certificate? - Yes.

184. How long have you held that certificate? - Since 1897.

186. How long have you been in the service of the Cunard Line? - Since April, 1883.

186. How long have you served as a Commander with them? - Since 1903 I think; I am not sure.

187. Have you been in command of the "Aquitania"? - I have.

188. Is that their largest vessel? - It is.

189. In addition to commanding the "Lusitania" and the "Aquitania," have you been in command of several other large vessels of theirs? - I have.

190. On the "Lusitania," in addition to yourself, did you have a second captain, as it were? - Yes.

191. What was his name? - Anderson.

192. He has unfortunately been lost, has he not? - I am sorry to say, yes.

193. He was as it were a reserve captain, was he? - Yes.

194. I have very little to ask you; but in consequence of information that had been received with regard to submarines, were you taking extra precautions? - I was.

195. On the morning of Thursday, 6th May, the day before the catastrophe, were your boats swung out ready for lowering? - Yes, at 5.30 in the morning.

196. And was everything in readiness? - Everything was in readiness.

197. In addition to that had you given special instructions to Captain Anderson to see that all bulkhead doors were kept closed? - I did.

198. As far as you know did he give effect to your orders? - He reported to me that he had done so.

199. You have told us in general language that you doubled the look-out? - Yes.

200. Where was the look-out being kept? - Two in the crow's nest and two in the fore-castle head - in the eyes of the ship.

201. In addition to that were there several officers on the bridge? - There were two officers on the bridge and a quartermaster on either side with instructions to look out for submarines.

202. I have been asked to ask you this question: What was the draught of the "Lusitania"? - About 33 feet 10 inches approximately.

203. You told the gentleman who sits behind me that in your view the crew of the "Lusitania" were not proficient in handling boats.

The Commissioner: Not efficient.

204. *Mr. Butler Aspinall*: I want you to explain that a little. Is it your view that the modern ships, with their greasers and their stewards and their firemen, sometimes do not carry the old-fashioned sailor that you knew of in the days of your youth? - That is the idea.

205. That is what you have in your mind? - That is it.

206. You are an old-fashioned sailor man? - That is right.

207. And you preferred the man of your youth? - Yes, and I prefer him yet.

208. With regard to dealing with the boats on this occasion as you said the boats were ready to be used? - All ready.

209. But the three big difficulties that the sailors had to deal with were the fact that the ship had got the list? - That is right.

210. And that the ship had got headway on her which could not easily be stopped? - That is right.

211. And that the time was short? - Yes.

Mr. Rose-Innes: May I ask whether the log was saved.

The Attorney-General: No, it was not. I asked for it long ago.

212. *The Commissioner*: (*To the witness.*) I suppose everything went down with the ship? - Yes, my Lord.

The Attorney-General: I do not know whether it would be convenient now to finish this witness.

The Commissioner: You must follow your own course. You know better than I do.

The Attorney-General: I should like to finish him now, because it seems to me, having regard to the questions put, that this is the main point, and I do not want to be calling witnesses as to matters which are not material.

213. *Mr. Butler Aspinall*: I have been asked at this stage if I might ask the witness these two questions on behalf of a gentleman sitting at the back. (*To the witness.*) Is it within your knowledge that the passengers were helping as far as they could? - It is - interfering you should say.

Mr. Butler Aspinall: I did not ask you that.

The Commissioner: (*To the witness.*) That was not what you were asked to answer.

Mr. Butler Aspinall: I do not mind the answer, but they no doubt were desirous of helping although it may be they were hampering?

The Witness: Yes.

214. I have also been asked to ask you this: Do you know of your own knowledge what part, if any, Mr. Vanderbilt was taking in the helping? - I never saw the gentleman.

(The witness withdrew.)

The Commissioner: Now, Sir Edward, I think the more convenient plan would be for us to adjourn into another room.

The Attorney-General: If your Lordship pleases.

The Commissioner: And I can tell you the gentlemen who, I think, will be there; you, Mr. Attorney, and your juniors, you, Mr. Aspinall, and your juniors, and the Court. Sir Ellis Cunliffe, of course, can come in, and the gentleman instructing Mr. Aspinall.

The Court adjourned to sit in camera.

DAY 1 IN CAMERA

CENTRAL HALL, WESTMINSTER.

PROCEEDINGS *in Camera* on the 15th and 18th June 1915,

BEFORE

THE RIGHT HONOURABLE LORD MERSEY,

Wreck Commissioner of the United Kingdom,

WITH

ADMIRAL SIR F. S. INGELFIELD, K.C.B.,

LIEUTENANT COMMANDER H. J. HERN,

CAPTAIN DAVID DAVIES,

CAPTAIN JOHN SPEDDING

Acting as Assessors,

on a Formal Investigation ordered by the Board
of Trade into the loss of the s.s. "Lusitania."

Tuesday, 15th June, 1915.

The Commissioner: I need hardly say to you gentlemen that what passes in this room is to be considered as being in the *strictest confidence*, and is not to be mentioned by anybody to anybody at all outside. I hope that I have the assent of all of you to that position.

Captain William Thomas Turner recalled.

Further examined by the Attorney General.

I just want you to look at this chart for the moment (*handing the same to the Witness*). You will see *there* is the Fastnet Rock? - Yes.

There is the Old Head of Kinsale? - Yes.

Will you tell his Lordship and the Court how you passed the Fastnet Rock?

Mr. Butler Aspinall: I have got Captain Turner to mark the chart. I have a chart on which he has marked the course which he actually steered, and the course in which ordinary circumstances he would have steered - *This* is the usual run in ordinary times of peace, and *here* is where we came along - down *here* (*pointing on the chart*).

The Commissioner: That is the actual line you took? - Yes, as near as possible.

The Attorney-General: Is this the Old Head of Kinsale? - Yes.

And where were you? - About nine or ten miles off. That is only approximate. *Here* is the line we came, from 25 or 26 miles off Brow Head.

Where did you come to from there? - *This* way.

Passing round the south coast of Ireland? - Yes.

You took a detour? - Yes.

Had you got from the Admiralty general instructions? - Yes.

Do you produce them? - Yes.

Have you your own copy? - My copy went down in the ship.

May I take it that you had it on board? - Yes.

Is it dated 3rd November, 1914. Have you an earlier one than this? - I had an earlier one.

I want the one of 3rd November, 1914. If you have not got it I will not delay over it. The Cunard Company, no doubt, will admit that they got this, and I want to know what you got? - I know I got them.

Did you get this one: "Trade routes during War." "All Masters must obtain the latest copies of these Admiralty Notices to Mariners before sailing. These, together with the last monthly summary, can be obtained free of charge at any of the Mercantile Marine Offices in the United Kingdom." Did you get that? - I did.

Did you, before you started from the United Kingdom, obtain the latest copy of Admiralty Notices to Mariners? - I did.

Where did you get those? - The Company supplied them.

"All orders by British men-of-war must be complied with immediately"? - Yes.

Now listen to this: “When on voyage vessels must scatter widely both sides of the track, and should avoid all other vessels directly they or their smoke are sighted. Points where trade converges should, when possible, be passed through at night. Territorial waters should be used when possible. Remember that the enemy will never operate in sight of land if he can possibly avoid it.” Did you get that? - Yes.

“Every effort is to be made to avoid capture and to cause the enemy to burn coal. Avoid excessive smoke. Colours are no indication of nationality until a vessel opens fire. All lights (except navigation lights) must be hidden, and navigation lights should not exceed the brilliancy laid down in Rules for Prevention of Collisions at Sea. The second masthead light is unnecessary. Vessels quitting port in dangerous vicinity should endeavour to sail soon after dark, make a good offing by dawn, keep off usual routes, and dim brilliancy of lights. Similarly, landfalls should be made at dawn.” Do you remember getting that? - Yes, I remember it.

Did you get this one; this is a telegram on the 30th January to Sir Norman Hill, the solicitor to the Company, from the Admiralty: “Confidential” (it is dated 13th January, 1915). “British shipping should be advised to keep a sharp look-out for submarines and display ensign of neutral country, or show no colours while any where in the vicinity of the British Islands. British ensign must, however, be display when British or Allied men-of-war should be met. House flags should not be flown.” - I remember getting that.

I want to know whether at the time your ship was torpedoed you had any flag flying? - None whatever.

Had you the name and port of registry obscured? - Painted out.

Did you get a copy of this, which is dated 10th February, 1915: “This paper is for the Master’s personal information, is not to be copied, and when not actually in use is to be kept in safety in a place where it can be destroyed at a moment’s notice. Instructions for Owners and Masters of British merchant ships issued with reference to the operations of German submarines against British shipping”? Did you get that one? - I do not remember that one.

It is especially issued for Masters? - I might have done.

The Commissioner: Look at that paper. Did you receive a paper like that? - Yes.

The Attorney-General: On this you see: “Section 3. Vessels approaching or leaving British or French ports between latitude 43° N. and latitude 63° N. and East of longitude 13° W. a sharp look-out should be kept for submarines and vessels navigating in this area should have their boats turned out fully provisioned and ready for lowering. The danger is greatest in the vicinity of the ports and off the prominent headlands of the coast. Important landfalls in this area should be made after dark whenever possible.” Do you remember that? - Yes.

Now I want to know, when you were navigating on the 7th May had you your boats turned out? - At half-past five on Thursday morning.

Had you your boats turned out? - Yes.

Were they provisioned? - Yes.

To what extent? - Tanks of biscuits and water.

In all the boats? - In all the boats.

And were they ready for lowering? - All ready for lowering, with the falls led down.

Did you observe that you were warned that the danger is greatest in the vicinity of the ports? - I did.

And off the prominent headlands of the coast? - Yes.

I will ask you something about that afterwards. Then it says this: "So far as consistent with the particular trades and state of tides, vessels should sail at dusk and make their ports at dawn." You had that? - Yes.

Did you get this on the 15th April of the present year -

The Commissioner: Were these documents sent to the Cunard Company as well as to the captain of the ship?

The Attorney-General: They were sent to the Company.

Witness: I received them from the Company.

Here is one of the 15th April, 1915: "Daily Voyage Notice. - For the purposes of the Government War Insurance Scheme the Admiralty consider all voyages may be undertaken subject to Local conditions, except the following:" - we need not go into that. "German submarines appear to be operating chiefly off prominent headlands and landfalls. Ships should give prominent headlands a wide berth where not otherwise directed in these notes. Ports such as Dover should be passed at utmost speed." Did you get that? - Yes.

You knew, therefore, that you should give prominent headlands a wide berth? - Yes.

Then there is one on the 22nd March. Will you tell me whether you got it; this is really from the Admiralty to the Intelligence Officer: Warn homeward bound British merchant ships that when making principal landfall at night they should not approach nearer than is absolutely necessary for safe navigation. Most important that vessels passing up the Irish or English Channel should keep mid-channel course." Did you get that? - I got that, yes.

"War experience has shown that fast steamers can considerably reduce the chance of a successful surprise submarine attack by zigzagging, that is to say, altering course at short and irregular intervals, say, 10 minutes to half an hour. This course is almost invariably adopted by warships when cruising in an area known to be infested by submarines. The underwater speed of a submarine is very low, and it is

exceedingly difficult for her to get into position to deliver an attack unless she can observe and predict the course of the ship attacked. It is believed that the regulations of many steamship lines prescribe that the master shall be on deck whenever course is altered. It is for the consideration of owners whether in the present circumstances some relaxation of rules of this character is not advisable in the case of fast ships, in order to admit zigzagging being carried out without throwing an undue strain upon the master." Did you read that? - I did.

On the 22nd March did you get this - I think it is really the same as I read before - "Most important that vessels passing up Irish or English Channel should keep a mid-channel course"? - Yes, I got that.

I want to know, in addition, on the 6th May did you get a wireless telegram to the effect that submarines were active off the south coast of Ireland? - I did.

That was from the Admiralty? - From the Admiralty.

I suppose it came from Valentia, did it? - I presume so.

That would be the nearest station. Was it in cipher? - It was in the M. B. Code, I think.

It was in code, was it? - Yes.

Did you also get on May 6th a message saying: "Take Liverpool pilot at bar and avoid headlands"? - I did.

"Pass harbours at full speed: steer mid-channel course"? - Yes.

"Submarines at Fastnet"? - Yes.

Do you remember whereabouts you got that? - No, I cannot remember.

That was on the 6th, the day before? - I cannot say.

But you remember getting it? - I remember getting it.

The Commissioner: - On the 6th? - Yes.

You remember getting it the day before the sinking of the ship? - Yes.

The Attorney-General: On the 7th, did you get this: "Submarines active in southern part of Irish Channel. Last heard of 20 miles south of Coningbeg Light Vessel"? - I did.

Will you show us where the Coningbeg Light Vessel is on the chart? - Here (*pointing on the chart*).

The Commissioner: Were you steering a parallel course? - To the land.

The Attorney-General: Were you steering a parallel course to Fastnet? - No.

You went right round, and came up? - I was getting in to get a fix to see how far I was off the land.

Did you get another wireless: "Submarines five miles south of Cape Clear proceeding west when sighted at 10 a.m."? - I did.

What I want to ask you first is why, with that information before you, did you come so close to Old Kinsale Head? - To get a fix. We were not quite sure what land it was; we were so far off.

Is that all you have to say? You say you were warned specially to avoid the headlands and to stay in mid-channel; those were the two instructions which were given? - Yes, but I wanted to find out where I was.

Do you mean to say you had no idea where you were? - Yes, I had an approximate idea, but I wanted to be sure.

The Commissioner: Why? - Well, my Lord, I do not navigate a ship on guess-work.

But why did you want to go groping about to try and find where land was? - So that I could get a proper course.

I do not understand this. Do you mean to say it was not possible for you to follow the Admiralty directions which were given you? - Yes, it was possible.

Then why did you not do it? - I considered I followed them as well as I could.

The Attorney-General: I only want to get the fact. You do not suggest for a moment, do you, that when the torpedo struck the "Lusitania" you were in mid-channel? - It is practically what I call mid-channel.

The Commissioner: Whereabouts were you on that chart? - *The Attorney-General:* About there (*pointing*).

The Commissioner: Do you call that mid-channel? - Yes, I should call that mid-channel, as a seafaring man.

The Attorney-General: Do you really call eight miles from the land mid-channel? Do you not know perfectly well that what the Admiralty instructions were aiming at was that you should be further out from land than on the ordinary course? - So I was; considerably further out.

At that time not very much? - I think about 10 miles away.

Would you ordinarily go right in? - Yes, along that line there.

Why would you do that? - We generally go along there to make the land and get a good position.

But that runs you right up to the Head? - Yes, about a mile off. We generally pass it a mile off under ordinary circumstances in fine weather.

There was nothing to prevent you being much further out? - No, but I did not think it was necessary to go further out.

You had as a matter of fact come in several miles? - I had to find my position.

And there was nothing at the time to have prevented you going along on a course such as you had started in the morning, and keeping 26 miles out. - Yes. I wanted to find out the ship's position.

Were you not able to find it out approximately from your navigation? - I do not work on approximation, if I can get a proper fix.

But you deemed it of some importance to try and avoid the submarine? - Certainly; most important.

You had plenty of time in hand, had you not? - Yes, plenty of time.

And there was nothing to prevent you, therefore, keeping well away from land for a considerable time? - No.

Even if you had put off finding out your exact position, you could have waited? - I could have waited, and it might have come on foggy; then we should have been worse off.

In the next place, were not you told not to pass near headlands? - I do not consider I passed near headlands.

What do you call the Old Head of Kinsale?

The Commissioner: That is a headland. - That is a headland, but I passed ten miles from it, and better.

The Attorney-General: You were told to give that a wide berth? - Yes, but what is the definition of a wide berth?

I am asking you your view? - My view is that I gave it a wide berth.

Ten miles? - Yes.

And you thought that a wide berth? - Yes.

Even after you had been informed that the German submarines appeared to be operating chiefly off prominent headlands? - Yes.

Did you consider it really at all? - I did; I thought I was quite far enough off.

Did you take counsel of anybody about it? - Yes, I spoke to the chief officer, and also to the staff-captain

At all events, whether rightly or wrongly, that is all you did, and you thought ten miles was sufficient? - Yes.

And when you made up your mind to the ten miles, you had in view that there might be submarines near the headland? - Yes.

The Commissioner: Would you ask him how long before he was torpedoed he had Old Kinsale Head in sight?

The Attorney-General: You hear his Lordship's question. How long were you able to see the Head? - Not very long. We could see it, but we could not distinguish what it was.

But you saw the land? - Yes.

How long was that before you were torpedoed? When did you first see the land? - We saw the land down *here* off Brow Head.

You knew where you were there? - Approximately, but I was not quite sure.

But you are accustomed to go this course, you know? - Not down here, so far off.

But you were able, I suppose, through navigating and seeing Brow Head, to know how far you had gone from the land? - No, I was not quite sure.

In or about, did you know what route you were travelling? - Yes.

And you knew approximately how far you had gone? - Yes.

Then having gone that far, you proceeded to come up again to look for the land? - Not to look for it, but to find out what distance I was off it.

So you knew that approximately? - Yes; it was guess-work.

It is not guess-work? - It was with me, and I wanted to get my proper position off the land. I do not do my navigation by guess-work.

Tell us how long before the ship was torpedoed you saw the land? - I cannot remember that quite - some time - a considerable time.

How long? - Two or three hours, I should think.

Two or three hours before you were torpedoed? - Yes.

How far away from it were you then? - Probably 20 or 26 miles.

Then you were able to judge when you saw the land as to whether you were in mid-channel or not, or whereabouts you were? - I judged we were quite sufficiently far off; that is all I can say.

That is not an answer to my question. You know that if you kept out, seeing the land 20 miles off, as you say, even then you were not in mid-channel? - Yes, I considered it mid-channel.

You considered it mid-channel? What is the width there? - I could not tell you.

The Commissioner: But you could form an idea? - No, my Lord, I cannot.

Is it a thousand miles wide? - No, it might be 30 or 40.

The Attorney-General: But I am talking about where you were.

The Commissioner: Off Old Kinsale Head, what is the width of the channel there? - 140.

The Commissioner: Then how can you say that ten miles off Old Kinsale Head is mid-channel? You must have known you were within that distance, and do you call that mid-channel?

The Attorney-General: You really do not think, do you - you have been very frank - that you were mid-channel or anywhere near it? - I did not think it was mid-channel, exactly, but I thought I was far enough off the land.

That is a question of judgment. I only want the facts. I am not at the moment condemning you. You thought it sufficient to be ten miles off Old Kinsale Head? - Yes.

You knew that was not mid-channel, nor anything like it? - No, I thought at the time it was about 15. The officers marked it off and made it ten miles. I thought it was about 15.

Never mind. Take this from me: you were able for two hours to see the land? - Yes.

I put it to you, whether it was right or wrong, you thought it sufficient to be that ten miles off? - Yes.

And therefore you did not think it necessary to be in mid-channel? - No.

Now why did you disobey the Admiralty instructions? You did not try to get to mid-channel; that was not your aim? - My aim was to find the land.

What I am putting to you is that you never for a moment tried to carry out what the Admiralty had laid down? - I thought I was trying my best, anyhow.

Now I want to ask you another question. You knew that was a dangerous zone? - Yes.

And you had these telegrams, we know. Why were you only going at 15 knots? - Because I was getting up to the Bar, and did not want to have to stop at the Bar.

What I want to ask you about that is this. You see, you told me you had plenty of time in hand? - Yes.

What was there to prevent you keeping well away until it became necessary for you to come up and cross over to Liverpool to the Bar? You see, you were trying to waste your time by going slowly near the land? - 18 knots. There was plenty of time.

You could have kept out? - We could have kept out, but when we were up here there was a submarine reported off Fastnet, down west, and we had passed that.

You had all this time in hand, and you were purposely going slow? - Not slow - 18 knots.

Well, not your best speed; passing ten miles from a headland instead of going at full speed up the channel? - Yes.

Did you do that deliberately? - I did.

Was that not against your instructions? - Well, yes.

The Commissioner: When did you reduce your speed from 21 knots to 18? - When we made the land.

When was that? - I forget the time - ten or eleven o'clock probably, as near as I can remember.

The Attorney-General: That morning there was a bit of a fog, and you reduced speed? - Yes, to 15 knots.

And then you got up to 18 again? - Yes.

You had plenty of coal on board, had you not, to go 21 knots? - Yes.

The distance from where you were, you have already told me, to Liverpool was about 250 miles? - Yes.

How far would it be to the Bar? - It bears 12 miles from the Rock; about 238.

Do you know at that time up to what hour you could have crossed the Bar? - About 4 o'clock. 6.53 was high water.

Could you not have crossed the Bar at any time between 4 a.m. and 9.30? - Yes.

And, therefore, you had, even going at 18 knots, 240 miles, several hours in hand at which you could have crossed the Bar without any delay? - If I had gone more than 18 knots I should have been there before I could cross.

I am putting it that you had so much time that it was not necessary for you at this particular period to have come near land at all but to have stood well out? - I could have gone out again.

You could have stood out. Why did you go this long way out at Fastnet? - To keep clear of submarines.

Exactly; why did not you stay out to keep clear? - Because, as I said before, I wanted to find out where the ship was for the purpose of navigating her safely.

Then there was nothing to prevent you, on the facts I have elicited, keeping in mid-channel, and still arriving in proper time at Liverpool? - No.

The Commissioner: I want him to do justice to himself. *(To the Witness):* I do not understand what you mean when you say you were coming in because you wanted to navigate the ship safely. What danger was there in mid-channel? - Well, my Lord, it might have come on a thick fog, and I did not know exactly the proper position of the ship, and two or three miles one way or the other might put me ashore on either side of the channel. Therefore, I wanted to know my proper position.

Then do you suggest these Admiralty instructions are all wrong? - No, I do not suggest that at all.

And that they give you directions to do something which may send you ashore if you do it? - No, I am not speaking in that sense.

The Attorney-General: It is not an impossible instruction to carry out, is it, to go up mid-channel? - None whatever, providing you know the position of your ship, but I want to find where she is before I can do that.

But you knew the position of your ship when you were off the coast here? - I wanted to know the proper distance. Distances are very deceptive, particularly in clear weather.

But you told me there is no difficulty in steering up mid-channel? - None, whatever, providing you know your proper position.

Now, tell me this. Did you zigzag the boat? - No.

You were told to do that? - I understood it was only when you saw a submarine that you should zigzag.

You had information that there were submarines about, and the instructions to you were to zigzag.

The Commissioner: And I think the reason is stated, too.

The Attorney-General: Yes, my Lord. *(To the Witness):* You told me you read this: “War experience has shown that fast steamers can considerably reduce the chance of a successful submarine attack by zigzagging - that is to say, altering course at short and irregular intervals, say ten minutes to half an hour. This course is invariably adopted by warships when cruising in an area known to be infested by submarines.” Did you zigzag? - No.

Why? - Because I did not think it was necessary until I saw a submarine.

You were told zigzagging was a safeguard; you were told submarines were infesting the southern part of the Irish coast; you had plenty of time in hand, and you did not obey the orders? - I did not.

The Commissioner: Do those instructions mention the difficulty a submarine experiences when a ship is zigzagging?

The Attorney-General: Yes.

The Commissioner: Will you read that?

The Attorney-General: “War experience has shown that fast steamers can considerably reduce the chance of a successful surprise submarine attack by zigzagging - that is to say, altering course at short and irregular intervals, say ten minutes to half an hour. This course is almost invariably adopted by warships when cruising in an area known to be infested by submarines. The underwater speed of a submarine is very low and it is exceedingly difficult for her to get into position to deliver an attack unless she can observe and predict the course of the ship attacked.”

The Commissioner: That is what I have in my mind.

The Attorney-General: And that is where the importance of the zigzagging comes in. *(to the Witness):* You would have plenty of time. I understand zigzagging takes more time, but why did not you zigzag? - Because I thought it was not necessary until I saw a submarine.

The Commissioner: But the whole point of that is that it is the submarine that is looking at you? - Yes.

The Commissioner: And if you are zigzagging you confuse him and put him into difficulties?

The Attorney-General: How could you think that, because this is very clear: “War experience has shown that fast steamers can considerably reduce the chance of a successful submarine attack by zigzagging” - nothing about when you see the submarine. You see, when you are torpedoed it is too late? - Of course it is.

Do not you see now that you really disobeyed a very important instruction? - (No answer.)

Mr. Butler Aspinall: Captain Turner, I want to ask you for a little more detailed information with regard to what you were doing and what you had in your mind. On the 6th May you told me you had a wire from Valentia that submarines had been seen off the South Coast of Ireland? - Yes.

Now, at this time we know that you were on your way from America and [sic] Liverpool, and am I right in saying that what you hoped to do was to get a landfall somewhere on the Coast of Ireland? - Yes.

Was that the way in which you always navigated your ship? - Yes.

To get over these waters, and then in order to make good and ascertain your position, you want not only the knowledge that in a general way the Coast of Ireland is somewhere on your port bow or somewhere on your port side, but do you want to pick up a position on the coast which you know? - Yes, that is right.

And if you get that position, does it enable you, then to be certain where your ship is on the waters of the ocean? - Yes.

Now, was your wish on this occasion, if you could, to pick up the Fastnet? - Yes.

Had you set a course with the idea that you might pick up the Fastnet? - Yes, we might pick it up.

The Commissioner: He has not understood your question. (*To the Witness*): Had you set your course in the hope that you would pick up the Fastnet? - Yes, my Lord.

Mr. Butler Aspinall: It is the point, as we know, which lies out, here on the south-west end of Ireland (*pointing to the chart*)? - Yes.

Now, in truth and in fact, you never did see the Fastnet at all? - No.

So you did not get that information? - No.

What would have been useful information to you if you could have got it, would it not? - We saw Brow Head, or what we took to be Brow Head.

The Commissioner: Where is Brow Head with reference to the Fastnet?

Mr. Butler Aspinall: (*To the Witness*): You must think before you answer the question. Will you point out where Brow Head is? Is that Brow Head (*pointing to the Chart*)? - Yes.

The Attorney-General: Is that after you had passed the Fastnet or not?

Mr. Butler Aspinall: That is before you had passed Brow Head? - Yes.

The Commissioner: That is five miles away?

Mr. Butler Aspinall: Yes, my Lord. It is more. It is $6\frac{3}{4}$.

The Commissioner: 7 miles.

Mr. Butler Aspinall: Yes, 7 miles nearly. (*To the Witness*): Now, I want to get your story in detail so that we may have a consecutive story of what you were doing and what you had in your mind. You were wishful to make the Fastnet, if possible, and you did not in fact do so? - No.

And you also told me that on this 6th May you had the wireless to the effect that submarines had been seen off the South Coast of Ireland? - Yes.

And had you also present this to your mind: that according to the Admiralty instructions the headlands were to be avoided? - Yes.

Now coming to the 7th, which was the day of the disaster, did you at 8 a.m. on that morning give orders that your speed was to be reduced to 18 knots? - I gave orders for it to be reduced to 18 knots, but I cannot remember the time.

You suggested, I think, that it was somewhere in the neighbourhood of 8 am.? - Yes.

The Commissioner: When did he suggest that?

Mr. Butler Aspinall: He says he gave the order somewhere in the neighbourhood of 8 a.m.

The Commissioner: When did he say that?

Mr. Butler Aspinall: He said it before, my lord.

Witness: I said we thought we would alter the speed.

Mr. Butler Aspinall: It was somewhere between the 8 and 12 watch, was it? - Yes, about that.

Now during that 8 to 12 watch did you have clear weather or did you have thick weather? - We had thick weather in the morning reducing the speed to 15 knots.

You had thick weather which was followed by a reduction of speed? - Yes, to 15 knots.

Now at the time that you got this thick weather and you reduced your speed, did you know with any certainty where your ship was? - No.

You mean that? - Yes, I mean it.

The Commissioner: Yes, but I do not understand it very well. He had seen this place which he took to be Brow Head?

Mr. Butler Aspinall: No, my Lord.

The Commissioner: He had seen it the day before?

Mr. Butler Aspinall: No. He was going to see it later, according to his evidence. I am so anxious to get from him if I can a consecutive story of what in fact was happening. *(To the Witness):* You had not seen Brow Head up to this time, had you? - No.

The Commissioner: Between 8 and 12 on the morning of the 7th, there came a fog?

Mr. Butler Aspinall: Yes.

The Commissioner: When was it that he saw what he took to be Brow Head? - *(Witness):* After the fog.

When was after the fog; was it before 12 o'clock? - It was before 12 o'clock, but I cannot quite rightly remember the times.

Mr. Butler Aspinall: We want it if you can tell us. Somewhere during this 8 to 12 watch, the fog having cleared, you saw Brown Head. Did you know for certain that it was brow head? - We did not know for certain that it was Brow Head; we thought it was. We saw a tower on the top of it.

The Commissioner: Is there a tower on Brow Head? - Yes.

Do you know of any other tower thereabouts? - Yes, there are several towers round about there.

Was this Brow Head that you saw? - I thought it was. But I could not absolutely verify my position. I assumed it was.

Mr. Butler Aspinall: Where was Brow Head from your ship when you saw it? - Aft the beam.

How much aft your beam? - Probably a couple of points.

That would be on your port beam, of course? - Yes.

How far off did you judge it to be? - About 26 miles or so.

That, of course, was your judgment? - Yes.

You had no opportunity of taking cross-bearings or 4-point bearings; it was simply your judgment? - Yes.

Now, at the time when you saw this thing, which you judged to be Brow Head, at the distance you thought it was, on what course were you then? - About S. 87 E., magnetic.

Now, that was the state of information that you got at the time? - Yes.

If that is right, that at any rate would have told you that you had passed the Fastnet? - Yes.

Now, you told the Attorney-General before lunch that you got a second telegram by wireless. Let me read it to you: "Submarines active in the South part of Irish Channel and last heard of 20 miles South of Coningbeg." Do you remember getting that telegram? - Yes.

And can you remember about what time it was that you got that telegram? - I cannot remember the time. It was somewhere about noon, I think.

The Attorney-General: The telegram was sent at 11.25.

The Commissioner: And it would arrive instantly.

Mr. Butler Aspinall: Yes, (*To the Witness*): Would it be wrong, do you think, if I were to suggest to you that it was 11.30? - It may have been, but I do not rightly remember the time.

The Attorney-General: You see it can be fixed, because that was 11.25, and at 12.1 [sic] got a message from "Valentia," which is on the paper: "Your 11.25 message has been transmitted to 'Lusitania'."

The Commissioner: Are all these times we are talking about Greenwich time? Are they all the same times, because if not there is an element of confusion?

The Attorney-General: There is 25 minutes difference in Irish time.

The Commissioner: You talk about Valentia time, Admiralty time and "Lusitania" time, and I want to know whether they are all the same or whether they differ?

Mr. Butler Aspinall (to the Witness): Tell me this: Did you make an alteration in your clock that morning? - If I remember rightly, it was put at Greenwich time, but I cannot say for certain as regards that.

The Commissioner: That is, before you sighted Brow Head? - Yes.

Mr. Butler Aspinall: Would that be the ordinary thing you would do? - That would be the ordinary thing we would do, not calling at Queenstown.

And, as far as your recollection serves you, you think you did, in fact? - I think I did.

Now, that telegram gave you this information, that the submarines, which had been reported here as being active, had been last heard of 20 miles South of Coningbeg? - Yes.

Mr. Butler Aspinall: Now, my Lord, Coningbeg, as you Lordship can see, is there (*pointing to the plan*). (*To the Witness*): That would put you out about *there*? - Yes.

The Commissioner: When did he receive that telegram that the submarines were *there* (*pointing to the plan*)?

Mr. Butler Aspinall: He gets the telegram at 11.30, or thereabouts, my Lord.

The Commissioner: How far off was he then from this point *here*?

Witness: About 35 miles.

That would be about two hours sail, would it not, at the rate you were going? - No, not quite so much.

Mr. Butler Aspinall: Very well. Now in order to get up to Liverpool, what you had got to do was, you had got to pass the channel between the Tuskar and the Smalls? - Yes, that is right. I forgot about that.

That is the distance between those two points; that is the channel that you had got to go between (*pointing to the chart*)? - Yes.

The channel seems to be about 35 miles? - Yes, that is right.

The information is that that *there* is your channel, and the last report you get about the submarines is that they are off *here*, putting them, if I am right, about mid-channel? - Yes.

Now I will take you back, if I may, to 11.30. You have told us that, when you saw what you thought was Brow Head, you were on a course of S. 87 E.? - Yes.

You had this fog and it cleared again? - Yes.

Some little time after that - you will tell me how long if you can - did you alter course and haul in towards the land? - About 12 noon that was.

Mr. Butler Aspinall: At about noon, my Lord. Captain Turner said that he altered course to haul in to the land. That is the alteration under starboard helm on *this* course in a line towards the land. On the chart that I have got here, I have got 12.40. He says in the neighbourhood of noon he altered course in towards the land.

The Attorney-General: Is that when he was 26 miles out?

Mr. Butler Aspinall: That is about 20 or 21 miles. (*To the Witness*): At this time, if your evidence is right, you had had information by wireless that in about mid-channel up here (*pointing to the chart*) were German submarines? - Yes.

Now you hauled in *here* for what purpose? - To get the distance off the land, to get a fix there.

You hauled in in order to get a fix? - Yes.

What is your object in getting a fix? - For getting the position of the ship, and then steering a course up to Coningbeg.

You hauled in for that purpose in order to get a fix. If you effected that object, would that enable you to determine with precision where your ship was? - Certainly.

Now, did you get a fix? - No, we did not have time.

The Commissioner: Why not? - Because we were making a 4-point hearing when the disaster happened.

We are talking now about 12 o'clock? - It is a little after 12 o'clock.

Mr. Butler Aspinall: He altered his course in order to get into the land so that he could see it. He had not, in fact, under the altered course brought himself, I understand, up to the place where he would get the information that would enable him to make a fix.

Witness: That is right.

Now, according to the chart which you have marked and which you said was accurately marked, having altered your course under the starboard helm, you had hauled in somewhat but nothing like far enough to take you into mid-channel? - No.

And did you alter your course back to the course which you had been on before, S. 87 E? - Yes.

Now what I want you to tell me is this: why it was, when you altered course, you did not alter out more so as to bring you up to mid-channel, but were heading up to the north of mid-channel? - Because I wanted, in the first place, to make Coningbeg, seeing that we were 20 miles south of it. Then I thought it was safer close to the land in case we did get a submarine.

You did not tell us that before? - I did not think of it.

Did you apply your mind to the situation on this occasion and make up your mind to steer a course which, if you had not been struck, would have taken you up close to Coningbeg?

The Commissioner: I think you are leading him rather too much, Mr. Aspinall.

Mr. Butler Aspinall: I am rather anxious to get at what was in his mind. (*To the Witness:*) You must apply your mind, if you will, and do not answer questions hurriedly or hastily. Just think. You remember after you had altered back your course to S. 87 E.? - Yes. I cannot give the times - I cannot remember the times.

Now, if this trouble had never happened at all, how long would you have continued on that course of S. 87 E. on which you put her - up to what spot on the Irish Coast? - I could not have gone closer than within half a mile of Coningbeg Lightship.

The Commissioner: Is that lightship on the main land?

Mr. Butler Aspinall: No, I think not, my Lord; it is just off it, on a shoal.

Witness: It is called "Coningbeg Lightship."

Now you told me that you intended, in fact, to take your ship close up to the Coningbeg; would that have been giving effect to the Admiralty letter of instructions to keep to mid-channel? - No, it would not.

Why did you, having a knowledge of what the Admiralty instructions were, steer a course which you had intended should take your ship so close to the Coningbeg and not out into mid-channel? - Because there was a submarine in mid-channel, as I understood it, and I wanted to keep clear of him.

Is that what weighed with you at the time? - Yes. Did you give the matter consideration? - Certainly I did. That is what I am saying.

You see, this morning you were asked about this, and you did not tell us anything about it? - I forgot it.

The Attorney General: Would you ask him what he understood by south of Coningbeg?

Mr. Butler Aspinall: The wireless?

The Attorney-General (to the Witness): What is south on this map? - That is south, of course (*pointing to the map*); here is Magnetic South, and *that* is True South.

The Commissioner: What is the distance at this point you are talking about from mid-channel to the mainland?

Mr. Butler Aspinall: I take it, my Lord, that for the purpose of giving effect to this traffic which passes up and down between Liverpool and out to the Atlantic, the channel is really marked by these lighthouses on these various shoals and rocks. That is how the traffic goes (*pointing to the chart*). It is not the waterway over which a small boat can go, but the traffic passes up and down.

The Commissioner: Let us assume that. What is the width of the channel at this part (*pointing to the chart*)?

Mr. Butler Aspinall: At *that* part - the Coningbeg.

The Commissioner: Yes. Is it 35 miles, or something like that?

Mr. Butler Aspinall: As I pointed out, between the Smalls and the Tuskar, which is the neck of the bottle through which you go, it is about 35 miles.

The Commissioner: That is the channel?

Mr. Butler Aspinall: That is the navigable water which these vessels use.

The Commissioner: And this boat, going to Liverpool, had to pass through that channel, and she had no choice except passing through that channel.

Mr. Butler Aspinall: I should have thought not.

The Attorney-General: She had no choice; she must go through; but of course down where the old Kinsale Head is, it is a very different thing.

The Commissioner: Quite.

The Attorney-General: There is no doubt she had to go through the point of the Tuskar.

The Commissioner: What I am upon at present is this. He had information that within about two hours sail there were submarines - is not that so?

Mr. Butler Aspinall: Yes.

The Commissioner: He then had his choice, either to go out *here*, zigzag out *there*, or come on *this* route, and, if so, if he kept to mid-channel, he must have run foul of the submarines. He elected to go *there*.

Mr. Butler Aspinall: Yes. That is what was the outcome of his judgment in the situation.

The Commissioner: Yes.

Mr. Butler Aspinall (to the Witness): However, are those the facts which weighed with you in coming to a determination to do what you did? - Yes.

The Attorney-General: Are you going to deal with the wireless at 12.40?

Mr. Butler Aspinall: Yes, I am. *(To the Witness):* Now did you also have a wireless to this effect: "Submarines 5 miles South of Cape Clear proceeding west when sighted at 10 a.m.?" - Yes, I got that.

What would that tell you? - That we were a long way past them at the time we got it.

Where is Cape Clear? - It is by the Fastnet.

Mr. Butler Aspinall: My Lord, *here* is the Fastnet and *here* is Cape Clear in the immediate vicinity of the Fastnet (*pointing to the chart*). The red mark on the yellow ground is the Fastnet. *Here* is Cape Clear a little bit to the North-east of it. (*To the Witness*): So this telegram told you that a submarine had been sighted 5 miles South of that spot proceeding West *this way* (*pointing to the chart*)? - Yes.

When sighted at 10 a.m.? - Yes.

Did that submarine give you any further trouble in view of the information that it had been sighted in the neighbourhood of Cape Clear and going West? - No. I thought we were a long way clear of it; we were going away from it all the time.

So that so far as wireless information was concerned, what you had to act for and deal with were these submarines 20 miles south of Coningbeg? - That is right.

Then you have told me already what you intended to do? - Yes.

Now I want to direct your attention to another branch of the Admiralty instructions, namely, that you were to go zigzag. You received that instruction? - Yes.

And you know of it? - Yes, I know of it.

“War experience has shown that fast steamers can considerably reduce the chance of a successful surprise submarine attack by zigzagging - that is to say, altering course at short and irregular intervals, say, ten minutes to half an hour.” Now, what did you understand that to mean? - I understood it to mean that if I saw a submarine, to get clear out of its way.

If you saw a submarine? - If one was in sight.

If one was in sight, you understood then, that you were to zigzag? - Yes.

You may be wrong? - I may be wrong.

Was that your view of the language of the instruction? - I certainly understood it that way.

What has caused you to alter your view? - Because it has been read over to me again; it seems different language.

“This course is almost invariably adopted by warships when cruising in an area known to be infested by submarines.” Did you, read through it? - Yes, I read it.

And knew it? - Yes.

And you put the interpretation upon it that you have told us? - Yes, that is right.

You now think you put a wrong interpretation upon it? - I am sure of it from the reading of it.

I used the word "instruction." My learned friend, Mr. Laing suggests that it is an advice. At any rate, you recognise that this was intended to be and was useful advice? - Yes.

Now I want you to deal with one other matter. You have told us this morning that if you had proceeded on at your rate of 18 knots, assuming weather conditions allowed of it (and I suppose you never know for certain whether you may make a fog or not) it would have meant that you would have arrived off the Bar at Liverpool some few hours before you could get in? - Yes, that is right.

If in fact, you had arrived some few hours off the Bar before you could get in, in your view would that have been a prudent thing to have done, to have arrived at that early time? - I do not think so.

Why not? - Because I would be open to attack by submarines; I would be a good target for him - being stopped, waiting for a pilot.

Did you know whether or not submarines had been active off the Bar? - They had been previously; I did not know where they were.

Do you know the date? - No.

Then it was merely general knowledge you had, that submarines had been in those waters? - Yes, that is so.

The Commissioner: I am not satisfied about this. When did you get the information? - They had been pretty well all along there. I think it was the previous voyage.

From whom did you get the information. You do not remember when you got it. From whom did you get it? - We got Marconi Wireless that there were submarines off the Chickens, off the Skerries, the Isle of Man and Point Lynas.

When did you get those wireless messages? - I think it was on the previous voyage.

The previous voyage in what boat? - The "Lusitania."

And what became of the log of that voyage? - It went down with the ship.

Did you make any report when you got to Liverpool that you had received those messages? - These Marconi signals are put down in the book and sent on to the office, I think.

Then you reported it to the office? - I did not personally, but the officers did.

The Commissioner: I should like to see it. At present I am not satisfied that he had any information at all that there were submarines lurking about outside the Bar of Liverpool; his answer does not satisfy me. I should have thought that they had the log book of the last voyage.

Mr. Butler Aspinall: Yes, my Lord, they have.

The Commissioner: Have you seen it, Mr. Aspinall?

Mr. Butler Aspinall: No, my Lord, I have not seen it.

The Commissioner: Has Mr. Furness seen it?

Mr. Butler Aspinall: He has just gone into the next room for it.

The Commissioner: Has he ever heard of this bit of evidence till now?

Mr. Butler Aspinall: Oh, yes.

The Commissioner: Has he not tested it at all by looking at the log book?

Mr. Butler Aspinall: I do not know, my Lord. Here is Mr. Furness.

The Commissioner: Now, Mr. Furness, have you looked at this log?

Mr. Furness: No, not yet, my Lord.

The Commissioner: Has anybody looked at it?

Mr. Furness: The Board of Trade have a copy of it.

The Commissioner: Do you think you have got any record of any kind of these telegrams?

Mr. Furness: I should hardly think there would be a record in the logbook.

The Commissioner: Where would they be kept?

Mr. Furness: The Marconi people would have a record of them.

The Commissioner: Have you got them here?

Mr. Furness: No, I have not got them. The Board of Trade may have them.

Mr. Butler Aspinall: May I ask Mr. Furness a question? - Certainly.

Mr. Butler Aspinall (to Mr. Furness): You supplied me and Mr. Laing with a list of the vessels that had been torpedoed.

Mr. Furness: Yes.

Mr. Butler Aspinall: I do not know where you got that information from.

Mr. Furness: I got the information from the War Risk Association.

The Commissioner: That is another matter altogether. What I want to know at present is, whether this gentleman who is being examined really did know or had information that there had been submarines outside the Bar at Liverpool during his previous voyage?

Witness: No, my Lord.

I thought you said you had? - I mean, I would have heard of them if they had been there.

Mr. Butler Aspinall: Do you understand what my Lord is asking you? - Yes.

What is he asking you? - He is asking me if I had seen submarines on the previous voyage.

The Commissioner: Oh, no. I asked you if you had heard of them being outside the Bar at Liverpool. Did you hear that during your previous voyage? - I could not recollect my previous voyage. I said I could not recollect what time it was, but I know I heard of them having been there.

It is not 12 months ago, I suppose? - No, it was not that long.

The Commissioner: You see answers are worth nothing when you test them. They are not worth much, any way.

Mr. Butler Aspinall: No, my Lord. *(To the Witness):* Now, do you know any instance of specific ships which have not [sic] met with disaster from torpedoes outside the Bar? - When I say outside the Bar, I mean between the Skerries and Liverpool. I have heard of them being there; one or two small vessels; I do not know when it was; it was some time back.

The Commissioner: It comes to nothing. There is not a link in your chain, Mr. Aspinall.

Witness: I have heard of their having been reported off the Chickens and the Isle of Man.

Mr. Butler Aspinall: This is quite another point.

The Commissioner: It is.

Mr. Butler Aspinall (to the Witness): Are you wishful to get through your voyage as quickly as you can? - With due regard to the safety of the ship and the welfare of the passengers, certainly.

Could you have, in fact, if you had liked, driven your vessel at 21 knots? - Yes.

What weighed with you in going on at 18 knots? - So as to enable me to arrive at the Bar, so that I could go over the Bar at once, without stopping for a pilot.

What the Court wants to ascertain is whether what weighed with you was the fact that you had knowledge that there might be submarines in the vicinity of what we have called the Bar, which would expose your ship to danger if she arrived there too soon and had to wait? - Yes, that is what I mean.

Are you honest in making that statement? - Quite honest. I did not want to wait. I wanted to get right ahead without stopping for a pilot.

As you say, although you cannot give us any detail, you had information of a general character, to the effect that submarines had been in those waters. - Not on that particular voyage.

The Commissioner: At present I do not believe that.

Mr. Butler Aspinall: However, my Lord, that is what he says.

The Commissioner: I know that is what he says, but I do not believe it at present. I want to find out if it is right.

Mr. Butler Aspinall: My learned friend Mr. Maxwell has been looking at the log book of the previous voyage, and he says there is nothing in it about it.

The Commissioner: I understand the gentleman says it would not have been in the log book, and I accept what he says, but surely it would be in the log book, and if so, would be communicated as a matter of course to the Cunard Company's office.

Mr. Butler Aspinall: Yes, I have no doubt of it, my Lord. Those people who instruct me thought we should not have reached this stage of the case as early as we have, but we will make enquiry at Liverpool.

The Commissioner: You shall have plenty of opportunity.

Mr. Butler Aspinall: If your Lordship please. *(To the Witness):* Now the third feature of the case that I want you to deal with is this. The suggestion was made that you might, and possibly ought, instead of going on, to have made circles or turned out to sea-ward here *(pointing to the chart)*.

The Commissioner: Who made that suggestion?

Mr. Butler Aspinall: I thought Sir Edward Carson made that suggestion, - that instead of going on, he might (that was the alternative) have stood out and consumed the time which he said otherwise he would have had to use lying out.

The Commissioner: I understood him to mean to consume the time by zigzagging.

Mr. Butler Aspinall: If so, I will not proceed with the other point.

The Solicitor-General: I think what the Attorney-General suggested, and certainly I should suggest myself, would be that either alternative was open to the witness. One was the course he apparently adopted; one was to go in the direction of Coningbeg. The other was that he should have stood out, in the phrase used by Mr. Aspinall, partly in order to consume the time until he should have to go in another direction, and that there was still a third course that might have been adopted, that he should have zigzagged somewhat.

The Commissioner: Yes, that is what I understood.

Re-examined by the Solicitor-General.

I have very little to ask you, Captain. If I understand your answer with reference to the zigzagging, it is this. You have told us very frankly that you misunderstood the advice which was given you? - Yes.

If you had realised that you were in substance advised to adopt the course of zigzagging, not in an area in which you actually saw submarines, but in an area which was known to be infested by submarines, am I right in supposing that you would have acted upon that advice? - Yes, I would have done.

I ask you to consider this: Would you have acted upon it when you found yourself, in your view, 15 miles, or in the view I am suggesting to you, ten miles from the Head of Kinsale? - Not if I did not think there were submarines round there, I should not.

But you see it was a headland; it fell well within the general and particular warnings that had been given you, did it not? - I did not consider so.

It was your view that the 10 or the 15 miles, at the point where the waterway was so broad, carried you beyond the warning that had been given to you by the Admiralty? - Yes, that is what I think.

Now your position was this, was it not: you found yourself either 10 or 15 miles from the Old Head of Kinsale, and you had a certain amount of time to consume before you reached the Bar at Liverpool? - Yes.

And it would have been possible for you to go at the rate of 21 knots an hour and go straight for the Bar? - Yes.

For the moment I leave out of sight the possible risks at the Bar, and I just take your answer. It would obviously have been much safer, would it not, to have gone at the faster speed in order to reach the Bar, subject to the possible risk of a hostile submarine when you reached the Bar and were waiting? - Yes.

And you are not able to tell us with any definiteness of the last casualty of which you had heard, in the proximity of the Bar? - No.

The Commissioner: I do not know that he told us any.

The Solicitor-General: I know there was one.

The Commissioner: Can you tell me what it was?

The Solicitor-General: It was a ship which was called the "Princess," and I am pretty sure it was about 10 weeks before. Your Lordship shall know tomorrow.

The Commissioner: Was there any other?

The Solicitor-General: I only know of one, my Lord.

Witness: The "Graphic" was chased.

The Solicitor-General: However, you cannot tell me with any degree of exactness when any casualty occurred in the neighbourhood of the Bar? - No.

It is quite obvious that you would have been safer going at 21 knots than at 18 knots, of course? - I might have been, I daresay; I do not know.

On the course that you followed until you reached the point which is referred to in the Admiralty communication as 21 miles south of Coningbeg, what was the furthest point in the course that you followed from the shore until you reached the Channel near Coningbeg? - I do not quite understand the question.

You see you were 10 or 15 miles at the Old Head of Kinsale? - Yes.

Then you reached Coningbeg? - Yes; the land goes in all the time *there (pointing to the chart)*. I did not get beyond Kinsale.

Supposing you had followed the course you were contemplating?

The Commissioner: That, Mr. Solicitor, which you are pointing out, was not the course.

The Solicitor-General: This is his ordinary course (*pointing to the chart*).

The Commissioner: That is his ordinary course.

The Solicitor-General: Supposing that the accident had not happened *here*, you would have gone in that kind of direction? - If the accident had not happened we would have gone up the land.

The Commissioner: Where is this Coningbeg? - It is here (*pointing to the chart*).

Then if you were making for *that*, you would have come up in *this* direction?

The Solicitor-General: What do you say to that? - I was making for it. But I understood you asked me in ordinary cases.

I did not mean to ask that. What I meant to ask you was, that finding yourself where you did on this voyage find yourself, if the accident had not happened, what course would you have followed to have got to Coningbeg? - I would have taken that course (*pointing to the chart*).

And how far would the furthest point from the land have been, roughly, on that course? - *This* would be the furthest point, *here*.

So that at *this* point it would have been 15½ miles? - Yes. You mean if we had followed this course *here*?

Yes. - Then it would not have been much farther.

It would have been at the furthest point about 28 miles? - Yes.

The Commissioner: I am not following it. What does the 30 miles mean?

The Solicitor-General: It is 28, my Lord. What I wanted to arrive at was this. Supposing the accident had not happened, and he had gone straight on to get to Coningbeg, the furthest point from the land that his course would have brought him to would have been some 28 miles.

The Commissioner: That would have been about his course?

Witness: Yes.

Where is the 28 miles *here*? - I do not understand you.

The Solicitor-General: The witness is wrong in saying 28. It is not much more than 15. (*To the Witness*): I want to know the course that on this voyage, having regard to the position in which you were at the time of the accident, you would have followed to get to Coningbeg, if the accident had not happened? (*The witness marked the course upon the chart*). It is about 16 miles, is it not? - It is 18½ miles.

Now, having the whole of this sea open to you, and having plenty of time to spare, is it not quite obvious that you did not follow in any way the instruction given to you by the Admiralty on the 7th of May, that the submarine area should be avoided by coming well off the land?

The Commissioner: Mr. Solicitor, what I have got my mind on at present is this. This man wanting to make a course of that kind, if he is telling us the truth, that he knew and had reason to believe that there were submarines somewhere about *here* or *here*, must have been very wise to make that course.

The Solicitor-General: I agree. If I may tell your Lordship the suggestion I am making, it is this; that having regard to the second telegram of the 7th May, that in the south part of the Irish Sea, 20 miles south of Coningbeg, submarines were active, and having regard to the fact that the width, taking the point of Coningbeg, was south about 35 miles, I think he was justified in not obeying any pedantic instructions that he should adhere to mid-channel at that point.

The Commissioner: Yes; he was not going to run right into the submarines.

The Solicitor-General: Quite. The suggestion I do make is that having this time to spare he ought not to have gone on to this course, but ought to have put out.

The Commissioner: That is another matter altogether. If the man means that - goodness knows, I do not; but if he means this: I knew that there were submarines hereabouts; I had to get through that channel (*pointing to the chart*), and he thought the best means of getting through that channel was to steer for Coningbeg up in this direction - that is what I understand him to mean?

Witness: That is right, my Lord.

The Solicitor-General: My Lord, to avoid any confusion, there is no question that at some point in his journey he had to get through that channel.

The Commissioner: Yes, I understand that, but what you say is that he had no occasion to go through then; he might have kept away.

The Solicitor-General: Yes, quite so. He had a great deal of time to spare, and he could either have done his zigzagging and spent his time *there*, or he could have gone through *here* and got to the Bar.

Mr. Butler Aspinall: Might I ask the Captain one question?

The Commissioner: Certainly.

Mr. Butler Aspinall: While you were being asked about your knowledge of submarines off the Bar - you suddenly blurted out this, you said: "Oh, yes, there was a ship chased off there." What information did you mean to convey to us by that statement? - The "Graphic," a Belfast boat was chased by a German submarine.

Who told you that? - I saw it in the papers.

When? - I could not tell you that; I forgot it; it is sometime back.

The Commissioner: He cannot recollect it, but we can find out.

Mr. Butler Aspinall: Yes, my Lord. (*To the Witness*): You say you read of it in the newspapers? - Yes, on several occasions I have read it.

Now, the Solicitor-General spoke of a vessel; I think he called it the "Princess." Do you remember the Solicitor-General about a quarter of an hour ago mentioning a vessel called the "Princess" being torpedoed about ten weeks before this accident? - Yes.

Did that come as news to you when the Solicitor-General spoke of it? - Yes. I had not heard the name, I had heard of two or three vessels being torpedoed off round about that coast. When, I do not know, but since the war certainly.

The Solicitor-General: May I ask one thing, my Lord, which has been suggested to me?

The Commissioner: Certainly.

The Solicitor-General (to the Witness): If you had consumed some time in making a wider course *here*, you would have been able to make your rush in the dark through the dangerous part, would you not? - Yes, and probably found more submarines while I was doing it.

You might have zigzagged, and so forth.

The Commissioner: I do not understand that answer. What do you mean by saying that if you went in the dark you would probably have met with more submarines? - If I went round and round wasting time.

The Solicitor-General: All your warnings were that the submarines were near the land, so that if you went out more into mid-channel you had no reason to suppose that there were more submarines there? - No.

The Commissioner: What made you give an answer of that kind? I do not, understand it at all. When you go out far away from the land, do you expect to meet more submarines than when you are close to the headlands? - I expect to find them any distance within 100 miles or so off the land in these times.

I understood you just now to say that the further you go out, the more submarines you expect to meet, which seems to me to be odd? - No. What I meant to say was that by going out further round and wasting time I might have met, others.

The Commissioner: I should have thought it was getting into safety to get away from the land. Will you tell me, so that I may have it in my mind, Mr. Aspinall, what you understand this gentleman to have wished to convey to us?

Mr. Butler Aspinall: What I understood him to have wished to convey to your Lordship is this: that coming over from America, he wants make a landfall, and I am told that good navigators always do, because when he gets over in the neighbourhood of Ireland, from that time onwards he is in narrow waters and in places where there are rocks and shoals, and in places where you from time to time meet with fog; in fact; he did meet with some fog. Therefore it is highly important that you should have a landfall which will give you your exact position on the water. In a general way he shaped his course so as to make for the Fastnet; he did not get to the Fastnet. When in fact he passed the Fastnet, he saw something which was behind the Fastnet in the neighbourhood of Brow Head, or which he assumed to be Brow Head, but he was not absolutely certain it was Brow Head; it probably was. Under those circumstances he says to himself: "Well, now, I want to ascertain exactly where I am," and for that purpose he hauls in in order to get a sight of land, a sight of Kinsale. He has also got at about 11.30 information that in the neighbourhood of this channel through which he will have to pass, or rather, in about the centre of it, between the Tuskar and the Smalls, are German submarines, a likely place probably for German submarines to be lying in waiting, not only for the "Lusitania," but for all traffic going up and down. With that knowledge in his mind, after he has hauled in a bit, he hauls out a bit again on to his S. 87 E. course, and is in course of getting a fix which, if carried out, would have given him accurate information and precise information as to where he was. He is wishful at this point of time to avoid the centre of the channel, and to steer a course which will take him into close proximity of Coningbeg. In order to get that object he wants to get a precise point of departure. The result of getting a fix would give him that knowledge, which would enable him then to steer a course appropriate to taking him in the immediate proximity of the Coningbeg, and whilst the officers on the bridge are in process of acquiring that information, which would enable him to avoid the center of this channel, the submarine operates, and the ship is lost. That is what I understood he is wishful to convey to your Lordship, and those are what I understand were the instructions given me by Messrs. Hill, Dickinson and Company. What happened with regard to this matter is this: that the Board of Trade, after this gentleman had in a general way given a statement to the Board of Trade wrote a letter to Messrs. Hill, Dickinson asking them for certain information which they could get from Captain Turner with regard to clearing up certain points. Messrs. Hill, Dickinson asked this gentleman to make a proof dealing with these particular points, and he did give us that proof.

The Commissioner: Made a proof?

Mr. Butler Aspinall: I am afraid I was wrong in saying that. He did not make the statement in the fullness that I have just made it to your Lordship, but I certainly understand the statement as given me about it.

The Commissioner: Where is the statement?

Mr. Butler Aspinall: I have got it. I thought your Lordship might like to see it. We sent it in fact to the Board of Trade.

(The statement was handed in.)

The Commissioner: "With respect to the courses steered: - From Latitude 40 degrees 10 N. and Longitude 49 W., the 'Lusitania' was navigated on a great circle towards Fastnet and when approaching Ireland made a course to pass 20 miles off Fastnet. Ireland was sighted at about 12.10 p.m. on the 7th May when Brow Head bore about 2 points abaft the beam. The 'Lusitania' was then about 26 miles distant from Brow Head. Fastnet was not visible, the weather being clear." Does that mean it was too clear or what?

Witness: It means that the Fastnet was too far off to see it. Although the weather was so clear, the Fastnet was so far off you could not see it; the weather was remarkably clear.

The Solicitor-General: It means although the weather was clear.

The Commissioner: Does it mean although the weather was clear?

Witness: Yes, that is so.

The Commissioner: "The course then and for some time previously steered was S.87 E. Magnetic, so that Fastnet when abeam was about 20 miles distant. The weather which had earlier in the day been misty cleared between 11 o'clock and noon. The ship's speed was 18 knots. There was a light breeze and a smooth sea. The course S.87 E. was steered because it was a safe and proper course when inward bound off the Irish Coast, particularly in view of the Admiralty instructions." What is the meaning of "particularly in view of the Admiralty instructions"? It seems to me to have been disregarding the Admiralty instructions.

Mr. Butler Aspinall: I am not sure. I think that refers to the letter which the Board of Trade sent to Messrs. Hill Dickinson, asking him whether he was steering proper courses, and his view was that he was.

The Solicitor-General: That does not answer my Lord's question. My Lord asked, what is the meaning of "particularly in view of the Admiralty instructions"?

The Commissioner: Do Messrs. Hill Dickinson know what it means?

Mr. Butler Aspinall: Yes.

The Commissioner: Then come and explain it to us.

Mr. Furness: It was because of the distance off the land.

Mr. Butler Aspinall: He is further away than he is under normal circumstances, some 20 miles. The blue mark takes him quite close to Fastnet.

The Commissioner: "This course of S. 87 E. was maintained until 12.40 p.m., when Galley Head was sighted a long distance off on the port bow. On the evening of May 6th I received a wireless advising that enemy submarines were active off the south Coast of Ireland and containing the usual warning to avoid headlands. On the morning of the 7th May, at about 11.30, a further wireless message was received which

reported submarines in the southern part of the Irish Channel, and last heard of 20 miles south of Coningbeg Light Vessel. I then decided to pass close to Coningbeg, and at 12.40 p.m. after Galley Head was sighted on the port bow, I altered course gradually 30 degrees more to the northward to N. 63 E. magnetic. At 1.40 p.m. the Old Head of Kinsale was then in sight on the port bow, and I altered course back to S. 87 E. Magnetic.” That is where he makes his last course?

Mr. Butler Aspinall: Yes.

The Commissioner: “It was my intention to get a 4-point bearing off the Old Head of Kinsale and then to alter course to pass close to Coningbeg Light Vessel, leaving it about half a mile on the port hand. I received a further wireless message shortly before 1 p.m. to the effect that submarines had been reported off Cape Clear proceeding West, and I concluded we had escaped these.” That is all about it.

The Solicitor-General: The only other thing is on the next page, where he talks about the Bar at Liverpool. It is on the next page, about 14 lines down. “The speed had been reduced, otherwise the ‘Lusitania’ would have arrived off the Bar at Liverpool.” That is all.

The Commissioner: I will try and find out what it means. Now, have you finished with this witness?

The Solicitor-General: Yes, my Lord, I have finished with Captain Turner, and there is not, as far as the Board of Trade is concerned, with the possible exception of the evidence which may be given by Mr. Booth, the Chairman of the Cunard Company, any other witness who need be taken *in camera*.

The Commissioner: Is Mr. Booth here?

The Solicitor-General: Unfortunately, he is not. He is a witness who must take some time, and I think he will be here first thing to-morrow morning.

The Commissioner: Then we will take him first thing in the morning.

The Solicitor-General: If your Lordship pleases.

The Commissioner (To the witness): I should very much like you, Captain Turner, to take a pencil and this chart and show me what this statement of your means. At 12.10 you were, according to this statement, about 26 miles from Brow Head. Now, show me where you were. - About here (*Pointing to the chart*).

What is this line down here that you pointed to? - That is the line that we came by.

You were down *there*, 26 miles distant from Brow Head; the Fastnet was not visible. “The course then and for some time previously was S. 87 E., Magnetic”? - Yes.

And that had been your course for some time? “So that Fastnet when abeam was about 20 miles distant”? - Yes.

Is that so? - Yes, that is perfectly right.

“The weather which had earlier in the day been misty cleared between 11 o'clock and noon. The ship's speed was 18 knots. There was a light breeze and a smooth sea. The course S.87 E. was steered.” I do not find that. Is *this* the course? - Yes, that is it.

What is it? - N .63 E. Magnetic.

“Because it was a safe and proper course when inward bound off the Irish Coast, particularly in view of the Admiralty instructions. This course of S.87 E. was maintained until 12.40 p.m. when Galley Head was sighted a long distance off on the port bow. On the evening of May 6th I received a wireless advising that enemy submarines were active off the South coast of Ireland and containing the usual warning to avoid headlands. On the morning of the 7th May about 11.30 a further wireless message was received which reported submarines in the southern part of the Irish Channel and last heard of 20 miles south of Coningbeg Light Vessel. I then decided to pass close to Coningbeg and at 12.40 p.m. after Galley Head was sighted on the port bow I altered course gradually 30 degrees” - where did you alter the course? - From *there* to *there* (*pointing to the chart*).

Is *this* the alteration? - That is the alteration - 30 degrees.

“More to the Northward to N. 63 E. Magnetic. At 1.40 p.m. the Old Head of Kinsale was then in sight on the port bow and I altered course back” - you altered the course back to what? - To S.87 E.

The same as it was? - Yes.

And where were you torpedoed? - That is the place *there* 8.35 W. and 51.25 N. approximately.

Why did you change your course here? - Because we made out the Galley Head, and then we wanted to get the 4-point bearing to get a fix at Kinsale while we were far enough off the land.

You wanted to keep the north side of the channel? - Yes, I heard of submarines being south of Coningbeg.

(The Witness withdrew.)

Adjourned to to-morrow at 10.30 o'clock.

SECOND DAY (16 JUNE, 1915).

Name of Witness	Description	Examined by	No. of Question
Mr. Alfred Allen Booth	Chairman, Cunard Line	The Attorney-General Mr. Wickham Mr. Donald Macmaster Mr. Thomas Scanlan Mr. Cotter Mr. Butler Aspinall	215-288 289-298 299-327 328-333 334-364 365-373
Thomas Quinn	Able Seaman on the "Lusitania."	Mr. Dunlop	374-391
Commander Anderson	Commander in the Royal Navy	The Attorney-General	392-410
Leslie N. Morton	Able Seaman on the "Lusitania."	The Solicitor-General Mr. Clem Edwards Mr. Cotter Mr. G.A. Scott Mr. Thomas Priest Mr. Donald Macmaster Mr. Butler Aspinall	411-460 461-485 486-519 520-521 522-530 531-533 534-551
Hugh Robert Johnson (sic)	Quartermaster on the "Lusitania."	The Attorney-General Mr. Wickham Mr. Cotter Mr. Clem Edwards Mr. Priest	552-608 609-613 614-629 630-637 637-647
George Little	Third Engineer on the "Lusitania."	Mr. Dunlop Mr. Wickham Mr. Clem Edwards Mr. Marshall Mr. Clem Edwards Mr. Butler Aspinall	648-669 670-673 674-711 712-725 726-732 733-735
Mr. Andrew Cockburn	Senior Second Engineer on the "Lusitania."	The Attorney-General Mr. Wickham	736-799 800-804
Robert Leith	Wireless Telegraphist on the "Lusitania."	The Attorney-General Mr. Rose Innes Mr. Joseph Cotter	805-851 852-861 862-894
Arthur Roland Jones	First Officer on the "Lusitania."	Mr. Branson Mr. Rose Innes Mr. Joseph Cotter Mr. Scott Mr. Butler Aspinall The Attorney-General	895-932 933-967 968-1024 1025 1026-1050 1051

Mrs. Mabel Kate Leigh Royd [sic]	Passenger on the "Lusitania."	The Solicitor-General Mr. Joseph Cotter Mr. Scott	1052-1082 1083-1095 1096-1100
The Rev. Mr. --- Clark	Passenger on the "Lusitania."	The Attorney-General Mr. Rose-Innes Mr. Joseph Cotter Mr. Scott	1101-1135 1136-1142 1143-1153 1154-1155
Mr. Frederick E. O. Tootal	First Class Passenger on the "Lusitania."	Mr. Dunlop	1156-1182
Mr. John Freeman	Second Class Passenger on the "Lusitania."	The Solicitor-General Mr. Joseph Cotter Mr. Clem Edwards	1183-1212 1213-1234 1235-1242
Theodore Diamandis	Greek Subject, a Third Class Passenger on the "Lusitania."	Mr. Dunlop Mr. Joseph Cotter Mr. Butler Aspinall	1243-1254 1255-1287 1288-1302

In the Wreck Commissioner's Court.

Central Hall,

Westminster, S.W.

Wednesday, 16th June, 1915.

PROCEEDINGS

BEFORE

The Right Honourable LORD MERSEY,
Wreck Commissioner of the United Kingdom,

WITH

Admiral Sir F. S. INGLEFIELD, K.C.B.,
Captain D. DAVIES,
Lieut.-Commander HEARN,
Captain J. SPEDDING,
Acting as Assessors,

ON A FORMAL INVESTIGATION

Ordered by the Board of Trade into the

**LOSS OF THE STEAMSHIP "LUSITANIA."
SECOND DAY.**

The Attorney-General (THE RIGHT HON. SIR EDWARD CARSON, K.C., M.P.), The Solicitor-General (THE RIGHT HON. SIR F. E. SMITH, K.C., M.P.), MR. P. J. BRANSON, and MR. DUNLOP (instructed by Sir Ellis Cunliffe, Solicitor to the Board of Trade) appeared as Counsel on behalf of the Board of Trade.

MR. BUTLER ASPINALL, K.C., MR. LAING, K.C., and Mr. A. H. Maxwell (instructed by Messrs. Hill, Dickinson and Co., of Liverpool) appeared as Counsel for the Owners, the Cunard Company, and the Captain.

MR. DONALD MACMASTER, K.C., M.P., appeared as Counsel for the Canadian Government.

MR. G. A. SCOTT appeared on behalf of the representatives of the late Mr. Alfred Gwynne Vanderbilt, a passenger.

MR. THOMAS SCANLAN, M.P. (instructed by Mr. H. Z. Deane), appeared on behalf of Mrs. Ellen Coughlan, widow, and the representatives of between sixty and seventy, first, second and third class passengers.

MR. ROSE-INNES, K.C., and MR. WICKHAM appeared on behalf of Mr. Crichton and certain passengers (instructed by Messrs. Thorne and Co.).

MR. A. M. LATTE (instructed by Mr. Thomas Priest) appeared for Mr. H. B. Lasseter and others.

MR. COTTER appeared on behalf of certain representatives of the crew.

MR. CLEM EDWARDS, M.P., appeared on behalf of the National Union of Sailors and Firemen.

MR. W. L. MARSHALL (General Secretary), appeared on behalf of the Marine Engineers Association.

Alfred Allen Booth, Sworn.

Examined by the Attorney-General.

215. Is your name Alfred Allen Booth? - Yes.

216. Are you Chairman of the Cunard Line, the owners of the "Lusitania"? - Yes.

217. After the outbreak of war was there any change made by the Company about running ships? - Could you make that question a little more detailed?

218. Yes. It was said here yesterday that only certain of the boilers were used on the "Lusitania" during the voyage we are enquiring into? - That change was made, not at the outbreak of the war, but in November, I think.

219. Tell us why the change was made? - After the rush of homeward-bound American traffic was over, and that came to an end towards the end of October, it became a question as to whether we could continue running the two large steamers the "Lusitania" and the "Mauretania" at all or not. We went into the matter very carefully and we came to the conclusion that it would be possible to continue running one of them at

a reduced speed, that is to say, that the traffic would be sufficient, but only sufficient to justify running one steamer a month if we reduced the expense.

220. You mean to run it with a profit, of course? - To run it to pay expenses. We did not hope to make any profit, and as a matter of fact we did not make any profit.

221. What was the reduction of speed that you decided upon? - We decided to run the "Lusitania," not the "Mauretania," at $\frac{3}{4}$ -boiler power, and that meant a reduction of speed from an average of about 24 knots to an average of about 21 knots.

222. I want to have it on the notes; that, of course, would result in a reduction of the consumption of coal? - It would result in a considerable reduction in the total consumption of coal, and also a reduction in the number of men required for the crew, both of which were important.

223. *The Commissioner:* Did you say a reduction of 25 per cent. in speed? - I said we ran her with $\frac{3}{4}$ -boiler power, and there was a reduction of 25 per cent. of boiler power, but that does not mean a reduction of 25 per cent. in speed.

224. Is the reduction from 24 to 21 knots equivalent to a reduction of 25 per cent. of boiler power? - Yes.

225. I do not know how you calculate it; I should have called it a reduction of $\frac{1}{6}$ th? - A reduction of $\frac{1}{6}$ th on the speed, but the power required for different speeds does not necessarily vary directly with the speed.

226. If you reduced the boilers from 24 to 21, would the effect of that be to reduce the speed 25 per cent.? - No.

227. Then what is the 25 per cent. you speak of? - 25 per cent. is the number of boilers out of the total number of boilers which were not used.

The Commissioner: There were six not used.

The Attorney-General: Five, my Lord.

Witness: It depends on whether you count double engine or single engine boilers.

228. It was I think put generally yesterday, but will you tell us exactly what was the reduction first in boiler power? - My recollection is that the number of boilers used was 18 out of a total of 24, which is three-quarters, 75 per cent., and that as a matter of fact that reduction of power means bringing the speed down from 24 to 21 knots. That is a matter of fact; we knew it from the models made when the ship was built, and also from actual running experience when we have run the ship at reduced speed in the past.

229. *The Commissioner*: The number of boilers and the figures in reduction of speed, do not appear at sight to correspond? - They never would. The higher the speed the greater the increase of power required. For instance, to run at 18 knots the ship requires very little over half full boiler power.

230. And every knot that you increase requires a larger percentage of driving power? - That is right.

231. *The Attorney-General*: And a larger percentage in proportion, as I understand? - Yes.

232. What reduction did the closing of these boilers make in the number of firemen and trimmers? - It reduced the number of firemen and trimmers roughly in the same proportion:- 25 per cent; not exactly, because there are certain charge hands who would be necessary in any case, such as the Leading Stoker on the Watch, and so on.

233. Had the "Lusitania" made other voyages under the same conditions? - She had been running under those conditions since November. May I put on the Notes the exact number of voyages, because I have it here - five voyages before the voyage on which she was lost.

234. Do you mean five voyages altogether, or five outwards and five homewards? - Five round voyages.

235. With that boiler power you have told us, and we have been told that they got an average maximum speed of about 21 knots? - That is right.

236. Is that as fast or faster than most Atlantic-going steamers? - That is considerably faster than any Atlantic steamer which was running during last winter or is running now.

237. With reference to that, were you aware when the "Lusitania" was preparing for this voyage from New York to Liverpool of threats being made by the Germans to attack her with submarines? - Do you refer to the threats advertised in the American papers?

238. I have not referred to anything in particular, I want to know whether you had information that threats were being made of her being attacked by submarines on this particular voyage? - I do not think I heard anything about the special threats made in New York until the Sunday morning after she had sailed. I have been trying to remember whether I heard on the Saturday. I cannot remember whether I did, but I understand the threats were published in New York on the Saturday morning. Therefore, I do not think I could have heard until the Saturday evening at the earliest. I certainly remember knowing it on the Sunday but not on the Saturday.

239. Before that, had you had any information of submarines being on the route on which your ships were travelling? - Yes.

240. After you learned that, did you have any consultation either amongst you and your directors or those employed by you as to whether it would be right or not to increase your speed? - I should not generally put a subject of that kind down for specific discussion at a Board Meeting or a Committee Meeting of Directors. I am in constant touch with them every day and with my Managers, and I have no recollection

now of any specific discussion on that point, I am quite sure if there had been we should have felt that we could not make any difference in our action. It was a question of either running the "Lusitania" at 21 knots or not running her at all; and I know my own view would have been strongly against withdrawing the ship entirely on the submarine threat, and I think that I must in conversation with my Directors have learned that that was also their view. Certainly, it was taken for granted as far as I am concerned.

241. Let me put this to you. Had you information that in reference to avoiding submarines speed was a matter of great importance? - I had my own opinion that speed was a factor of great importance in avoiding submarines.

242. Had you also had skilled information about that? - I do not think that is a matter on which I would require any skilled information.

243. Then may I take it that at the time the "Lusitania" left New York you were fully alive to the importance of the factor of speed in relation to the journey, so as to avoid submarine attack? - Yes.

244. Being so alive to that, do you tell his Lordship that you had no consultation of your Board or any consultation as to whether you would, having regard to that fact, increase the speed for the journey by using the five boilers? - That question, if it had arisen at all, would have arisen in February when the first submarine attacks were made, and my view and the view of my Directors was that the "Lusitania," being in fact the fastest ship that was running, the difference between 21 and 24 knots was not material so far as avoiding submarines was concerned.

245. Would you say the difference between 18 and 24 knots was not material? - It is very difficult to say exactly where one would draw the line. No steamer so far as I know of over 14 knots had been caught by a submarine at all.

246. May I take it as the result of what you have told us, that while you were fully alive to the question of speed you had no special consultation as to whether you would increase the speed? - That is right.

247. When did you first become aware of the announcement of the Germans that they were going to try and sink passenger vessels and merchant vessels with submarines - I mean as a declared policy? - When the German submarine blockade was declared as a declared policy.

248. That was in March? - That was in March, but as a matter of fact submarines had appeared in Liverpool Bay before that - in February, I think.

249. You became aware I suppose at the time the Germans issued their declared policy of the fact? - Yes, I became aware of it when in fact they were doing it.

250. I was asking when you became aware of their declared policy. First I understand you knew submarines were infesting the route? - Yes.

251. Then you afterwards became aware that it was the declared and announced policy of the German Government to try and sink passenger and merchant ships? - Yes.

252. When that policy was announced, did you have any consultation with your colleagues as to whether you ought to make any change? - Yes. We discussed it, but we were not prepared to make any change at all.

253. *The Commissioner:* The "Lusitania" was hit on the starboard side, was she not? - Yes.

254. Have you any information at all as to whether she was pursued by the submarine. The submarine, you know, appeared on her starboard side? - As far as I have been able to make the story out the submarine was not seen at all.

255. But was there any reason to suppose that she was pursuing the ship, as far as you know? - I should say she cannot have been pursuing the "Lusitania." If she had been pursuing her she must have been on the surface and must have been seen.

256. The point is this - whether, supposing you had had the extra six boilers in commission so that you could have got up a speed of 24 knots, it would in this particular case have made any difference? - I cannot see that it would. The submarine was in the right position.

257. Then I understand you to say that so far the experience of shipowners is that a submarine cannot effectively chase a boat that is making more than 14 knots? - That had been the experience at that time, and I do not know of any other case since either.

258. Is it the experience of the present? - I think so.

259. I do not know, but the "Falaba" was travelling at between 13 and 14 knots, and in that case the submarine was overtaking her fairly rapidly, and the evidence there was that the submarine was making about 18 knots? - I knew of several cases of vessels of 14 knots that had been chased and got away.

260. *The Attorney-General:* You told me, I think, that the day after the "Lusitania" sailed you heard of the special threats by advertisement in America, I believe, to sink the "Lusitania"? - Yes.

261. Did you after that take any steps? - We were unable then to communicate with the ship in any way ourselves.

262. I only want to know what happened. Did you take any steps after that. You say you did not communicate with the ship? - We could not communicate with the ship.

263. *The Commissioner:* Why not? - Because only the Admiralty could communicate with the ship.

264. Could you not send a marconigram to the ship? - No.

263. Why not? - We could only ask the Admiralty to send a message for us.

266. You could do that? - Yes.

267. *The Attorney-General*: Did you make any communication to the Admiralty? - Not at that time.

268. Not till after the accident, I think? - Not till the Friday morning.

269. *The Commissioner*: Were there any means on board of putting the six boilers in commission. Do you follow what I mean? - Temporarily; they could not have been worked throughout the voyage.

270. But could you have got those six boilers at work by a message to the ship or would you have had to do something before leaving port? - She would not have coal on board to make the voyage with full boiler power, and she would not have the crew to fire those extra boilers; that was out of the question.

271. *The Attorney-General*: Did your company give any special directions to your officers with reference to submarines? - We discussed the submarine danger with the individual captains - either I or my immediate assistant in every case, but the discussion had necessarily to be of the nature of making sure that they realised what the general dangers were. We could not venture to give specific instructions when in an emergency they would be in possession of facts which could not be in our possession, and we felt it would be very dangerous to attempt to give specific instructions when the circumstances might make those instructions absolutely dangerous to follow.

272. May I take it your answer is that for the reasons you have given you gave no instructions? - No specific instructions.

273. I do not know what you mean by that. Did you give any instructions? - We discussed the general form the danger would take and the general methods whereby it could best be avoided. One of the particular points of course was the question of closing the watertight doors when in the danger zone, swinging out the boats, seeing that all the ports were closed, seeing that everything was ready in the boats; and another point was the danger of stopping in the danger zone to pick up a pilot or stopping at the Liverpool Bar to wait for the tide to rise.

274. Then may I take it that you did with Captain Turner discuss those points? - Yes - not I, personally. In that particular instance it was the General Manager who did it.

275. But you are aware that it was done? - Yes.

276. I suppose you received the Admiralty suggestions and passed them on to Captain Turner? - They go direct to the captains; they do not go through the steamship company.

277. They go direct from the Admiralty? - They go direct from the Admiralty.

278. Do you ever see them yourself? - I do see them myself, some of them at any rate, being on the Committee of the Liverpool and London War Risks Association. I do not think I necessarily see them all, but I know, generally speaking, the kind of instructions that are being sent.

279. At all events, you had no communication with Captain Turner with reference to any instructions from the Admiralty? - No.

280. Was the question of when the ship should arrive at the bar at Liverpool settled by you or suggested, or how was it left? - That was left in this way. It was one of the points that we felt it necessary to make the Captain of the "Lusitania" understand the importance of. The "Lusitania" can only cross the Liverpool Bar at certain states of the tide, and we therefore warned the captain, or whoever might be captain, that we did not think it would be safe for him to arrive off the bar at such a time that he would have to wait there, because that area had been infested with submarines, and we thought therefore it would be wiser for him to arrange his arrival in such a way, leaving him an absolutely free hand as to how he would do it, that he could come straight up without stopping at all. The one definite instruction we did give him with regard to that was to authorise him to come up without a pilot.

281. Can you tell me or can you fix the time at which he could have come into Liverpool on the morning of the 8th? - I'm afraid I do not remember that now.

282. I suggest he could have come at any time from 4 a.m. up to 9? - I have not got that in my head.

The Commissioner: Then, Sir Edward, it would not have been wise, according to what you suggest, for the ship to have arrived before 4 o'clock in the morning.

283. *The Attorney-General:* No, my Lord. (*To the witness.*) There is only one other matter. On Friday morning, the 7th May, that is the day on which the "Lusitania" was sunk, had you heard of certain ships being sunk in St. George's Channel? - Yes.

284. What ships were they? - Two steamers of the Harrison Line; the "Candidate" and "Centurion," I think they were.

285. They had been sunk the previous day, I think? - They had been sunk the previous day.

286. Did you take steps to send a message to the "Lusitania" to inform them on board of that fact? - Yes.

287. That is, I suppose, you went to the Admiralty? - We went to the Admiral or the Senior Naval Officer in Liverpool and asked him to send a message. We, of course, did not venture to send any message to the captain as to how he should proceed, because the Admiralty might be doing that, or the captain might know a great deal more about it than we did. We merely asked the Admiralty to convey the fact that these ships had been sunk.

288. But I think you are of opinion, having regard to the time when you asked that should be done, the information could not have arrived in time? - I think it did not arrive in time.

Examined by Mr. Wickham.

289. What was the number of passengers carried on the "Lusitania" at normal times? - I am afraid that question is very much too vague. It depends on the season.

290. I put it to you that the number was practically the same as on normal occasions on this particular occasion? - No, that was not so.

291. How do you say it differs. The figures are there were 290 saloon passengers. On ordinary occasions, I put it to you, there are only about 300? - First class?

292. Yes? - Then the second class.

293. Of the second class there were 600. What do you say would be the ordinary number? - Anything from 400 to 500.

294. Then do you agree that the number of passengers on this particular voyage of the "Lusitania" was normal? - No, because you have left out the third class passengers.

295. The number of third class was 267 on this occasion? - The normal number would be about a thousand.

296. You spoke just now about authorizing the Captain to come up without a pilot. Have you ever authorized a captain to come up without a pilot in pre-war times? - I cannot remember.

297. Have you ever on any occasion; or has your Company, paid the fines of the captains when they have disobeyed the orders as to coming up without a pilot?

Mr. Butler Aspinall: I do not know whether this question, or the answer which Mr. Booth might give, would be of any value to your Lordship.

The Commissioner: Will you repeat your question, Mr. Wickham, and do you mind telling me, so that I may follow your questions, what it is you are aiming at?

Mr. Wickham: Yes, my Lord. The witness said that on this occasion he had authorized the Captain to come up without a pilot.

The Commissioner: Tell me what it is you want to establish.

Mr. Wickham: I want to know if prior to the war captains had been authorised to come up without a pilot, and if so, I shall submit, and shall prove later on in evidence, that the Company have paid the fines for their doing so.

The Attorney-General: Of course anything that is relevant should be gone into; but there is not allegation that he ought to have had a pilot on board at the time, or till long subsequent to the time when the ship was torpedoed. I mean, it ought not to go as a suggestion that at this particular time there ought to have been a pilot on board, because it is not so.

The Commissioner: If I knew what it was you were aiming at, Mr. Wickham. What is it you have in your mind? [sic] because I do not know.

Mr. Wickham: First of all, the difficulty, of course, is the meeting *in camera*; but certain questions were written out by my learned leader Mr. Rose Innes, and I understood that Sir Edward Carson would ask them during the inquiry, and if those questions were put before your Lordship, you would at once see the object of my inquiry.

The Commissioner: Cannot you tell me the object of your enquiry without divulging any secrets?

Mr. Wickham: They were written by my learned leader, and he considered that the questions were not proper.

The Commissioner: I have not seen them.

The Attorney-General: My friend is entirely in error, as your Lordship will see, and I asked every question.

The Commissioner: Would you like to see these questions, Mr. Wickham?

Mr. Wickham: I did see them before they were handed to Sir Edward Carson.

The Commissioner: Do you remember them?

Mr. Wickham: Yes, my Lord.

The Commissioner: Will you tell me what they were?

Mr. Wickham: They are in connection with a conversation with a lady, and as to the pilot, and also in connection with certain instructions from the Admiralty.

The Commissioner: I see nothing about a lady in them.

Mr. Wickham: There is only one other question I want to ask.

The Commissioner: Do not think that I want to prevent you from putting questions, but I want to keep the inquiry, if I can, within legitimate limits.

298. *Mr. Wickham:* It goes to show whether the captain had on other occasions disobeyed orders; because it is his duty to take a pilot on board, and if he disobeyed the order on this occasion, I submit it tends to show that he disobeyed the Admiralty wireless instructions. (*To the witness.*) Did your company itself, independently of the Admiralty, take any steps whatever to prevent the vessel doing what she did do, that is, appearing in the war zone at the scheduled time? - I do not know. What does scheduled time mean? I really do not understand.

Mr. Wickham: In other words, she arrived there when the submarine was waiting for her.

Examined by Mr. Donald Macmaster.

299. Was Captain Turner the regular captain of the "Lusitania" at the time of the accident? - Captain Turner was making his second consecutive voyage in the "Lusitania," and he had been in the "Lusitania" before.

300. I understand he had been in the "Lusitania" before, but at the time and during the preceding voyage the regularly appointed captain was Captain Dowe [sic], was he not? - Captain Dowe [sic] had been in command of the ship for several months and was tired and really ill, and I decided that he should stay ashore for a rest; but I never considered that Captain Dowe [sic] was the specially appointed captain of the "Lusitania." The captains go in whatever ships the Board decides.

301. On this occasion, at all events, Captain Turner took the ship out to New York and was bringing her back, and he was a substitute for the time for Captain Dowe [sic]? - The voyage before that change took place, Captain Turner went in place of Captain Dowe [sic].

302. Had you in Liverpool any communication whatever with Captain Turner during the voyage from New York homewards? - None whatever. As I understand, the message I asked the Admiralty to send him was not received.

303. Had you no communication from him? - He had strict instructions not to use his wireless unless absolutely necessary.

304. I did not ask you that, quite. I asked you whether, as a matter of fact, you had any communication from him during the voyage? - During the homeward voyage?

305. Yes? - No, I cannot remember receiving anything.

306. You received nothing from him? - No.

307. Did you receive anything from your New York office with regard to the threat that the destruction of the ship was contemplated during the voyage? - We received it by letter afterwards. Do you mean by cable?

308. *The Commissioner*: No, no. The ship having left on the Saturday, you knew on the Sunday that there had been in New York threats to wreck her? - Yes.

309. I do not know how you received that information? - In the newspapers. I do not remember receiving it through the agents.

310. Do you mean from newspapers published in England? - From newspapers published in England; that is my recollection. I do not remember receiving anything from the New York office by cable.

311. *Mr. Macmaster*: It is rather an important matter. I suggest to you that if you received a cable message or a wireless message from New York with reference to this threat, you probably would remember it? - I think I probably should, yes.

312. What do you say now is the final balance of your mind on that point? - That I did not receive it.

313. Do you file messages from your New York office at your Liverpool office? - Yes; all communications received from the New York office are filed.

314. When did you first hear that the "Lusitania" was struck? - On the Friday afternoon.

315. How did you hear that? - The General Manager brought me a telegram which stated that the "Lusitania" had been struck by a torpedo and was sinking.

316. A telegram from whom? - I cannot remember.

317. Have you got that telegram among your records in the office at Liverpool? - Yes.

318. Did you receive any despatch in relation to the destruction of the ship from the captain? - No.

319. *The Commissioner*: Do you know how long the captain was in the water? - I understand for over three hours. I think the message came from one of the wireless stations, or from a Lloyd's station. It was from some public body, at any rate.

320. *Mr. Macmaster*: What I wish to know is, was the wireless apparatus on the steamer in such a condition that a report could be made to your office from the steamer after the accident? - No, because the wireless messages, sent by the steamer are all received by the wireless stations on shore and passed through the Admiralty. I understand that nothing comes to us except what they allow to come.

321. Do you know whether any message was sent from the steamer after she was struck? - To the office?

322. To anywhere? - I believe not. The S.O.S. was sent out. I presume you will have that in evidence later.

323. *The Commissioner*: I do not understand that. Some information reached some public body, who communicated it to you, to the effect that the “Lusitania” was sinking? - Yes.

324. How do you suggest that that information would come to the public body unless it was sent from the “Lusitania” itself? - It did come from the “Lusitania” itself.

325. Then how could it come except from the Marconi room? - It did come from the Marconi room, not addressed to anyone in particular, it was the S.O.S. sent out broadcast, but picked up by the shore station, and the message was sent by this shore station, Marconi or Lloyds, to us.

326. Were the Marconi operators saved? - One certainly was, because I have seen him.

The Commissioner: Is he here?

The Attorney-General: Yes; I am going to call him.

327. *Mr. Macmaster*: Had you on the “Lusitania” any device or contrivance by which either the presence or approach of a submarine could have been detected? - No.

The Commissioner: Could you suggest, because it might be useful, what sort of a device?

Mr. Macmaster: I understand that there are appliances.

The Commissioner: Can you tell us of one?

Mr. Macmaster: I put the question in a general form.

The Commissioner: I know you did, but I want to be particular. Tell us of this device which you refer to.

Mr. Macmaster: I thought perhaps the witness was better informed on the subject than I am.

The Commissioner: But has the witness informed you, because if so, do tell us.

Mr. Macmaster: He has not informed me, my Lord. (*To the witness*) Was there any device at all?

The Attorney-General: For what?

The Commissioner: The question is whether there was any device whatever on board the “Lusitania” for apprising the people on board of the proximity or approach of a submarine, and if there was, I am very anxious to know it.

Mr. Macmaster: If your Lordship will permit me, I will put the question in this way: Was there any device or contrivance on board by which those in charge of the ship could detect the presence or approach of a submarine?

The Commissioner: That is exactly what I understood you to put, and I want you to tell us, if you can and will, what sort of a device you mean.

The Attorney-General : There are things called hydrophones, I am told.

The Commissioner: What is a hydrophone? Have you heard of a hydrophone.

Mr. Macmaster: I am not skilled, but I am informed that it is possible to detect the approach of a submarine.

The Commissioner: Will you tell us who has told you?

Mr. Macmaster: I will tell your Lordship, because your Lordship has asked me, although the communication was made to me privately; but under the circumstances I feel justified in telling your Lordship. The gentleman who told me that it was possible to detect the presence of a submarine is Sir William Van Horne, one of the most learned men of the day.

The Commissioner: Have you got him in Court?

Mr. Macmaster: No, my Lord.

The Commissioner: Are you going to bring him?

Mr. Macmaster: It is not my business to bring him into court.

The Attorney-General: I beg your pardon; you ought really to give us all the information you can. If there is any danger in not having any appliance on board, or it is so suggested, it ought to be made by a skilled witness, and we will welcome any such evidence.

The Commissioner: I agree. It is of public importance. If this gentleman can tell us how to detect the presence of submarines, he should come and tell us.

Mr. Macmaster: No doubt, my Lord. I do not wish to place myself in opposition to your Lordship's opinion in any way, but I did think that if anybody knew anything about such an appliance, this witness would, and that is the only reason why I put the question.

Examined by Mr. Thomas Scanlan.

328. I understand you to have stated in answer to the Attorney-General that although the crew was less than at ordinary times it was capable of firing and working all the boilers temporarily? - By calling out the watch that was off duty the remaining boilers could be fired.

329. Are you not well aware that the ship had on board a sufficient supply of coal to enable all the boilers to be fired temporarily? - Yes.

330. You appreciate in regard to the importance of speed as a factor of safety that where you most wanted speed was when the ship came into home waters - into the region known to be infested by submarines? - That is the only place where the submarines could be expected to be, of course.

331. And that is the only place where speed mattered? - Where speed would be a factor at all as far as submarines were concerned.

The Commissioner: Will you tell me what speed could have done on this occasion.

Mr. Scanlan: I heard your Lordship's questions and the witnesses' answers on the subject of speed.

The Commissioner: But will you tell me what difference speed would have made on this occasion.

Mr. Scanlan: I will not venture to set myself up as an expert on speed.

The Commissioner: But this submarine approached the "Lusitania" on the starboard side, and apparently, as far as we know at present, quite suddenly, it came up out of the water and within a few seconds sent a torpedo into her.

Mr. Scanlan: And torpedoed her once or twice.

The Commissioner: Yes. We are told two torpedoes were sent in, one after the other. Unless you have some good point about the speed, please do not spend too much time over it.

332. *Mr. Scanlan:* I hope I have not occupied too much time. (*To the witness.*) I put it to you, that you realised the importance of having the speed increased was when the ship was in the position in which she was actually when she was torpedoed? - For the purpose of getting away from a submarine which might chase her.

333. And you took no means to communicate with the captain and ask him to run the ship at a maximum speed in this danger zone? - No.

Examined by Mr. Cotter.

334. What is the custom in normal times with regard to taking on a pilot. Where do you take them on? - At Point Linan.

334a. That is, if you do not call at Queenstown? - Yes.

334b. If you do not call at Queenstown you take them on at Daunt's Rock? - Yes.

335. Is it the custom of your Company to issue orders to your captains in regard to boat drill and bulkhead-door drill on board your passenger ships? - Yes.

336. Had Captain Turner those instructions? - Yes.

337. Is there a crew list put up on board your ships? - Yes, showing boat stations.

338. And also on that list are there printed bulkhead-door stations, fire stations, &c.? -Yes.

339. Was that done on the "Lusitania" to your knowledge? - Yes.

340. Have you ever seen a boat drill on board one of your ships? - Yes.

341. Have you ever had any report from your captains that the crew of any of your passenger ships were incompetent to handle the boats? - The crews as to individual members vary.

342. That is not my question. Have you ever had a general report from any of your captains that the crew were incompetent to handle the boat? - No, no general report.

343. Have you found your crews as a rule, competent crews to handle boats? - On the whole they have been very willing.

344. And been able to do the work? - Yes.

345. Have you received any report from Captain Turner since the "Lusitania" disaster that the crew was incompetent to handle the boats? - No. Might I say my Lord that since the war-

346. *The Commissioner:* I think you had better not. I think you had better answer the questions? - Very well, my Lord.

347. *Mr. Cotter:* Since the war broke out you have had a different class of men on board the ships, I take it? - Yes. We have lost all our R.N.R. and Fleet Reserve men.

348. And you have had to take on the best you can get? - We have had to take on the best we could get and train them as best we could in the time at our disposal.

349. What kind of davits had you on board the "Lusitania"? - The ordinary quarter circle davit.

350. Had you any patent Welin's davits on board? - No.

The Commissioner: I thought Mr. Cotter, the captain said they had some.

351 *Mr. Cotter*: That is what I wanted to clear up, and I was going to ask you to call the captain back. I think he made a mistake. (*To the Witness.*) You had none? - No.

352. Have you any on any of your boats? - Yes, on the "Andania" and "Alaunia," not for all the boats, but for a particular set of boats.

353. Is it a fact that you have given prizes for boat races? - Yes.

354. In the "Mauretania" and in the "Lusitania"? - Yes, and on all the passenger ships of the fleet.

355. That is to make the crews proficient in handling the boats? - Yes.

356. What class of lifebelt did you carry in the "Lusitania"? - There were a certain number of body lifebelts and the ordinary cork lifebelt.

357. The body lifebelt is the new pattern one, is it? - Yes.

358. Where did you have them situated? - That is a very large question. I really could not be expected to answer that. I should like some witness asked who could answer from absolute knowledge. I know generally where they were placed in the staterooms and so on.

359. Do you make any distinction with regard to the men you have engaged during the war on the dock, in New York? - How do you mean, make a distinction?

360. I mean as to the nationalities? - I do not quite follow you.

361. Is it not a fact that you have Germans working on the dock and on board your ships at New York? - I should think it is probably certain that Americans of German descent would be working there.

The Commissioner: Do you mean men who have been born in Germany?

Mr. Cotter: Yes, my Lord.

The Commissioner: Do you mean men with German names or do you mean Germans naturalised in the United States?

362. *Mr. Cotter*: I mean actual Germans who go out there, who emigrate to New York. I am getting now to the point of a German spy being able to get on board the "Lusitania" and being able to convey information to the enemy. (*To the Witness.*) Is there any distinction made; do you try to sort them out at all? - We do all we can to protect ourselves against German spies in New York as everywhere else.

363. But it is possible for them to get on board your ships? - I am not prepared to say it is impossible.

364. The reason I raise the question is, that it has been published in the press that people got on board the ship and made statements that she carried guns and so on.

The Commissioner: You are quite right Mr. Cotter.

Examined by Mr. Butler Aspinall.

365. The calamity, as we know, happened on May 7th? - Yes.

366. Is it within your knowledge that submarines had been operating in Liverpool Bay for some time before that? - Yes.

367. To any considerable extent? - To a considerable extent.

368. Was that the common knowledge of those using the port of Liverpool? - It was the common knowledge of those using the port of Liverpool so far as vessels actually sunk by German submarines were concerned in Liverpool Bay, but in addition to that I knew, from my position on the Committee of the War Risks Association, of other ships having escaped which might not be common knowledge.

369. Several sunk, and others chased, which had escaped? - Yes.

370. I noticed you told the Attorney-General that one of the points either you or your subordinates discussed with your captain was as to closing watertight doors and ports, and you also added, the danger of stopping for pilots off Liverpool? - Yes.

371. I want to develop that. What was the danger you discussed with them? - The danger was the danger of being at rest; that the submarine would be likely to wait at points where she might expect a ship to stop to pick up a pilot, and a ship at rest would be absolutely at her mercy.

372. Stopping for the purpose of getting her pilot? - Yes.

373. In view of your knowledge as to submarines operating in those localities, would you think it desirable that a ship should arrive some hours before she could cross the bar and lie off there? - I felt that it was running a very great risk to do that.

(The Witness withdrew.)

The Attorney-General: May I put in on this evidence the ship's manifest?

(The same was handed in.)

The Commissioner: Can you tell me where the danger zone began. What are the limits of the danger zone?

The Attorney-General: No doubt I can, but it is better I think, my Lord, to do it by witness.

The Commissioner: What I want to know is, whether arrangements could have been made for this steamer to have traversed the danger zone in the dark. You will consider whether that is of any importance or not, but if you think it is of importance I should like to know the facts as to where the danger zone began?

The Attorney-General: Where the danger zone is supposed to have begun. You cannot say where it actually began.

The Commissioner: I thought the danger zone had been defined by the Germans somewhere?

The Attorney-General: I am not sure, but I will deal with the point. I think your Lordship may as well have a copy of the Cunard rules to be observed by all the officers, Mr. Booth can prove them (*handing the same to the Commissioner*).

The Commissioner: Is there anything you want to call my attention to, Sir Edward, in the manifest?

The Attorney-General: There are, as your Lordship will see if you look down the manifest, certain cases of ammunition and some empty shells, but no question has been asked hitherto as to them on that matter.

The Commissioner: Not shells to be utilized?

The Attorney-General: No, nor ammunition to be utilised. The ammunition was in cases, as you will see; that is the only thing which can have any materiality, but no suggestion has been made or asked as to this having had anything to do with the calamity.

Thomas Quinn, Sworn.

Examined by Mr. Dunlop.

374. Were you an able seaman on board the "Lusitania"? - Yes.

375. At 2 p.m. on the day she was lost were you on watch in the crow's nest? - Yes.

376. Was it your duty to look out on the starboard side? - Yes.

377. Had you another man with you in the crow's nest whose duty it was to look out on the port side of the ship? - Yes.

378. After you had been there for a few minutes, did you see something in the sea? - Yes.

379. What was it? - I saw a torpedo coming and I saw the submerge, but I never saw the submarine itself. I reported it by word of mouth to the bridge.

380. Did you see the torpedo strike the ship? - Yes, I waited there until it did.

381. Where did it strike? - It struck right amidships near No. 5 boat and splintered No. 5 boat to pieces.

382. Did you hear any orders from the bridge? - I got orders to report anything I saw even if I saw a broomhandle.

383. I mean after the explosion? - No. After the explosion I did not receive any orders from the bridge of any sort.

384. Did you come down and go to your boat? - Yes, I come down and went to No.3 boat.

385. *The Commissioner:* Can you tell us from what direction the torpedo was coming. Was it coming end on to the starboard side of the ship? - It was coming, as far as I could say, from a range abaft the foremast. It was about 200 yards away.

386. Do you mean to say when you first saw it it was about 200 yards away? - The submerge was about 200 yards away; she was going down.

387. Did you ever see the submarine? - I did not see the submarine.

388. You saw nothing but the torpedo? - I saw only the break of the water like the letter "T".

389. How far was the torpedo away from the ship when you first saw it? - I think it would be about 100 yards - fully 100 yards.

390. Was it coming straight, end on? - Straight, right correct for the ship. She could not have got clear had she been going a hundred knots.

391. Was it directly beam on? - No, it was coming right forward, as far as I could see; the submarine was ahead of us waiting for us, and it came right direct abaft the foremast. The ship was going about 17 or 18 knots.

(The Witness withdrew.)

The Attorney-General: As your Lordship has asked some questions about speed and there may be some misapprehension about it, I propose to call Commander Anderson and ask him a few questions.

Commander Anderson, Sworn.

Examined by the Attorney-General.

392. Are you a Commander in the Royal Navy? - I am.

393. Can you tell us, in relation to escaping or attempting to escape from submarines, is the speed of the ship that is liable to attack of importance? - It is.

394. Will you tell us in what way? - I think it is material in two ways: In the first place, to escape from direct pursuit by a submarine, the faster a ship goes the better chance she has of getting away; and, secondly, I think that a fast ship zig-zagging covers a large area of ground, a much larger area than a smaller ship, and, therefore, reduces the chance of any single submarine being in a position to attack her.

395. Perhaps it is the same question, but do you know whether there is more difficulty in a submarine locating a ship and where she is to be attacked when she is going fast? - I do not know that I quite understand what you mean, but I take it that a fast ship will not be in the same position as a slow ship.

396. Would a submarine be in a more favourable position to attack a ship if it was a slow ship? - I take it that it is more difficult for a submarine to attack a fast ship than it is for her to attack a slow ship.

397. And then, you have told us, the zig-zagging is of great importance? - I consider the zig-zagging of paramount importance.

398. You know the time of the "Lusitania" and the time she had in hand? - I do.

399. If she had had extra speed could she have regulated her time differently? - Yes.

400. Will you explain that to his Lordship and the Court? - There was, I understand, about five hours during which the "Lusitania" could have crossed the bar, and from the point where she was torpedoed to the bar, going 18 knots on a direct course, she would have arrived there at the earliest possible moment at which she could have crossed the bar.

401. *The Commissioner*: At what time do you say that would be? - By my calculation, 4.15 to 4.30 the next morning.

402. What was the earliest time the tide would have enabled her to cross? - About 4.30, on a rough calculation. At a fast speed she could have covered more ground and, instead of arriving at the bar at the earliest time, she could have kept further out, zig-zagged, and made a good 18 knots going faster.

403. *The Attorney-General*: That is keeping out and not going into the channel until later. Is that what you mean? - Yes, she would have got into St. George's Channel later.

404. *The Commissioner*: I thought you meant to say that the ship would have arrived at the same time but would have done a good many more knots? - So I do. She would have steamed at 21 knots but would have made good 18, roughly.

405. That is to say, she would have gone through the water faster but would only have gone the 18 knots?
- Yes, in a direct distance, and still have arrived at the same time.

406. *The Attorney-General*: Can you tell us what is considered the danger zone in the journey from New York to Liverpool? - Roughly, the danger zone is defined as being the waters surrounding Great Britain and Ireland and the north coast of France. There was nothing specific stated in the German declaration, as far as my memory goes.

407. *The Commissioner*: The waters surrounding Britain, you know, extend to America? - Quite. I believe they do; but that was the loose term employed in the German Proclamation.

408. Then, you mean, the danger zone is not defined? - No, not in bounds.

409. *The Attorney-General*: Can you tell us how far a submarine can go out - what journeys these submarines can make without re-fitting? - I think I would rather not say that in public.

410. But they do go a long way? - A considerable distance.

(The Witness withdrew.)

Leslie N. Morton, Sworn.

Examined by the Solicitor-General.

411. Were you an able seaman on the "Lusitania"? - Yes.

412. And I think you were extra look-out on the fore-castle head, starboard side, during the 2 to 4 watch on Friday, 7th May? - Yes.

413. Had you had any particular instructions that you were to look out for anything? - Yes, to keep a good look-out for periscopes.

414. Did you know what a periscope was? - Yes.

415. Do you remember, about 10 minutes past 2, looking at your watch? - I do.

416. Tell us what happened after that? - At 10 minutes past 2 I looked at my watch and putting it into my pocket, I glanced round the starboard side and as roughly as I could judge, I saw a big burst of foam about

500 yards away four points on the starboard bow. Immediately after I saw a thin streak of foam making for the ship at a rapid speed, and then I saw another streak of foam going parallel with the first one and a little behind it.

417. Are you quite clear in your recollection that you saw two of these streaks of foam? - Absolutely.

418. Did you say anything to your mate who was with you? - Yes, I turned round to him and said, "They have got us this time."

419. Could you tell us, as to these two streaks of foam, how each of them was heading, explaining it in relation to the funnels? - They were fired, it seemed to me, at right angles to the ship's course. The first one seemed to hit her between Nos. 2 and 3 funnels, and the second one just under No.3 funnel, as far as I could judge from forward.

420. Were you conscious of any shock to the vessel? - Yes, a great shock.

421. One shock or two shocks? - There was a continual quiver.

422. When the first torpedo hit the vessel was there a distinct shock? - Yes, a shock all over the ship. It shook me off my feet.

423. Did you notice anything fresh or different in the quiver, which you have described, when the second torpedo, according to your story, hit the vessel? - No, it was very similar.

424. What did you do next? - As soon as I saw them coming, before they exploded, I reported them to the bridge with a megaphone.

425. What did you shout to the bridge? - I reported: "Torpedoes coming on the starboard side."

426. What did you do next? - I made for the fore-castle to go down below to call my brother who was asleep at the time.

427. *The Commissioner*: How long were these streaks which you say you saw in the water? - They were lengthening all the time as they got nearer to the ship.

428. I know they were; but when they started, how far were they from the ship? - About 500 yards.

429. So that you saw the streak coming all along 500 yards? - Yes.

430. How long after you saw the streak begin did the torpedo hit the ship? - I should say about 25 or 30 seconds.

431. Half a minute? - Yes, if as long as that.

The Commissioner: I wonder whether that gentleman from the Admiralty can tell us how quickly a torpedo travels?

Commander Anderson: They vary. I do not think it is a question, if your Lordship would excuse me, that I should answer here.

The Commissioner: Is it not a matter of common knowledge?

Commander Anderson: Torpedoes vary in their speed a good bit, according to their brand.

The Commissioner: I daresay they do; but how quick will a quick one travel?

Commander Anderson: 40 miles an hour.

The Commissioner: I should have thought it would travel quicker.

432. *The Solicitor-General (to the Witness):* What did you do next after you had told your brother? - I went along the starboard side of the main deck and up on to the starboard side of the boat deck.

433. What did you see? - As I looked at the starboard boats I saw they were useless because they were swinging inboard owing to the heavy list, so I went across the fidley deck to the port side, to my boat, No. 13, the emergency boat.

434. Did you see anything of the conning tower? - As I was running towards the forecandle I saw what appeared to be a conning tower just submerging.

435. What was it like? - It looked to me like the top portion of a silk hat just going under the water.

436. When you got on to the port side, what was the position of the boats on that side? Did you get into your boat? - Yes.

437. What did you do next? - Put my lifebelt on.

438. And next? - Knocked off the patent screw at the after end of the boat and released the boat from the davit falls, and she was all ready for lowering away aft.

439. Did the passengers begin to fill your boat? - They were getting in all the time.

440. What happened next? - There was someone in the fore end of the boat doing a similar thing, and when the boat was ready for lowering away I got out and went to assist at the next boat.

441. That would be No. 11 boat, would it not? - Yes, the next boat forward.

442. What was the sex or the age of the people who were going to these two boats? - They were chiefly women: there were some men.

443. Any children? - Yes.

444. But they were chiefly women? - Chiefly.

445. What happened when you got to No. 11 boat? - I helped to fill that one; the rest of the crew were helping. Then I saw my brother in a boat down alongside the ship and I went down the davit fall into that one. It was No.1 or No. 2.

446. Did you get into it? - Yes, and that boat filled up with people. We pushed the after end off and called to the passengers to push the forward end off; but some of the people seemed as if they could not leave go, and she turned over and sank, and just before she turned over I swam for it.

447. Could you see anything of the "Lusitania"? - When I got what I thought far enough away I turned on my back and looked at her. And she was just going down by the head on the starboard side. The last thing I remember was Captain Turner on the bridge just by the signal halyards.

448. *The Commissioner*: She had a great list at this time? - Yes.

449. *The Solicitor-General*: Was there any explosion as she sank? - Yes, there seemed to be an explosion which dislodged No. 3 funnel.

450. And you say that almost the last thing you saw was Captain Turner standing on the port side of the bridge? - Yes.

451. Then I think you saw a collapsible boat empty and climbed into it, with a sailor named Parry? - Yes.

452. Did you rip part of the cover off and pick up a large number of people? - Yes.

453. About how many? - There must have been over 50 in the boat.

454. Did you set up the sides? - We tried to set them up as far as they would go.

455. And with all those people what did you do? - Made for a fishing kedge about 6 miles away.

456. Were you successful in reaching it? - Yes, and we landed the passengers on that boat and went away for some more.

457. I think you dropped astern from the smack after landing your passengers and took some 20 or 30 people off a lifeboat that was sinking? - Yes, and by this time the "Indian Empire" mine sweeper had reached us, and they took us out of this collapsible boat.

458. Was there any panic at any time among passengers or crew? - Individually, but not on the whole.

459. I do not know whether your brother was saved or not? - Yes; he is in Court at present.

460. *Mr. Butler Aspinall*: How old are you? - Eighteen.

Examined by Mr. Clem Edwards.

461. How far away was it when you saw what you thought was the conning tower of the submarine? - She was almost abeam of the vessel, between 450 and 500 yards away, I should say.

4112. Was it in precisely the same direction as you saw the streak of foam? - It did not seem to be travelling at all: it was just submerged.

463. But was it precisely in the direction from which you saw the streak of foam starting? - No, it was further aft.

464. I thought you said you saw the streak of foam for 400 or 500 yards? - Yes, I said so.

465. Did you see the conning tower 400 or 500 yards away? - What appeared to be a conning tower I saw.

466. In what direction was the conning tower from the line of what you call the streak of foam? - It seemed to be at the end from where it was discharged

467. At the end in the same direction? - Yes.

468. The moment you saw the streak you megaphoned a message to the bridge, did you? - Yes.

469. Who was on the bridge at the time? - I do not know. I could see some officers.

470. And you do not know what instructions followed? - No.

471. Who gave you instructions with regard to the boats? - Do you mean on the voyage or on the special day?

472. You said you got to a certain boat, I did not catch quite clearly which, but I thought you said you got into No. 11 boat? - No. 13 first.

473. By whose instructions did you get into No. 13 boat? - We had boat practice on the passage across and we knew which particular boats to go to in case of emergency.

474. Then did you decide yourselves that an emergency had arisen? - Yes.

475. So that you got no instructions? - No.

476. Did you hear any instructions of any sort or kind given with regard to any of the boats? - Yes.

477. By whom? - By the officers.

478. What officers? - I do not remember their names. I did not know half the officers.

479. Did you hear any instructions given by Captain Turner? - I think I heard him sing out off the bridge, "women and children first."

480. How long was that after the torpedo had struck the ship? - It was immediately after I got into the boat. That would be about 5 minutes later. I presume he sung it out before because they were in.

481. You heard that shout after you got on to the boat deck? - Yes.

482. You knew the men who were to form the boat's crew of No. 13 with you, did you? - Yes.

483. Did any other of the ship's company get into that boat than those who according to the regulations were attached to it? - Not one.

484. Were all the men there that were supposed to be there? - No, there were two of them missing. They were in the baggage room at the time.

485. Was there any muddle on the part of the crew? - Everything was done clearly and in the right way as far as I could see.

Examined by Mr. Cotter.

486. Did you go to the portside of the ship at all? - Yes, first.

487. What was the position of the boats there? - Swinging in board against the ship's side.

488. Were there any passengers in them? - None that I saw. They were all empty.

489. Were there any members of the crew trying to launch any of them? - No.

490. You never saw any? - No, not on that deck.

491. *The Commissioner*: Could you have lowered those boats? - No, my Lord. It was impossible.

492. *Mr. Cotter*: Evidence will be produced to show that two boats were lowered and that one got down to the water? - They were lowered before I got there then.

493. Were there not two boats actually gone? - I did not notice them.

494. No. 13 boat is nearly amidships? - Yes.

495. Had you any difficulty in lowering it? - None at all.

496. Had the passengers any difficulty in getting into it? - A slight difficulty, but it was easier to get into that boat than any of the others because there was a beam they could step on.

497. What boat did you go to after you left No. 13 boat? - No. 11.

498. What was the position of the ship then as to list? - She was listing very heavily then. It was swinging far from the ship's side.

499. Can you give us the distance? - I could not judge it. It was a long jump for ladies.

500. Could you tell us approximately? - About six feet as far as I could judge.

501. At that time was the ship going down by the head? - Yes, the bulkhead was completely under then on the starboard side.

502. So that the boats would be swung out about six feet and swinging forward? - Yes, slightly.

503. How would you get the passengers into those boats? - They jumped, most of them.

504. It is a big jump, is it not - six feet? - Well, they would do that in a case like that.

505. Were the crew assisting the women and children into the boats? - Yes.

506. How were you getting the women into the boats. Had you any means by which you could put them in? - I think jumping or going down the davit was the only means.

507. In regard to the torpedo, did you follow the course of the white streak that you saw until the torpedo struck the ship? - Yes.

508. Can you tell us where the torpedo struck the ship? - Between No. 2 and 3 funnels, the first one, and just by No. 3, the second, as far as I can remember.

509. That would be absolutely amidships? - Yes, almost.

510. The second one struck near where? - No. 3 funnel

511. That would be near the mail-room? - Yes.

512. And near to the turbines? - Yes.

513. Did you see any of the crew giving life belts out to the passengers? - Yes, several of them.

514. Did you hear any orders being given to the crew what to do? - Only to assist the women and children into the boats.

515. You do not know who was giving those orders? - The officers were; those who were about the deck.

516. Calling out? They were simply calling out; you do not know who they were, but you heard the orders given? - I heard the orders given.

517. Were the passengers helping you with the boats? - Some of them were.

518. Were any of them interfering with the boats? - Yes, I think some of them.

519. And you had to get them out of the road I suppose? - As well as we could.

Examined by Mr. G.A. Scott.

520. Did you know any of the passengers by name? - Not at the time the torpedo struck the ship. I did afterwards.

521. Did you happen to know Mr. Vanderbilt? - No, I did not.

Examined by Mr. Thomas Priest.

522. When you megaphoned your message was it acknowledged? - I did not hear the answer.

523. And immediately you gave the message you went down to your boat station? - I went to call my brother.

524. Then you went to your boat station No. 13? - Yes.

525. Did you hear the first order given by the officer? - I heard the order when I got to the boat deck. I cannot say whether it was the first order.

526. Did you hear any subsequent order ordering anyone out of the boats? - No.

527. Did you hear any order given varying the first order at all by anyone? - No.

528. Were you told to fetch anyone out of your boats? - No, we were told to lower away and get them clear.

529. You did not see Captain Turner between the time you took to your own boat and the time you saw him going down? - No.

530. Did you hear any orders given by him at all? - I heard a voice off the bridge shouting about getting women and children in first, but I did not see the speaker.

Examined by Mr. Donald Macmaster.

531. Were you on the look out when you saw he streak? - Extra look out.

532. What was the name of the other seaman who was with you at the time? - Arthur Graham Elliot.

533. Has he survived? - He was lost.

Examined by Mr. Butler Aspinall.

534. You told me you were 18 years of age? - Yes.

535. Was this your first voyage on the "Lusitania?" - Yes.

536. Do you mean that you shipped at New York? - I did.

537. What had you been before that? - An apprentice for 4 years on the "J. B. Walmsley."

538. Is that the Prince Line? - No, it is a sailing ship.

539. Apparently you, with the assistance of this man Parry, saved some 70 to 80 lives? - We saved some first and as they came in they assisted us as well.

540. But you and Parry both being in the boat in the water, got into the collapsible boat, ripped the cover off, and you and Parry filled it with how many passengers? - Between 50 and 60.

541. And those passengers you put on to a smack? - Yes.

542. Then with the assistance of some other sailors you dropped astern and picked up some 20 or 30 more? - Out of a lifeboat which was sinking.

543. I congratulate you. With regard to what you did before you got into the water you at once went to your proper boat No. 13? - Yes.

544. Then you saw that boat was filled and some gentlemen asked you if some women were ordered out of the boat. Did you and another sailor give up your places in that boat? - We did in several boats. I think most of them were doing that.

545. Were the sailors doing that? - Yes, all of them.

546. The passengers came first, did they? - Yes in every case.

547. *The Commissioner*: You said there was a smack about 5 miles away? - Yes.

548. Was that smack in sight at the time the torpedo struck the ship? - There was like a black speck on the horizon.

549. It was only like a speck? - Yes.

550. Were there any other specks? - Not at the time the torpedo struck the ship.

551. As far as you know there was only this one smack in sight? - That is all.

(The witness withdrew.)

Hugh Robert Johnson (sic), Sworn.

Examined by the Attorney-General.

552. Is your name Hugh Robert Johnson (sic)? - Yes.

553. Were you the Quartermaster on board the "Lusitania"? - Yes.

554. Do you recollect - I have no doubt you do - Friday the 7th May, the day she was torpedoed? - Yes.

555. Can you tell us where you were at the time she was torpedoed? - At the wheel.

556. Could you tell us in your estimation how far she was from the Old Head of Kinsale? - At half-past one Kinsale was 10 points on the port bow and 20 miles away. That was the message I had to take down to the Captain, at half-past one, from Mr. Jones.

557. In what direction were you going then, were you going closer in? - I was not at the wheel then, but we altered the course two or three times in towards the land; I do not know what for.

558. Did you form any estimate of how far away you were from Kinsale when the ship was torpedoed? - I should say she was about 15 miles away. I mean, Kinsale was almost abreast. That was 15 miles from the shore.

559. I do not understand the distinction you draw? - The ship was almost abeam of Kinsale and I thought there was about 15 miles between the land and the ship.

560. Have you ever formed an estimate that it was less than that? - No.

561. Did you state at any time that it was about 8 to 10 miles? - Well, I cannot remember to be exact to one or two miles, or what statement I gave.

562. Please call to mind. Did you state at any time that the ship was about 8 to 10 miles south of Kinsale? - That was when the torpedo struck us. We were steering south 68 east.

563. What I asked you was, did you say the ship was about 8 to 10 miles south of Kinsale? - Yes.

564. Was that accurate? - That is as far as I could tell you.

565. I do not know now why you say 15 miles? - I say the ship was 15 miles from the shore.

The Commissioner: I think he is right.

The Attorney-General: Very likely, my Lord; I only want to understand it.

The Commissioner: He may be right.

The Attorney-General: I do not myself see that can be when he says 8 to 10 miles and then 15 miles.

The Commissioner: He did not say according to the way you put it, that it was 8 to 10 miles on the way from Kinsale, but that he was 8 to 10 miles south. Now the ship might have been 8 to 10 miles south of Kinsale, but she may have been 15 miles away from land.

566. *The Attorney-General:* Your Lordship may understand it but I do not follow it, I confess. (*To the Witness.*) Tell us what it was you first observed, or knew, as regards the ship being torpedoed? - The report that came to the bridge, "Here is a torpedo coming."

567. Whom did you hear say that? - I heard Mr. Heppert [sic], the second officer, repeat it from the look-out.

568. What happened next? - Shortly afterwards the torpedo struck us.

569. Did you get any orders from the Captain when that happened? - Not before the torpedo hit the ship.

570. What was the next order? - "Hard-a-starboard."

571. Who said that? - That was from the Captain.

572. What did you do when he said "Hard-a-starboard"? - I carried out the order and put the wheel hard a starboard - 35 degrees.

573. What did you say; did you report that to the Captain? - I reported "Helm hard-a-starboard."

574. What did he say? - He said "All right."

575. When you did that did the vessel answer the helm? - Yes.

576. And swung round. Would her head go toward Kinsale then? - Yes.

577. Did you get any order from the Captain when you had done that? - Yes.

578. What was it? - To steady and keep her head on to Kinsale, as she was swinging towards the land.

579. Did you carry out that order? - Yes, I repeated the order and carried it out.

580. What happened then? - I was doing all I was supposed to do, steadying the ship; but she was swinging off again and he gave me another order to hard-a-starboard again.

581. What did she do then; did she answer her helm? - I put the wheel round, but she would not answer her helm but kept on swinging out towards the sea.

582. After the Captain had given you the first order "Hard-a-starboard," did you hear him say anything to the second officer, Mr. Heppert [sic], as to the list on the ship? - Yes.

583. What did he say? - He said "Have a look what list the ship has got."

684. What did Mr. Heppert [sic] say? - "15 degrees."

586. To starboard? - Yes.

586. Did he say that? - Well, it is not likely the ship would list to port.

587. I am only asking you what he said. Did he say merely "15 degrees"? - "15 degrees to starboard."

588. What did the Captain say then? - "Keep your eye on her to see if she goes any further."

589. Were you given any instructions then as to watching the indicator? - Not until Mr. Heppert [sic] was given an order to go down to the forecandle head to close the doors leading down to the forecandle. Mr.

Heppert [sic] looked into the wheelhouse and said “Keep your eye on the indicator on the compass and the spirit level, and sing out if she goes any further.”

590. What did Mr. Heppert [sic] say to you when he was going down to carry out the Captain's order? - He told me to keep my eye on the indicator on the compass and sing out if she listed any further.

591. That was the object of the order? - Yes.

592. Then what happened. Did she list further? - She stopped at 15 degrees for a matter of just a couple of minutes.

593. *The Commissioner*: And then what happened? - Then she steadily started to go further over, and I sung out what she was doing - 20 and 25.

594. *The Attorney-General*: Accordingly as she listed more and more you gave information? - I gave information, and sung out to the Captain on the bridge.

595. As the list increased did the Captain say anything to you? - When I sung out that she had 25 degrees of list, the Captain told me to save myself.

596. Was there anything else you could have done at that time? - No.

597. Then did you, when he told you to do that, get a lifebuoy? - I got a lifebuoy that was in the starboard wing of the bridge.

598. And at the time you proceeded to put the lifebuoy on, had the water come up to the bridge? - Yes, the starboard side was well under.

599. Where was the Captain then? - When he gave me the order to save myself he was on the port side of the bridge.

600. That would be the high up side? - That would be the high up side.

601. Then what happened to you? - I simply had to go wherever the tide took me.

602. You were washed off the bridge, I suppose? - I was washed right across the ship.

603. Eventually, what happened to you? - Eventually, through a bit of luck, I was swept amongst some wreckage, some of which was a boat turned upside down, and I managed to get on it and was picked up.

604. What picked you up? - It was a trawler that picked me up.

605. And you were brought into Queenstown? - I was brought into Queenstown.

606. *The Commissioner*: Was there more than one trawler on the scene then? - Yes, there were 5 or 6 trawlers and 2 torpedo boats.

607. *The Attorney-General*: Do you know whether certain trawlers or other vessels came out from Queenstown? - They all steamed down from that direction and one or two sailing boats put off from Kinsale.

The Commissioner: How many hours' steaming were they from Queenstown?

608. *The Attorney-General*: Do you remember how far you were from Queenstown at that time? - No.

The Attorney-General: I am told it is a little over 20 miles.

Examined by Mr. Wickham.

609. Were you on the "Lusitania" the last time she sailed from New York to England? - Yes.

610. Did she follow the same course on both voyages? - I cannot tell you that to a degree. We have a good many courses to follow.

611. When you got off the Old Head of Kinsale could you see the Admiralty wireless pole from where you were? - No, I was in the wheelhouse. I could not see the land except a little bit.

612. Did you see that portion of the land or any portion of land on your former journey? - Yes.

613. Then you did follow the same course? - Somewhere off the land.

Examined by Mr. Cotter.

614. Did you hear any orders given after the torpedo had struck the ship? - Yes. The captain gave orders to lower all boats to the rail.

615. Did he give any other orders to the crew. Did you hear the captain give any orders to the officers to give orders to the crew? - No, I did not pay any attention to those orders. I had enough to look after.

616. How long was it after the ship was struck that she went down? - I do not know. There was a clock right at the back of me but I did not trouble to look - about 20 minutes, I should say.

617. Did you look at the clock when you heard she had been struck? - No; I did not look at any clock.

618. How far was she down by the head when you were washed off the deck? - Well, the forecandle was all awash.

619. Did you stop till she struck bottom? - I left her before she struck bottom. She went down in about 300 feet of water.

620. You did not feel any bump or anything of that description after she had been struck? - No.

621. Did you see any boats lowered? - No. The only boat I saw was the boat Mr. Lewis was in, when I was leaving the ship. You cannot see any boats from the wheelhouse.

622. What boat was that? - I cannot tell you.

623. Was it on the starboard side or port side? - The starboard side.

624. You did not see the port boats? - No. You can see no boats from the wheelhouse.

625. Were there any officers on the bridge with the captain at the time? - Mr. Heppert [sic] was up there and two or three other officers. They were relieving one another for lunch.

626. What officers, exactly, were on the bridge at the time? - Mr. Heppert [sic], Mr. Stevens, and, I think, Mr. Bestwick [sic].

627. What did they do after the captain had given orders to lower the boats to the rail? - They went away to see the orders were carried out, I suppose, leaving Mr. Heppert [sic] and the captain and myself on the bridge.

628. Did you see any passengers there? - I saw one or two foreigners come up on to the bridge.

629. Did you see any of the crew assist in any way the passengers getting to the boats? - No. You could not see anything of that from the wheelhouse.

Examined by Mr. Clem Edwards.

630. Did you hear the last witness megaphone to the bridge that there was a torpedo coming? - No, the only man I heard it from was Mr. Heppert [sic].

631. Was any instruction given as soon as that occurred, to alter the course of the ship? - Yes, I was given an order, "Hard-a-starboard."

632. Between the time that you heard the message that there was a torpedo coming and your carrying out that instruction, how long was it? - Only a few seconds. The officer only had time to get from the starboard to the port side before it hit the ship.

633. So that there was no time to alter her course before she was struck? - There was no time at all to alter her course before the torpedo hit her.

634. Going at 18 knots, how long would it take the "Lusitania" to come round in a half circle? - It all depends on the weather. She steered different in different kinds of weather.

635. Quite, but on a day like that, supposing there had been time for her to answer to her helm, how long would it take her to swing round in a half circle? - I cannot tell you. It would not take her long. She was answering very well.

The Commissioner: Do you mean half a circle or a quarter of a circle?

Mr. Clem Edwards: I mean half a circle, my Lord.

636. *The Commissioner:* To turn right tail on so as to be heading the other way? - I could not tell how long.

637. *Mr. Clem Edwards:* You could not? - No.

Examined by Mr. Priest.

638. When the vessel was struck, who gave you the first order from the bridge? - The captain.

639. The captain, then, was on the bridge at the time? - When I got the order he came from the port side of the bridge.

640. How long did he stay there after that - on the bridge? - He was on the bridge when I left.

641. Was he there all the time? - Yes, he was running from one side to the other giving orders.

642. Therefore, he did not leave the bridge? - No.

643. Who gave those orders you mentioned? - All orders concerning the wheel I got from the captain.

644. Did you hear him give any orders as to the passengers getting into the boats? - I heard him sing out: "Women and children first."

645. Were there any other officers on the bridge at the time giving directions to passengers? - The other officers were sent down.

646. You were quite close enough to hear any orders? - Yes. There was only a glass partition between us.

647. Did you hear any other orders given by the captain? - No.

(The Witness withdrew.)

George Little, Called and Sworn.

Examined by Mr. Dunlop.

648. Were you a third engineer on the "Lusitania"? - I was.

649. Were you one of the engineers on duty at the time she was torpedoed? - I was.

650. When did you go on watch? - At noon.

651. At 2 o'clock did you read the revolutions of the engines on the counter? - I did.

652. Did you ascertain how many revolutions per minute the engines had been making between 12 and 2?
- I did.

653. How many revolutions were they making per minute during that watch? - 121 and a fraction.

654. And what speed would 121 and a fraction give her? - I understand approximately about 18 knots.

655. How was your telegraph standing at noon? - At full speed.

656. Did you get any order between noon and 2 o'clock? - I had an order sent down by the chief engineer that in the event of emergency the telephone would be rung and on that occurring we were to give her all we knew.

657. You were to give her what speed you could? - All the speed we had available and also to keep the steam pressure very high in case of emergency.

658. Did you carry out those orders? - We did.

659. Were your engines kept running at full speed between 12 and 2 with the same number of revolutions? - The same number of revolutions.

660. That is to say, 18 knots? - That is so.

661. After 2 o'clock where were you? - After making up the revolutions I asked Mr. Smith to stand by, and I commenced to go round the engine-room, of which I was in charge.

662. Mr. Smith being the second engineer? - The second engineer of the watch. I had got the length of the starboard high-pressure engine-room, having visited the port high-pressure room, and I was coming out of the starboard high-pressure room when we were struck.

663. At what time were you struck? - I could not say decisively. It would be, I should imagine, about a quarter past two. From reports I have heard since, I should say it was exactly quarter past two.

664. Are you able to say exactly where you were struck? - No.

665. What did you do when you were struck? - After a glance round I went to the platform as quickly as possible to try and obtain information as to what had occurred.

666. Did you go into the port engine-room? - No.

667. Where did you go? - I went directly in the low-pressure room, and from there up to the platform.

668. Did you get any report about steam pressure? - When I got to the platform the second engineer asked me what had occurred.

The Commissioner: Will you tell me, Mr. Dunlop, what is the value of this evidence?

Mr. Dunlop: He is going to explain, I believe, that the steam pressure at once went back to 50 lbs. owing to something that happened in the boiler-room.

The Commissioner: What does that matter.

Mr. Dunlop: I do not think it matters at all, my Lord.

The Commissioner: Then why on earth do you ask him the question.

669. *Mr. Dunlop (To the witness):* How did you eventually save yourself? - By jumping over the side or walking off the side.

Examined by Mr. Wickham.

670. Is it not a fact that the "Lusitania" was going slower when she was struck than at any other period of the voyage? - No, she had been reduced previously for thick weather, I understand.

671. Were you on her on the previous voyage, New York to England? - Yes.

672. Was the same course followed then? - I could say absolutely nothing as to what course was followed.

673. But when the vessel was struck you knew where you were, did you not? - No, I had no idea.

The Commissioner: He was down in the engine-room.

Examined by Mr. Clem Edwards.

674. You were in the engine-room were you when the torpedo struck you? - That is so.

675. Can you say anything as to whether the water-tight doors worked all right? - Well, all the doors that I was able to get to were closed.

676. Then what water-tight doors were there between you, when the torpedo struck, and the point at which you assumed the torpedo struck.

677. *The Attorney-General:* He says he did not know where they were struck? - I really could not say where we were struck. I have no evidence to enable me to form a definite judgment on that point.

678. *Mr. Clem Edwards:* Accepting for the moment the evidence which has been already given, that the torpedo struck the ship between funnels 2 and 3, where were you in relations to funnels 2 and 3? - Between funnels 2 and 3 there are two bulkheads. There were at least two bulkheads between my position and that position.

679. Therefore assuming that the torpedo struck the ship between funnels 2 and 3 from that point to where you were in the engine-room there would be two bulkheads and two water-tight doors. Is that right? - That is correct.

680. Would you be abaft or forward of those water-tight doors? - Aft.

681. Can you say whether either or both those water-tight doors worked and were intact immediately after the explosion? - The doors in the stokehold I really could not say anything about. The door into the engine-room as I understand closed.

682. It did close. Did you get any water through while you were there? - No, there was no water to be seen.

683. From the position where you stood to the bows of the ship how many water-tight compartments were there. First of all, how many water-tight compartments were there altogether? - I really could not answer that question off-hand.

684. Forward of where you were, how many water-tight doors would there be? - Forward from where I was there would be, I should say, a little over 50.

685. And aft from where you were how many would there be? - Well, there was 61 doors altogether.

686. So that would give 11 aft and 50 forward? - I refer to screw-down and hydraulic operated doors.

687. Of those water-tight doors, how many would be perpendicular doors on the level of the engine-room floor? - The engine-room doors would vary.

The Commissioner: Do you know this, or are you guessing? Do you know definitely, because if you do not know, is it not very much better for you to take the plans of the ship, which, I suppose, you think are accurate?

Mr. Clem Edwards: Quite, my Lord.

The Commissioner: And it will give you all this information.

Mr. Clem Edwards: It is no good, unless this witness does know, my basing questions on the plan of the ship.

The Commissioner: What I mean is this. You can get the information you are asking this witness to give you from the plan of the ship, which, I suppose, you accept as accurate.

Mr. Clem Edwards: That is so. With great respect, my Lord, the particular information I am now seeking to get I can get from the plans; but I, first of all, want to see if he knows, because I am only seeking this information for the purpose of basing certain other questions which will go to his personal knowledge, as to precisely what transpired after the torpedo struck the ship. (*To the witness*) May I repeat my question: How many of the 50 water-tight doors forward of where you were would be perpendicular doors. That is the first question? - It is really a question which is very difficult for me to answer off hand. I would require to consult the plan.

The Commissioner: Can he answer the question?

Mr. Clem Edwards: If he cannot answer this he cannot answer my remaining questions, and the point is whom are we to get who will tell us.

The Commissioner: I am sure I do not know, but you can get a deal of this information, I should think all of it, from the plans.

689. *Mr. Clem Edwards:* Which of the doors which you saw closed were perpendicular doors? - They were all perpendicular doors.

690. And of those doors which you saw closed, how many were forward from where you were? - They were just about abeam.

691. Are there any watertight doors running down the centre of the ship at either end of the engine room? - Yes.

692. Were both those water-tight doors abaft and forward of the engine-room closed? - I can speak to the forward door. I had a report from one of the juniors that the after one was closed, and I can speak definitely for the forward one. I saw it myself.

693. Are those doors which, after they have been automatically closed from the bridge, can be opened by hand? - All the hydraulic doors can be opened by hand provided the pressure on the hydraulic system is available, after being closed from the bridge.

694. Was either of them open to your knowledge? - Not to my knowledge.

695. Can you say how many of the water-tight compartments of this ship would have to be filled before she would sink? - No.

696. *The Commissioner:* What are you? - One of the third engineers.

697. *Mr. Clem Edwards:* Is there a watertight deck on this ship? - Yes, within certain limits, there is.

698. We will get the limits if you do not mind. Is it a watertight deck in the sense that it is tight against water from above or below; in other words, supposing water comes in from one of these watertight compartments and rises to the height of that compartment, is the deck above it so watertight that the water would not go through from below. Is that so? - Yes.

699. And does that run the whole length of the ship? - I understand it does.

700. Which deck is it? - The "F" deck I think it is on the plan.

701. Does that run the whole length of the ship? - I understand it does.

702. Where is "F" deck in relation to the water line -

The Commissioner: Mr. Edwards, will you tell me what it is you are driving at?

Mr. Clem Edwards: Yes, my Lord; what I am driving at is this. I want to get whether the watertight doors acted, and I want then to get them, if I can, from the witnesses evidence, how the water came; whether it is a question of there having been caused sufficient destruction by the torpedo to get an area in this ship filled with sufficient water to sink it, or whether it is not possible that she sank, not in consequence directly and immediately of the water let in by the torpedo explosion, but in consequence of the water coming over, as we had in another case, the top of the bulkhead and filling her in that way.

The Commissioner: Supposing you get it all, tell me, what does it matter?

Mr. Clem Edwards: It matters nothing as to those who have gone down in this ship, my Lord, but it matters materially as to steps that ought to be taken in the future.

The Commissioner: Do you propose to enter into an inquiry as to whether this ship was built on the most scientific principles. I know something about these Inquiries and I am wondering when we shall come to the end of this Inquiry?

Mr. Clem Edwards: We all know that your Lordship's knowledge of these inquiries is unique, and I do not for a single moment, propose to raise the elementary questions of construction, which, by your Lordship's direction, were referred to a certain expert committee after the "Titanic" Inquiry, who have reported.

The Commissioner: What became of it?

Mr. Clem Edwards: What has become of them is that they are being put on the shelf while all our attention is drawn to the war; but the suggestions and recommendations there recorded, if I may say so, constitute very refreshing fruit from the seeds which some of us were able to sow in the "Titanic" Inquiry. I do not propose in this case to go into elementary questions of construction, but I do think, if I may say so with profound respect, that it is germane to this Inquiry to ascertain whether, either by the construction or by the use of the construction, this ship might not have been kept afloat for a longer period.

The Commissioner: This gentleman is a third engineer. Do you think his answers are of any value on these abstruse points?

Mr. Clem Edwards: From my experience of third engineers in Inquiries of this sort, I should say they might be of very material value on the practical side; but if your Lordship thinks I ought not to pursue it, I will leave it.

The Commissioner: No, I do not think anything at all, but I do not want to sit here to go through what I am afraid will turn out to be a perfectly useless Inquiry. You have tried it before, you know.

Mr. Clem Edwards: With great respect -

The Commissioner: I have said what I have to say, and I am going to leave it to your wisdom.

703. *Mr. Clem Edwards:* I think we can get it, by your Lordship's permission, from the witnesses. Now I will repeat the question if I may. (*To the Witness.*) Can you say whether the water-tight deck, that is deck F, was so watertight as would preclude, if it were in perfect order, water coming over from one watertight compartment to another? - Yes.

704. *The Commissioner:* Have you ever tried it? - No.

705. Then how do you know?

The Attorney-General: On the assumption that it is watertight no water can get in or out.

706. *Mr. Clem Edwards:* Anyhow, that is what you understand this deck would prevent if it was intact? - Yes, that is so.

707. Then when the explosion took place I suppose you got out of the engine-room as speedily as possible, did you? - The particular engine-room that I was in, the high pressure engine-room, I got out of that one into the low-pressure one.

708. Now, how long after the explosion did you get up as high as to deck F? - I could not say definitely as to the number of minutes. It was certainly two or three minutes, I should say. I did not take the times.

709. *The Commissioner:* You were not looking at your watch all the time? - No, I was not, my Lord.

710. *Mr. Clem Edwards:* Now, did you at any time see water on that deck - deck F? - I never saw water on deck F. I was not on deck F; I was only up to the level of deck F.

711. Now, did you see water on any portion of deck F? - No.

The Commissioner: Are you talking about deck A or deck F?

Mr. Clem Edwards: Deck F, my Lord.

Examined by Mr. Marshall.

712. At the time of the explosion you were the Engineer in charge of the main engine; you were down below in charge of the main engine, and you would be the person to take orders from the telegraph and see that they were carried out? - That is so.

713. You had no time to look at any of the watertight doors further than those in your immediate neighbourhood? - That is correct.

714. Therefore the whole of your time was taken up down below in attending to your orders and seeing that they were carried out? - It was.

715. Have you any idea what those orders were - they were orders conveyed to you by telegraph. What were the orders that were given to you? - The order I got was full speed astern.

716. How long did that continue? - That was rung on the port or inside telegraph.

717. Did you continue full speed astern long? - No.

718. Then what was the next order? - It was rung back to full speed ahead.

719. How long was it after the vessel was torpedoed before you left the engine room? - I could not say how many minutes, it would be probably five minutes or seven minutes; that is when I first went up.

720. A great deal of the work of closing the water-tight doors is usually done from the bridge, is it not? - A number of the doors can be closed from the bridge.

721. If a vessel is in serious danger, what information have you from the bridge to look after your own life? - There is a naval telephone, a means of conveying a message.

722. And in this particular case did you get any telephone message to take means to save your life? - No.

723. As far as you know there was no message sent down to the engineers to come on deck? - Not while I was on the platform.

724. Do you think that would in any way be the cause of so many engineers having lost their lives? - No.

725. You do not think that is likely? - No.

Examined by Mr. Clem Edwards.

726. Did the bell ring when the crew were told to close the bulkhead doors? - There is a bell fixed on each hydraulic door which rings as the door is closing.

727. Did you hear that bell that day? - From the position I was in I could not hear the bells at any time.

728. Did you notice at any time that the doors were closed? - I could not notice the doors were closed from the position I was in.

729. The reason I ask the question is that you would have thought there was something wrong if you noticed the doors closing after the explosion? - The door that I passed through had not started to close when I passed through it.

730. But if you had noticed the doors closing after the explosion you would know there was something wrong, and that it was time to come on deck? - Yes.

731. *The Commissioner:* Did you hear the torpedo strike the ship? - Yes.

732. Did you know that there was something wrong then? - Yes, very much wrong.

Examined by Mr. Butler Aspinall.

733. You told us that two orders came down from the bridge, one "full astern" and the other "full ahead." Were those orders carried out? - Well to the best of my ability I attempted to carry the orders out. The steam was very far reduced, and the vacuum was falling back; I made all the effort that was possible for me to make to carry those orders out.

The Commissioner: Mr. Aspinall, what was the object of the order “full speed ahead.”

Mr. Butler Aspinall: That I do not know, my Lord.

The Commissioner: I can understand the order full speed astern, but I do not know what the full speed ahead means.

Mr. Butler Aspinall: No, my Lord, I think, probably, the Captain's story was not taken at any length, but he told us he put his helm hard-a-starboard and headed her for the land, and probably it was about that time that he gave the order “full speed ahead” in order to take her to land.

The Commissioner: But would that be after the order “full speed astern”?

Mr. Butler Aspinall: Yes, the order “full speed astern” was given, I understand, for the purpose of taking the weigh off the ship so that the boats could be safely lowered.

The Commissioner: Yes, but I do not understand why the order “full speed ahead” was given.

Mr. Butler Aspinall: What I think may be the explanation is that having put the helm hard-a-starboard in heading up for the land, he, or somebody on the bridge, thought, well now, drive her towards the land. The Captain, in fact, says he did not, and, therefore, I say, if he did not somebody on the bridge did.

The Commissioner: That order would defeat the object of the order “full speed astern.”

734. *Mr. Butler Aspinall:* It would, my Lord. (*To the witness*): In fact, you do not think either order was carried out? - There was no time to carry out the first order. I took it as being in consequence of the previous order I got from the chief engineer, but on the telegraph being rung to open her out and give her as much as they could.

735. You told us, you know, that the steam had dropped to 50 lbs. pressure. Do you know what caused that drop? - I do not, not definitely.

(The Witness withdrew.)

Mr. Andrew Cockburn, Sworn.

Examined by the Attorney-General.

736. Were you the senior second engineer on board the “Lusitania”? - Yes.

737. And how long have you been with the Cunard Line? - About 21 years.

738. Do you hold a chief engineer's certificate? - Yes, Sir.

739. And are you next in authority, or were you next in authority, to the chief engineer in the engine department? - Yes.

740. He was drowned unfortunately? - Yes.

741. Now were you in charge of the 8 to 12 watch? - Yes.

742. Throughout the whole voyage? - Yes, throughout the whole voyage.

743. And can you tell me what was the average speed at which you came across? - About 21 knots.

744. Do you remember the morning of the 7th May, the day the ship was torpedoed? - Yes.

745. Were you on the 8 to 12 watch that morning? - Yes.

746. Did you receive any instructions that morning about the speed? - Yes, shortly after I went on, after 8 o'clock, I got instructions to slow down to 18 knots.

747. You had been going quicker? - Yes, 21.

748. And did you accordingly reduce your revolutions? - Yes.

749. Who gave you those instructions? - I got them from the chief engineer.

750. Now, after reducing the speed to 18 knots, did you later on get orders to proceed more slowly? - Yes, by telegraph.

751. What was the order? - The telegraph was rung to go slow, and we called up by telephone to the bridge to ask the number of revolutions that were required. I think it was 100 revolutions they ordered, - yes.

752. How many knots would that be? - Probably 15; I am not quite sure.

753. Then, later on, did you get orders to increase the speed? - Yes, that was shortly before I came on board. At 12 o'clock we got rang on the telegraph "full speed ahead," and we again communicated with the bridge and asked what revolutions they wanted, and they ordered 18 knots.

754. And when you came off watch at 12 o'clock, what speed were you going? - 18 knots.

755. How did you know that you were approaching the war zone, or danger zone? - Well, I had an idea.

756. Was there a general order to close all bulkhead doors on approaching the war zone? - Not all bulkhead doors, but as many as possibly could be closed, allowing sufficient to work the ship.

757. Do you know whether that was done? - Yes, it was done.

758. When was it done? - It was done during my watch, in the 8 to 12 watch.

759. Upon that day? - Yes.

760. Now when the ship was struck, where were you? - I was on the "C" deck.

761. Were you in your cabin? - No, outside the cabin.

762. Is that above the engine-room? - Yes, immediately above the engine-room.

763. Did you see any submarine or torpedo? - No.

764. And when you were struck what did you do. Did you go below? - Yes, I went below on to "F" deck to see if the bulkhead doors were closed, and I found they had been closed.

765. Did you go to what is known as the fan flat? - Yes.

766. What is that? - That is where I was supposed to have the plans.

767. Is that above the boilers? - Yes, above the boilers.

768. Did you see that the watertight doors were closed? - Yes.

769. Could you see it from there? - I could see one of them from there was closed.

770. Then after seeing that the watertight doors were closed, did you come back and put on a life-belt? - Yes.

771. Was there a heavy list on-we had that before? - Yes, a very heavy list.

772. Did you go into the engine room? - After I put a lifebelt on I went back to the engine room.

773. What did you find there? - I found the Chief Engineer and the Second Engineer, who were on watch at the time, and all steam had evidently gone and everything was stopped in the engine room; nothing was working whatever.

774. Was the place in darkness? - Yes, the place was in darkness.

775. *The Commissioner*: The lights were out? - Yes, the lights were out, my Lord.

776. *The Attorney-General*: Where were you standing at that time? - Down the first grating in the engine room - down the first ladder.

777. Had you a conversation with the Chief Engineer? - Yes; he asked me what we could possibly do now.

778. And what did you say? - I said "absolutely nothing."

779. And was that the fact that you could do nothing? - In my estimation.

780. Then did you go on deck? - Yes, I went on deck.

781. And what did you find when you got on deck? - The ship appeared to me to be sinking then; I had got just to the rail in time and got hold of the netting on the ship's side and went down with her.

782. About how long after she had been struck was it that she went down? - I absolutely no idea of the time.

783. Then I believe you got on to an upturned boat and were saved? - Yes.

784. Now that last time that you were in the engine room did you hear any water coming in? - Yes, I heard water.

785. Coming where? - I could not say where it was coming from.

786. And was the boat listing heavily to starboard at that time? - Yes.

787. By whom were you picked up? - A trawler, the "Indian Empire," I think it was.

788. While you were being picked up did you hear the Captain of the "Indian Empire" say anything - was he looking through glasses? - I heard him shout out "There is a periscope."

789. Did you yourself see the periscope? - I looked round and saw what he was pointing to as a periscope.

790. What did it look like - did you see something sticking up out of the water? - Yes, I saw an object which he said was a periscope.

791. How far was that away from you? - I do not suppose it was more than 200 yards.

792. *The Commissioner*: This was after the "Lusitania" had gone down? - Yes, four hours after.

793. *The Attorney-General*: Now there is just one other question I want to ask you: were lists of the boat stations for the crew posted all over the ship? - Yes.

794. And were boat badges issued to all the crew before you left New York? - Before we left Liverpool.

795. That is on the voyage to New York? - Yes, that same voyage.

796. Had you a boat station yourself? - Yes.

797. What was your boat? - No. 2 boat.

798. Were you able to do anything with it? No, I never got on that deck; I never got off the C deck.

799. Do you recollect whether there was any boat drill in New York before you left? - Yes, there was boat drill in New York.

Examined by Mr. Wickham.

800. Was the "Lusitania," when she was struck, going at the same rate that she had been going at during the whole of the voyage - she was going 18 knots when she was struck, was she not? - Yes.

801. I put it to you that it was only 15 knots she was going when she was struck? - I do not know, but I was not on watch at the time.

802. So far as you are aware, did she follow the same course as she did on her last voyage? - I do not know what course was steered.

803. Do you know that part of the coast at all? - Not very well.

804. Do you know where the Admiralty wireless poles are? - No.

(The witness withdrew.)

After a short adjournment.

Robert Leith, Sworn.

Examined by the Attorney-General.

805. Were you a wireless telegraphist on board the "Lusitania"? - Yes.

806. When were you appointed to the "Lusitania"? - The day before she sailed from Liverpool on her last voyage.

807. That would be about the 16th of April? - Yes.

808. And prior to that had you had experience in sending and receiving Marconi messages? - Yes; full experience.

809. Now, can you tell me how many operators you had upon the "Lusitania"? - There were two of us.

810. Yourself and who else? - David McCormick.

811. And did you and he divide the work between you? - Yes.

812. Did you take six hours each? - Yes.

813. And was there a continuous service kept up the whole time? - Absolutely.

814. Now, when you joined the ship at Liverpool, did you ask the Captain if he had any special instructions to give you? - Yes, prior to the ship's departure from Liverpool.

815. What did he say? - Certain instructions issued from the Admiralty through the Captain were communicated to me at the time.

816. Did he also give you any instructions with reference to accepting messages? - Yes.

817. What were they? - That no passengers' messages must be sent from the ship whatever.

818. Now, you left New York on the 1st of May and from time to time you were in touch with various Land Wireless Stations? - Yes.

819. I need not go through those. And you received certain communications from time to time? - Yes.

820. Mostly for the passengers? - Yes.

821. They were ordinary communications? - Yes, ordinary.

822. Now, on the 6th of May, that is the day before the ship was torpedoed, you received, I believe, three messages? - Yes.

823. One Government message sent to the commander? - Yes.

824. And two private messages to passengers? - Yes.

825. On Friday morning the 7th, did you receive two Government messages? - Yes.

826. Which were from a wireless coast station? - Yes.

827. The first was at about 11.30? - Approximately.

828. And the other one shortly after 1 o'clock? - Yes.

829. *The Attorney-General*: There is no dispute if your Lordship remembers the evidence. I only want just to confirm it. (*To the witness.*) Now, at the time the torpedo struck the ship who was on watch? - McCormick, the assistant operator, was on watch.

830. Where were you? - In the after dining saloon; that is situated on the D deck aft.

831. And on which deck was the Marconi house? - On the hurricane deck.

832. Did you feel the shock? - I felt some shock or other and I thought it was a boiler explosion. I could not conclude at the time what had taken place.

833. Did you feel more than one? - No, only one.

834. And what did you do then; did you go up to the wireless cabin? - Yes, immediately.

835. And did you find McCormick there? - Yes, he was there.

836. Did you thereupon, when you went up to the cabin, in pursuance of the regulations send out a distress signal? - I did.

837. What was it? - S.O.S.

838. Was it followed by anything? - Yes.

839. And did you state in your S.O.S. signal the situation of the ship? - No; all I said after the S.O.S. was sent out was "Come at once - big list," followed by the position of the ship.

840. What did you put in about the position of the ship - where she was? - Off South Head, Old Kinsale.

841. Was that signal at once acknowledged? - Yes, immediately by a wireless coast station.

842. After that did you repeat the message? - Practically continuously.

843. Then, subsequently, did you get instructions from an officer of the ship? - Yes.

844. What did he direct you to do? - He told us the true position of the ship was 10 miles south of the Old Head of Kinsale, and that was immediately sent out and further acknowledgment was given by the wireless station.

845. Did you also hear other stations reply? - Yes, but I was unable to read them owing to local noises.

846. Now how were these messages sent out - by what power? - They were sent out both by the ship's power, that is power supplied from the ship's dynamo, and in addition to that after three or four minutes after the torpedo struck the ship, the power section gave out and we had to fall back upon the emergency section which is situated inside the wireless cabin.

847. And did you continue sending out the S.O.S.? - Yes, I continued sending out the emergency signal.

848. How long did you remain in the cabin? - Until just a few moments before the ship sank. I do not know definitely what time it was.

849. Did you stay there as long as it was possible? - Yes, as long as it was possible.

850. And when you left you went down with the ship, I suppose? - I jumped into a boat that was full of water. Where I jumped from, I have no recollection.

851. I suppose I need hardly ask, but did all the records at the wireless station go down with the ship? - Everything.

Examined by Mr. Rose Innes.

852. I understand you received one Government message on the 6th of May and two on the 7th? - Yes, that is quite correct.

853. Is it the practice, upon the receipt of messages, to make any record of them in writing? - We must make a record before we can take the message.

854. How do you receive the message; do you receive it upon a tape? - No, we receive it by sound reading, and we translate it on the Morse system.

855. Having received the message, do you enter it in a book or upon any document? - No. On an ordinary telegraph form.

856. Upon this occasion did you do that? - Yes.

857. And it was those documents that have been lost? - Yes.

858. There is no record now of the messages? - None whatever.

859. Did you communicate the messages you received - I am not asking you what they were - but did you communicate those to the Captain of the ship? - Immediately.

860. Can you give me approximately the times when you received those from the 7th of May? - About 11 and 1 o'clock; or 11.30 and 1 o'clock; I am not sure of the times.

861. And when you received the wireless messages, were the messages from the Admiralty? - I presume they were.

Examined by Mr. Joseph Cotter.

862. Can you tell us where the Marconi room was situated on the "Lusitania"? - Between the 2nd and 3rd funnel on the hurricane deck.

863. Did you go up on the boat deck after the ship was struck? - Yes, I came along the boat deck from the after dining saloon to get to the wireless cabin.

864. You were in the after dining saloon when she was struck? - Yes.

865. That was in the second cabin? - Yes.

866. You came from the second cabin up the companion way? - Yes.

867. And you would have to cross the bridge on to the boat deck? - Yes.

868. Were there any passengers on the boat deck when you got there? - I saw nobody on the boat deck.

869. How long was it after the ship was struck that you went on to the boat deck? - Approximately I think it took about a minute and a half to get up to the wireless cabin from the dining saloon.

870. How long did you remain in your cabin? - Until the last moment:

871. Did you get into a boat? - Yes, I did.

872. What was the number of the boat? - I have no idea.

873. Can you tell us where it was situated? - That I could not tell you.

874. Did you go forward or aft when you came out of your cabin? - Immediately from the cabin into a boat.

875. On the starboard side? - Yes.

876. That would be No. 11 boat I take it? - I could not say.

877. Did you ever see the number of the boats? - Often. The boat deck was under water at the time.

878. Did you get a boat badge - had you a boat number? - Yes.

879. What was the number of your boat on your badge? - No. 1.

880. That was right forward on the starboard side? - Right forward.

881. And outside your cabin, which was No. 11 on the starboard side and No. 12 on the port side? - It does not follow that I went in that boat.

882. But you said the boat directly opposite your cabin? - It might have drifted down with the weigh [way] of the ship.

883. Where did you get into the boat? - From outside the wireless cabin.

884. What do you mean when you say it drifted down with the weigh [way] of the ship? - There was a certain amount of weigh [way] on the ship, and the ship was going ahead, and this boat was not dropped from one of the falls, but I do not know what the number of the boat was; it was full of water at the time.

885. And you say there was some weigh [way] on the ship at the time when the boat deck was awash? - I presume so, yes, a little.

886. She was well down by the head then? - Yes.

887. How many people were there in this boat that you went into? - Three or four.

888. Three or four people? - Yes.

889. Were any members of the crew in it? - I cannot recollect. I do not know who they were.

890. Could you identify anybody who was in that boat? - No.

891. How long were you in the boat after you left the ship? - I transferred from one boat into another.

892. How long were you in that boat? - Just a matter of moments.

893. What did you leave the boat for? - The ship's funnel appeared to be coming down on top of me at the time, or it appeared to be so, so I sprung from that boat to another one.

894. Do you know the number of the other boat that you got into? - No, I do not.

(The witness withdrew.)

Arthur Rowland Jones, Sworn.

Examined by Mr. Branson.

895. Were you first officer on the "Lusitania"? - I was.

896. How many voyages had you been on the ship? - That was my fourth.

897. And how many years with the Cunard Company? - Seven.

898. And I think you hold an extra master's certificate? - I do.

899. Now, at the time of the disaster, you were in the first-class dining saloon of the steamer, were you not? - Yes.

900. Did you feel the shock? - I heard the explosion.

901. Then what did you do? - Well, I got up.

902. And then? - And went on deck.

903. Did you go to your boat? - Yes.

904. Which was your boat? - No. 15.

905. And we have heard that all the boats were swung out. Did you commence to fill her with passengers? - Yes.

906. Before you went on to the boat deck did you give any order as you left the saloon? - I did.

907. What was that? - I said if any ports were open to try and close them immediately.

908. Did you see yourself whether any ports were open or not? - I did not see any open, all that I saw were shut.

909. And then you went to your boat? - Yes.

910. Had the ship a list at this time? - When?

911. When you got to your boat? - Yes.

912. How much? - Well, between 30 and 35 degrees I should say, but remember it was 4 minutes after, about.

913. Four minutes after the explosion? - Four minutes after the explosion when I got on to the boat.

914. *The Commissioner*: Just show me with that book what 35 degrees means. (*Handing a book to the witness.*) - That is a level ship (*describing*).

915. Now show us 35 degrees. - Well, that is level, and it was so (*describing*). 45 degrees is half a right angle. 35 degrees is 10 degrees less.

916. Then, you could not stand on the deck? - I could not stand on the deck. When I reached my boat I had to hang on to the rail, and I am a sailor used to walking in any kind of conditions, and I could not stand.

917. *Mr. Branson*: From that time did the list go on increasing, or did the ship steady at all? - No, she stayed at about 35 degrees for a short while.

918. Did she then recover, or did she go on listing? - She started to recover.

919. To what extent did she recover? - Now you ask me a difficult question, because I was working very hard then, but I should say she recovered to about 20 degrees.

920. In the meantime you were loading your boat with passengers? - Yes, I was loading No. 13 and No. 15.

921. Then let us take No. 15. How many people did you put on board her, about? - Over 80.

922. Then did you lower her down? - Yes, I lowered her down.

923. And did she get away all right? - No. 13 got away first.

924. Did she get away all right? - She got away with about 65.

925. Then did you go into No. 13? - After I had lowered No. 15 in the water I then went down the fall myself a few seconds afterwards, and the boat deck was level with the water.

926. And how long after that did the ship go down? - A matter of 15 seconds; it was not half a minute.

927. Did she go down by the head? - Well, she started with her head to starboard and then she went down by the head herself, and, I take it, as far as I can judge, she upended herself until her nose touched the bottom and then she sank down herself.

928. So, according to you, she got into a position almost vertical? - I should say she had an angle of about 30 degrees from the perpendicular.

929. Then, I think, you went off with No. 15; you had transferred some of your passengers into another boat? - Into another empty boat.

930. And then both you and the other boat went back? - Yes, we went back.

931. Then you put your passengers on board a smack, did you? - Yes, the "Bluebell" I think it was, a little fishing smack.

932. And you proceeded to the scene of the wreck and collected some more people? - Oh, yes.

Examined by Mr. Rose Innes.

933. Which was your last watch prior to the time the ship was struck by the torpedo? - 12 to 4 in the morning; the middle watch we call it.

934. Did you know of the arrival of two Government wireless upon the 7th of May? - During that watch?

935. On the 7th of May, the date on which the boat was struck? - I know that wireless messages were received.

936. Did you know the contents of them? - I never saw them.

937. But did you know the contents? - No, I did not know them.

938. They were not communicated to you? - No, only verbally they were communicated to me. One message was communicated to me; that was all.

939. Do not tell me what it was, but at about what time of day was that? - Noon.

940. Was there any alteration made in the course of the Lusitania after noon on the 7th of May? - There was.

941. What course was she taking then before the course was altered? - What course were we steering?

942. Yes. - About S. 87 E. magnetic.

943. And what was the alteration made? - They hauled up about 4 points.

944. But in which direction? - To the northward.

945. Now just tell me one thing more. As nearly as you recollect, what time of day was the alteration made? - I do not recollect at the moment.

946. Could you give me no idea. You see, at 12 o'clock you got the communication by wireless? - Yes; it was between 12 and 1.

947. Was that the last alteration in the course made - before the ship was struck, I mean? - No; it was not the last.

948. Before she was torpedoed, I mean? - It was not the last one.

949. What alteration was made after that? - It was hauled out to the southward.

950. How much? - To the original course.

951. She went her original course? - Yes, S.87° E.

952. And how long had she been going on the altered course to the northward? - I think it was about an hour. I have the figure somewhere with me.

953. She was going for about an hour on the northerly course, then she regained her original course? - I think you had better let that question drop. I do not remember the time now.

954. I am not going to let it drop, but if you do not remember the time that is the answer. It was altered? - Yes, it was altered.

955. Was any other alteration made in her course that you know of? - Yes, I told you that before.

956. I mean was any other alteration made in her course beside the last one you have told us of? - You are referring to the alterations which took place altogether between 12 o'clock and the time of the explosion. There was more than one. The first one as I have told you was about 4 points to the northward, and the next ones (you notice I use the plural) were shortly before the explosion.

957. Then after that, am I to take it that before the ship was struck, no other alteration in the ship's course was made. I want to get at how many alterations were made? - I have told you about four.

958. Do you mean two or how many more than two? - More.

959. How many more? - I say four altogether between 12 and the time of the explosion.

960. You have crossed a great number of times, have you not? - Yes, I have been crossing the Atlantic about the last 9 years.

961. Had the alterations made in the course of which you have spoken happened before? - They had nothing with it our ordinary run.

962. They had nothing to do with the ordinary run? - No, because we had bad fog in the morning. Those alterations were mainly due to fog.

963. They were entirely due to fog? - Entirely due to the fog.

964. Then, except for the fog, I take it the ship was taking her normal course - her usual course? - Usual to when?

965. Usual to coming from New York to Queenstown? - Yes, but you do not steer the same course all the time; it depends upon your weather.

966. I quite understand that, and it depends upon fog. But there is practically a normal course, is there not? - The normal course is to steer for about 5 miles to the southward of Fastnet Rock and we never saw Fastnet Rock.

967. Was that because of the fog? - No, because we were too far off it.

Examined by Mr. Joseph Cotter.

968. How long have you been in the employ of the Cunard Steamship Company? - 7 years.

969. How long have you been in passenger ships with the Cunard Company? - Practically the whole time, with an intermission of about 18 months on cargo work.

970. So you have been conversant with the boat drill of that Company? - Yes.

971. Were you at the boat drill that was held in Liverpool before the "Lusitania" sailed? - I was.

972. Were any of the boats lowered? - In Liverpool?

973. Yes. - No.

974. Have you seen the boats of the "Lusitania" lowered? - Yes, I have seen several.

975. Have you seen the crew handling them? - Yes, I have seen some of our own crew handling them.

976. What is your opinion of the efficiency of the crew handling boats on the "Lusitania"? - I should say they were just as well as ever I have ever seen them; they seemed to be all right.

977. Did you think they were competent? - Quite competent; as far as fireman and stewards are competent they were, quite competent. Of course we cannot expect them to be professionals, but they were quite competent.

978. And could carry out the orders that were given, them? - Yes, they were quite capable of that, and they did so.

979. Is it the custom to give boat badges to each of the members of the crew? - Yes, so that he will know his boat in time of emergency.

980. And the same with regard to bulkhead door drill, so that they know which bulkhead doors to go to? - Yes.

981. Now when the ship was struck by the torpedo you say you were in the dining-room? - Yes, I was in the dining-room.

982. That is on E deck, is it not? - Yes, on E deck.

983. And outside the forward entrance of the dining-room, are there suites of rooms along the alley-ways - is not that so? - On the foreshore?

984. Port and starboard outside the dining room. - They were short alley-ways - not very long - forward of the dining-room entrance.

985. Outside the dining-room entrance, where you come out of it, port and starboard? - Yes.

986. And the forward end leads into the third class? - Now, you are asking me to go into details I do not know much about. My duties did not carry me down there, but I know a part of the second class was converted into third.

987. But the second class is aft, is it not? - Yes.

988. I am talking about forward now - forward of the dining-room? - It must have been the first class.

989. The second cabin of the "Lusitania" is aft, is it not? - Yes.

990. And in those rooms the ports would be open if it was a hot day, would they not? - We would not call it a hot day; it was fairly warm, it was just pleasantly warm.

991. But the custom is to have the ports open to air the rooms, is it not? - Yes, in the day time.

992. And you had issued orders to have those ports closed? - If there were any open.

993. Do you know if there were any ports open in the dining-room when you were in the dining-room? - No, I did not see any. All the ports which I observed with my own eyes were shut, but as a precaution I gave this order - not that I knew the ports were open.

994. But it would be dangerous for the ship's safety if the ports were open, if she took a list to the starboard side, would it not? - Naturally.

995. Did you go up the main companion way? - Yes.

996. Did you see any of the passengers going up that way? - Well, when we were struck there were about 100 people lunching in the saloon, and the moment she was struck of course we all got up and they preceded me out through both doors. I was about the last man to come out of the saloon. It was as I was passing through the door that I issued this order, "Close the ports if any are open."

997. Did you issue any other order? - Not then; there was none to be given. I simply told the people to be calm on the way up, and to be as collected as they possibly could.

998. Did you hear anyone give any orders from the top of the main companion? - I saw some of the senior stewards keeping order amongst the passengers.

999. Did you hear any orders given by any of the officers? - I cannot say I heard any special orders. I cannot repeat any.

1000. How long was it after she was struck that you got to the boat deck? - I should say between three and four minutes, because it would take me that time to walk up there with 100 people crowding the staircase; under ordinary circumstances a minute and a half would have done it, but owing to the heavy list the ship had taken, that would render it more difficult; but I should say it was about four minutes after the explosion that I reached the boat deck.

1001. And you found it difficult getting up the companion way to the deck? - I did find great difficulty, especially when in getting from the C deck to the A deck; the list was increasing all the time.

1002. When you got up to the deck were there many passengers on the boat deck? - Quite a number.

1003. Was there any excitement or panic? - There was a certain amount of excitement, but there was no panic whatever.

1004. Naturally there would be excitement? - Yes.

1005. Did you see any of the stewards giving lifebelts to passengers? - Yes, I did, I saw plenty of stewards giving lifebelts to passengers but I cannot specify anybody, although I saw plenty.

1006. You say you went to No. 13, the drifting boat? - Yes, No. 13 and No. 15.

1007. Your boat station is No. 15 boat? - That is my own boat.

1008. On the boat deck? - Yes, but of course I was in charge of the whole of the starboard side boats; but No. 15 is my own special boat.

1009. The chief officer as a rule takes charge on the portside; does he not? - That's right.

1010. Had you any difficulty in lowering the boat? - Yes, I had.

1011. Can you tell us what your difficulty was? - The number of people that were in her. She had so many people in her that it took me all my time to watch it.

1012. You had about 80 people in it? - I had over 80 people in it.

1013. How they were fixed, were they standing or sitting? - Just bundled in anyhow; some were lying in the bottom of the boat.

1014. These boats are made to carry about 60, are they not? - My boat, I think, was 61.

1015. But the "C" boats, I put to you, are made to carry about 60 people, are they not - I mean the top boat? - You mean the "A" boat?

1016. Yes. - The wooden boat I am speaking of. I do not refer to the collapsible boats at all.

1017. Yes - they carry roughly about 60 people, do they not? - Yes, on an average from 60 to 62.

1018. And you were able to put 80 into her? - Yes.

1019. And you lowered her down to the water in safety, without an accident? - Yes, we got them down into the water.

1020. And the same with No. 13? - The same with No. 13. We had about 65. I think I was told afterwards.

1021. Did you see any of the other boats being launched? - It took me all my time to watch two.

1022. Had you been over to the port side at all? - When I first came on deck naturally I went to the high side because my first impression was that the ship was going to turn turtle and I thought that the high side might be the best place.

1023. You went to the port side? - Yes.

1024. What did you see then with regard to the boat? - I do not remember a thing about the port side, so you might as well leave that out. I went round to the starboard side immediately.

Examined by Mr. Scott.

1025. One question. Do you happen to know Mr. Alfred Vanderbilt? - I never saw the gentleman.

Examined by Mr. Butler Aspinall.

1026. You told one of these gentlemen that you usually past [sic] 5 miles, I think you said, off the Fastnet? - Yes, we shape a course to pass the preceding day when we make our courses up and the last alteration would be made to pass the Fastnet about 5 miles off. Off [sic] course when we sight Fastnet it is according to the Captain's judgment then how far he will pass it that is under ordinary conditions.

1027. Now on this occasion as you have said you passed further off so far that you did not even sight it? - I did not see it.

1028. Do you know what the reason of that, was, why you passed so far away from it? - Of course I can only form my opinion and that is because probably the captain had some private instructions.

1029. You were further away from the shore on this course? - Yes.

1030. You were not on the usual course then? - No not then - certainly not.

1031. Now passing away from that matter, can you tell me anything about this. Before you left the ship do you know whether anything had been done about the water-tight doors? - I do.

1032. What do you know about that? - When I reached the boat deck I met the carpenter's yeoman, who had just come up from below, and I asked him whether all the doors were shut down below and he answered that every thing [sic] was shut below. Those were the exact words we used to each other.

1033. Would it be his business to know whether that had been done? - Well, it would be, partly, because he assisted the carpenter in everything he did and that is part of the carpenter's duty. I referred more to the hand doors than the Stone Lloyds.

1034. At any rate, he told you that everything was shut down? - He told me everything was shut down.

1035. Now after you had got away in your boat, No. 15, did you fall in with another boat? - Well, after the ship had sank from under us. We never got away, you know. As the ship disappeared the Marconi Aerial wire came across the top of our boat and very nearly took us down with it, but luckily it snapped and we were simply swimming about then in the disturbed water for two or three minutes in very, very great danger.

1036. And after that did you transfer some of your passengers to another boat? - I did. I observed a boat which appeared to me to have two or three people in it, and how it got adrift like that I did not know, but

when we got out of this terribly disturbed water in safety I immediately ran forward of my boat's head for that empty boat, and when I reached her I gave the boatswain's mate, a seaman, and the assistant purser and about ten stewards to form a boat's crew, and I counted out about 30 passengers also and put them in this boat.

1037. And that relieved your boat? - That relieved my boat of altogether, say, about over 40.

1038. Having done that, did you then direct that boat to go back to the wreck in order to save more lives? - Yes, to save as many they could, and, I believe, ultimately they saved a good many.

1039. And did you also take your own boat back for that purpose? - I took my own boat back too.

1040. And did you pick up a considerable number of people in your boat? - Quite a number; not so many as I had before, but I filled her up then with 55 or 56.

1041. What did you do then with your boat-load? - I pulled off then to the "Bluebell," a little fishing smack that was about five miles in the offing.

1042. What did you do with your passengers when you got them? - Put them all on board.

1043. You had freed your boat of passengers. What did you do then? - Went back to the wreck.

1044. Did you rescue more lives? - About half way I pulled about 2½ I should say when we fell in with a broken collapsible boat in a bad condition with about 35 I think, inside it; some of these people were lying exhausted in the bottom of the boat, some were injured so I took them all on board my boat, and we let the collapsible boat drift away, it was in a sinking state, and shortly after that there was a trawler called the "Indian Empire" or the "Indian Prince"; she came along and she stopped. I pulled the boat alongside of her, put all these injured people that I took from the collapsible boat on board of the "Indian Prince." Then he took me in tow. I stopped in the boat myself until we reached the last scene of the wreck.

1045. Then did you again make further efforts to save life? - Yes, I pulled off then and I think we saved about 10 people; at least we pulled them out of the water and two of them died before I could get them ashore. Others were in a very weak state.

1046. What did you do with these people, the last you got out of the water? - I took them on board the "Flying Fox," a Queenstown tender.

1047. By this time what was the condition of your boat's crew; could they do any more? - I do not think so. It was then about 8 o'clock and they had been without food and water, and, naturally, they were really exhausted and they had not any more heart to do any more; they had done quite enough, I think.

1048. And you did no more after that? - I did not do anything more after that.

1049. Do you think you could have done any more with the crew in that state? - No. I will tell you why. You see that time there were a number of cruisers and destroyers and patrol boats on the scene, and they had handy little boats; they were just pulling hither and thither and my big boat, which holds 85 people, takes some pulling, and I could not pull her round or manoeuvre her round, so I let her go at that.

1050. And then you and your crew got on board the "Flying Fox," and were saved by the "Flying Fox"? - Yes, she took us to Queenstown, and we reached there about 11 o'clock.

Re-examined by the Attorney-General.

1051. I should just like to ask you one general question. As far as you observed, was everything possible that could be done being done in relation to getting out the boats and getting the passengers off? - Everything was done that it was possible to do.

(The witness withdrew.)

Mrs. Mabel Kate Leigh Royd [sic], Sworn.

Examined by the Solicitor-General.

1052. I think you with your husband, the late Mr. Charles Alfred Leigh Royd, were on your way from Australia via Canada to this country and were passengers upon the "Lusitania"? - That is so.

1053. Do you remember the day, Friday the 7th of May, when the ship was struck? - Yes.

1054. I think, in fact, that you were in your cabin lying down after lunch? - Yes.

1055. Now will you tell my Lord and the Court what observations you made after that - what happened next? - Do you mean what happened to me personally, or what I heard or saw?

1056. What happened to you personally. - Not being fully dressed I gathered a few things together, which took two or three minutes, and then went up with my husband on deck, and when we reached the top deck (our cabin was on D deck) we realised that we had come without our lifebelts and returned for them, and on our return to the deck, the staircase was very difficult to ascend as the list was becoming more marked. I do not know whether this is the sort of thing you want.

1057. I want you just to tell us just what happened to you then. What did you hear that first showed you that something unusual was happening? - I was lying down and I heard a crash, and there was no doubt in my mind, or my husband's mind, what had happened.

1058. You had heard talk of submarines, and you were sure that this was a submarine? - Yes.

1059. Then you described how you went up the staircase on to the deck. Had you any assistance from anyone? - Yes. On the second occasion when we went up on deck it was so difficult to mount the staircase, that we thought as we took three steps we might fall four back, and a steward certainly helped us by pushing us up on to the top deck, and I should like to say that I think their behaviour was most excellent and self-sacrificing.

1060. That applies to the stewards and stewardesses both? - Yes.

1061. You reached the top deck, and after you had returned to your cabin and provided yourself with your lifebelts you went back? - Yes.

1062. After you went back will you tell me all that you saw then. First of all, did you notice anything about the portholes? - Yes. Our cabin being on the same deck as the dining-room, on passing out on the second occasion, I saw water streaming into the dining-room. I thought to myself that it was through the portholes, as it was in a sort of jet of water coming down, not in any large quantity, but as if it was pouring through a hole.

1063. You did not see any other means by which it could come in? - No, because I did not think the torpedo had entered that part of the ship - I concluded it was coming through the porthole.

1064. Were you told by anybody to go to any particular boat? - No.

1065. Then what did you do next? - We then went on deck, and the list was so marked by that time that we had to hold on by a brass ring and decide what we should do, what boat we should go to, whether we should rush for where we saw a great many go, or whether we should wait, and we then decided to wait for a few minutes. We felt quite calm about it.

1066. Did you see any boat lowered while you were waiting? - Yes, two boats or more.

1067. Were they successfully lowered? - Well, I do not think I know enough about those.

1168. Did the boats get safely into the water I mean? - Did they touch the water?

1069. Yes. - Yes, I think I saw them lowered into the water.

1070. As far as you could see without casualty? - Yes.

1071. Could you see, in fact, whether there was any casualty? - No, but I have been told that the first lifeboat had gone down.

1072. While you were there you did not see any casualty? - No.

1073. Then I want you to come to your own boat, which, I think, was the third. Can you describe whereabouts it was. It was on the starboard side, was it not? - Yes; it was on the starboard side, somewhere about amidships; more than that I cannot say.

1074. What happened to you. You got into the boat? - Yes; but the list was so strong that we could not walk down. We had to sort of rush down, clinging to the railing, which at that time was nearly under water, I should say, and sort of tumble into the boat, assisted by passengers and seamen. We no sooner got into the boat than it was lowered with another boat on top of us, and a funnel fell on to us.

1075. Do you mean it really actually fell on to you? - Well, directly we got into the boat, we were aware of another ship's boat being lowered on to us, and a broken funnel may have fallen on to that boat or was falling at the same time.

1076. You did get away, at any rate? - No, we did not get clear; we had just got into the boat as this happened.

1077. The boat that was being lowered on the top of you was not lowered so far as to actually fall upon your boat? - Yes, it was the cause of our boat going down.

1078. It actually struck your boat? - Yes, it actually struck our boat, and turned our boat over and we went down under the water.

1079. And do you remember what happened to you after that? - Well I was in the water. I had a lifebelt on and I was underneath for a few seconds, and then I came to the surface again and I thought I was in the water about a quarter of an hour or 20 minutes, but when I was picked up by some stewards who were on an upturned boat, I asked them to look round to see if they could possibly see my husband in the water. I said I had only been a few minutes in the water. One of them said "Oh, I think you have been longer than that as it is now by my watch after 3 o'clock, and the ship went down about a quarter past two."

1080. And I think you never saw your husband again? - I never saw him again.

1081. Was there any panic at all? - No, none at all. I was very much struck with that - except for a few women calling and asking for lifebelts, there was no panic in any way. They were rather screaming out a few of them for lifebelts, one or two that is all.

1082. And there is no observation you wish to make to the Court as a passenger, is there? - No.

Examined by Mr. Joseph Cotter.

1083. When you were lying in your room did anybody tell you there had been an accident? - Nobody told me; my husband was in there and we just realised what had happened. No one told me anything.

1084. Did you see a stewardess? - No.

1085. Did you get a lifebelt from any of the stewards, or did you take it down from the rack yourself? - We took them down from the rack ourselves.

1086. And put them on yourselves? - Yes.

1087. Did you see any stewards on your way up to the boat-deck? - No.

1088. Did you see any stewards on the boat-deck when you got there, or any members of the crew? - Well, I might have seen an odd seaman or two about, but I saw no officer.

1089. You see you made a statement, and I just want you to verify it again, that the stewards and stewardesses were doing good work? - Yes, I saw the stewardesses helping people, but they did not help me personally.

1090. You had already got your lifebelt? - Yes, I did not want any help.

1091. Had you any difficulty in getting up to the boat deck? - Yes, I have just said it was very difficult to get up the stairs the second time we went up to the boat deck. We were helped by a steward then.

1092. Did your boat that you got into get into the water safely? - Yes, I think so. It was lowered safely.

1093. Did it collapse or was it upturned or what happened to it? - Another boat fell on it and turned it over.

1094. How many people would there be in that boat? - I do not think a great many. I had not really time to realise. I should think there might have been a dozen or less. I am not quite clear. I had not time to think.

1095. You were all thrown into the water? - Yes. I never saw any of those people again.

Examined by Mr. Scott.

1096. Did you know Mr. Alfred Vanderbilt? - Not personally, only by sight.

1097. Did you see him after the torpedo struck the boat? - Yes.

1098. Could you tell me where you saw him? - I saw him come out of the entrance to the staircase, the main entrance on to the boat deck with a life-belt on.

1099. Did you see him for long? - I saw him walk across the deck towards the boat and that is all.

1100. And you do not know what happened after that? - I do not know.

(The witness withdrew.)

The Rev. - Clark, Sworn.

Examined by the Attorney-General.

1101. You were on board the Lusitania on the passage back from America to Liverpool? - Yes.

1102. Now before you left New York did you go to the Cunard Office? - Yes.

1103. Did you make any enquiry about a threat to sink the Lusitania by submarines? - No, I only asked the man who gave me my ticket whether there was any extraordinary danger in travelling by the Lusitania and he told me, no, there was none as far as he knew, and that the Cunard Company were not likely to risk a ship of such enormous value if there was any extra danger.

1104. Now during the voyage did you get to know Captain Anderson? - Yes, I knew him very well.

1105. He has been drowned I am sorry to say? - Yes.

1106. Did he make any statement to you about the use of the boilers? - No. He told me almost at the beginning of the voyage that six of the boilers had been cut off and that the result of that was that 1000 tons of coal would be saved on the voyage and I asked him a question or two with regard to that which I have put down in my statement. I asked him if that was altogether giving us the best chance, and his answer was that as the Germans had not succeeded in torpedoing any vessel that was going more than 12 knots an hour, and as the "Lusitania" with the boilers which were in commission could comfortably go 21 or 22 knots, it was considered that there was an ample margin of safety.

The Commissioner: With whom was this conversation?

The Attorney-General: With Captain Anderson, my Lord.

Witness: He was the staff captain.

The Commissioner: He was the next under Captain Turner.

1107. *The Attorney-General:* Yes, my Lord. *(To the Witness):* Now, will you just tell me, was there any boat drill during the voyage? - As far as I am able to answer that question fully, at 11 o'clock there was a bell rung and there was a boat which was kept swung out all the time during the voyage as far as I know, and a number of men came and got into the boat, put on lifebelts for a few seconds and took them off again, the boat not being moved all this time; then they jumped out of the boat and ran back. That is all that I could see in the way of boat drill.

1108. Was there any boat drill before you left New York that you saw? - No, I did not see any.

1109. Now, I want to know this. On the morning of Thursday, that is the 6th, when you were coming nearer to the British Isles, did you notice whether all the boats were swung out? - I believe that Captain Anderson - I am not quite sure, but I think that Captain Anderson told me the night before they would be swung out in the early morning, before the passengers were up, and I think then that all the boats on that day before the torpedoing were swung out to the same extent that that first boat was all through the voyage.

1110. Now, will you just tell us where you were when the ship was torpedoed? - I had come up from lunch in the lift and had gone up to the smoking room, and then, walking through the smoke room, got on to what is called the verandah.

1111. Outside the smoking room? - Outside the smoking room in the open air, and looking straight aft, and I was talking to an American there when the explosion took place.

1112. What did you see, or what happened? - I did not see the torpedo, but I saw the impact, and the immediate result of the impact saw that it shook the vessel, as far as I could make out, from stem to stern, and I saw a quantity of water at once pouring down. I suppose it had been thrown up by the force of the explosion, and was coming back again, and almost immediately it seemed to me that the list to starboard started.

1113. Did you see anything in the nature of an explosion or anything of that kind? - There was a violent explosion along with the impact.

1114. I mean did you see anything yourself which indicated an explosion, or are you merely telling us of the impact? - I should find it very difficult to describe, because it was only momentary. I do not think I can say that I saw any smoke or anything of that sort.

1115. You merely felt the impact? - Yes. I felt the impact. I thought at first that it was a mine that we had struck, as I did not see the torpedo.

1116. Did you feel more than one shock? - No.

1117. Now when that happened did you go to your cabin? - I waited for a minute, and then I went down to my cabin on the D deck.

1118. And you got I think a lifebelt? - Well there was no lifebelt properly so called, it was a sort of jacket. I believe it was called Boddy's Patent Jacket.

1119. Was that on top of one of the wardrobes in your cabin? - Yes.

1120. Your cabin was supplied with that? - Yes.

1121. And then I suppose you went back again on to the deck? - I went first to the port side. My cabin was on the starboard side but I groped my way back with very great difficulty as one of the witnesses has said, and I got first on to the port side for a moment, and I saw a man from a great height throw himself into the water and come down what seemed to me to be a fearful smash, and I saw another boat which was half lowered and the falls then seemed to get jammed.

1122. Was that on the port side? - That was on the port side, and a great number of people in that boat were spilled into the water, and I walked back then to the starboard side.

1123. When you got to the starboard side did you yourself get into a boat? - After 7 or 8 minutes.

1124. Eventually did you get into a boat? - Yes. Eventually I got into a boat on the starboard side.

1125. How many were there in the boat with you? - I could not say for certain, but I should think something over 40. I should think as it struck me there were between 40 and 50 people.

1126. Then you got away I suppose and eventually got picked up? - Well, when we got into the boat two of the funnels were hanging over that side and threatening to smash the boats up. I attempted to get into a boat before, but there was a woman with a child in the boat, and she was afraid of me, perhaps, jumping near her, and she screamed to me not to jump, and so I went on to what I imagined to be the last boat there.

1127. Then you got away, I suppose, from the ship? - Well, it was impossible really. We were so tightly packed that it was impossible to move the oars at first, and I thought the funnels would come down.

1128. Did you eventually get away from the ship? - Yes, eventually.

1129. And were you picked up by a Manx fishing smack? - Yes.

1130. How long after was that? - I should think about an hour and three-quarters.

1131. Now I want to ask you, on your boat that you went away in, were there any officers? - No, not so far as I know.

1132. Did you see any officers giving any orders to either of the boats that you were in? - Personally I did not.

1133. Are you in a position to say that there were none or that there were any? - In the boat in which I was?

1134. No, not in the boat, at the boats. - I did not see any, therefore I am not in a position to say there were any - I did not see any officers.

Examined by Mr. Rose Innes.

1135. Are you in a position to say there were none there? - I am afraid I could not say that.

1136. You said that one of the boats upon the port side spilled passengers into the sea? - A number of passengers. I do not know that they were all spilled into the sea, but the boat seemed to me to tilt up.

1137. Can you give me any idea which of the port side boats it was? - No.

1138. You cannot say how far forward it was or how far off? - It was one of the forward boats, that I can say.

1139. Could you see what caused the boat to tilt? - No, but I presume it was that the ropes would not work properly; in other words I think the technical term is that the falls jammed.

1140. Did you see who were working the ropes - was the boat being worked from the davits? - No, I did not see it.

1141. Do you happen to know a Mrs. Crichton who was on board? - No.

1142. You do not know whether she was one of the passengers in the boat? - No.

Examined by Mr. Joseph Cotter.

1143. When you left the Verandah Café to go down on to the "D" deck, did you see any of the crew on your way down? - No.

1144. Did you see any passengers coming up? - There were people rushing about in all directions.

1145. Did you see any coming up the companion way? - I saw a lady coming up as I was coming back and I saw a stewardess stop there very coolly and calmly help her to put on one of these jackets.

1145a. A life jacket? - Yes.

1146. Did you see any other members of the crew assisting the passengers? - Personally, I did not.

1147. Did you see any members of the crew when you got back on to the deck? - I do not think so as far as I know. I think I have tried to answer that question before, and, as far as I am able to judge, I did not see any of the crew.

1148. The question you were answering before was with regard to officers. Now I am speaking about the crew in general? - I am not quite sure where the crew ends and where it begins. Are the firemen counted as members of the crew?

1149. Absolutely. - I presume there were a number of firemen in our boat, but I did not see them on the vessel itself before we got into the boat.

1150. Did you hear any orders being given? - No, I did not hear any orders being given.

1151. Did you get your lifebelt out of your room yourself or was it given you by a steward? - No, I got it from my cabin myself.

1152. Did you notice when you got to the starboard side of the ship how many boats were left on the starboard side? - No, I could not say at all. The only two boats that I saw were the one which I thought of trying to get into at first and which I was prevented from getting into by this woman who screamed to me not to jump, and the one which I finally got into.

1153. You did not notice the other boats whether they had gone or were standing swinging on the davits? - No, I did not notice them at all.

Examined by Mr. Scott.

1154. Did you happen to know Mr. Alfred Vanderbilt? - I did not see anything of him on the voyage, but I met him in New York, at the Knickerbocker Club.

1155. You did not see him on the boat? - No, I did not speak to him on the boat, but I was told he was on the boat.

(The witness withdrew.)

Mr. Frederick E. O. Tootal, Sworn.

Examined by Mr. Dunlop.

1156. Were you a first-class passenger on the "Lusitania"? - I was.

1157. At the time the "Lusitania" was torpedoed where were you? - I was down in the saloon - just outside the saloon. I had just finished lunch.

1158. Did you see anything of the submarine or a torpedo? - Nothing at all.

1159. Did you hear an explosion? - Yes; a loud noise.

1160. What did you then do? - I was talking to a lady who was waiting for the lift when it happened, also to another gentleman who was travelling with me, and we both took her by the arm and started going up the stairs, and we got on to the next deck, the "C" deck, on the port side. We then went aft with her to the companion way leading up to the boat-deck where there was a big crowd, and they were taking the women and children first, and we put her on to that.

1161. Who were taking the women and children first - do you mean the crew? - Yes; there were two sailors at the top and there were some passengers trying to keep order and to calm the people.

1162. Did you then get on to the boat-deck and go on to the port side? - Yes, we had to leave this lady there and we went forward on the port side, we climbed up on to the next deck outside the rail.

1163. By this time we know the vessel had a list? - Yes, she had a list immediately.

1164. Did the list interfere with the boats on the port side? - Yes.

1165. What effect had the list? - It seemed to make them swing inboard. I only saw one.

1166. Did you lend your assistance to try and push the boats out on the starboard side? - Yes, with my friend.

1167. Had you any success? - No.

1168. *The Commissioner*: Were any boats lowered on the port side? - I did not see any, my Lord, lowered. There was a crowd round the boat I was at.

1169. *Mr. Dunlop*: Failing with the boats on the port side, did you then go to the starboard side? - Yes, we went round to the starboard side.

1170. And did you find a boat there? - Yes, we found a boat there quite empty.

1171. I think you went to one of the after boats - the most after boat on the starboard side? - Yes.

1172. That would be No. 21b? - I do not know what the number was.

1173. Was that boat swung out? - Yes, it was swung out and hanging out from the ship's side about 5 feet.

1174. And was there difficulty in consequence in getting into it? - Nobody would get into it because of that.

1175. Did you assist people to get in? - My friend and I jumped in and we could just reach the hands of the people on deck.

1176. Did you fill the boat? - We got a lot of women in the boat.

1177. What happened to that boat? - They started to lower us when some other people jumped in and the man who was looking after the fore davit ropes could not control them. I think he must have let go of them by accident and the boat was tilted forward like that and we were all thrown into the water.

1178. And did you manage to swim to some other boat? - When I came up I saw another boat about 30 yards away and I swam towards her and they took me in.

1179. And were you afterwards picked up? - Yes, I was afterwards picked up by a trawler.

1180. What do you say with regard to the behaviour of the crew of the "Lusitania"? - I could not see many of them when the accident happened, but those I saw seemed perfectly collected. There were two men at the ropes of that boat that tried to lower us and the men on the boat that eventually picked me up were perfectly right.

1181. So far as you could see, were they rendering every assistance possible? - Those that I saw were, yes.

1182. Was there any panic? - No. There was a great deal of excitement on "D" deck naturally but there was no raging panic.

(The witness withdrew.)

Mr. John Freeman, Sworn.

Examined by the Solicitor-General.

1183. You, I think, were on this voyage as a second-class passenger? - Yes, I was with my wife.

1184. You heard the explosion I think? - Yes.

1185. Where were you when heard it? - We were sitting on the promenade deck looking at the coast of Ireland and there was this explosion. It seemed to me to be in front near the first funnel and I said to my wife, "that is a mine" - thinking we were running on to a mine, I did not think that we should be torpedoed without any warning. We stood looking, and immediately there was a second explosion, and that was followed by hot water and steam, and it seemed to me that there were cinders as well. The second explosion took place near to the first one, and that caused a little confusion and alarm, and we stepped into the lounge to get out of the way of the steam and hot water. The second lunch was on, and the passengers came rushing up from the dining saloon, and they had only just started lowering the boats.

1186. There was a little confusion but no panic? - No real panic. There was a little screaming amongst them.

1187. I think your wife suffers very much from the cold, and you thought it was useless to get a lifebelt for her? - Yes, our berth was in the lowest deck.

1188. Your wife suffered from cold, and so you did not attempt to get a lifebelt for her, but took her to the promenade deck - is that right? - Yes.

1189. And you had arranged, I think, beforehand for that? - I had already said that in the event of any disaster we would make for it.

1190. What did you find out when you got to the promenade deck? - As soon as we crossed the gangway the people went up towards the port side almost every one of them, and I said to my wife "We will go the other way," and we lost our foothold immediately going down from the gangway of the vessel, and we slid down the side of the vessel.

1191. I think that was within about three minutes of the explosion? - Yes.

1192. What did you see? - I saw about half-way down the first-class promenade deck some sailors preparing to lower the boat. I thought they seemed to know their business and I noticed, that they were regular seamen, at least so it seemed to me from their jerseys. We got our feet again but the list was so great that we fell down again although we were only walking on the promenade deck, but I held on to the railing and supported my wife and got her into the boat.

1193. Then having got her into the boat immediate anxiety for her was ended, and you went and looked for a lifebelt for yourself? - Yes, there was no great crowd getting into the boat at that time. I thought she would be all right so I got a life jacket for myself.

1194. I think you have heard the allegation that has been made by some person - I do not recall who at the moment - that some of the port-holes were open? - Yes. When I had got my life jacket I thought I would like to see how the passengers were getting on and I went back to the second-class portion of the vessel and found that there was no panic whatever, people were just standing there, and I saw a young man and woman with no life jackets.

1195. That was on deck "E," was it not? - Yes.

1196. I want you to tell us what you saw when you went to deck "E"? - When I went to deck "E" it was in darkness owing to the electric light being out, apart from a little light which came in from the port-holes on the port side of the vessel. The starboard side was entirely in darkness. I did not realise at the time that the vessel was under water, but these port-holes normally are just above the water-line.

1197. Were they shut or open? - They must have been shut because there was no water to be seen running in anywhere.

1198. You saw no port-holes open? - None, whatever.

1199. Then you went back on deck and looked to see if your wife's lifeboat was being got on with all right? - Yes; I got some life jackets and gave them to one or two people and then I went to see how my wife's lifeboat was getting on.

1200. She was saved, I think? - She was.

1201. And then I think you returned to the stern of the vessel and you saw that she was sinking very rapidly? - Yes.

1202. What did you do then? - Well, I jumped overboard just before she went under.

1203. From the starboard side? - Yes.

1204. I think you were only just in time? - Yes.

1205. And then you saw a collapsible boat floating near and you swam to it? - I saw two collapsible boats caught together one on the top of the other.

1206. And you swam to it and obtained some help? - Yes.

1207. And then you pulled about some dozen people from the wreckage on to one or other of the boats? - Yes.

1208. How long was it before you were picked up? - About three hours. We got the collapsible boats free.

1209. I think the witness Quinn was on this collapsible boat, was he not? - Yes, steward Quinn.

1210. I think it was between 8 and 9 o'clock at night when you got to Queenstown - is that right? - Yes.

1211. Now you saw the whole of this occurrence or nearly all of it. Are there any other observations or complaints or criticisms of any kind that you want to make? - Well, I saw a lifeboat on the starboard side lowered a little way and then it got jammed apparently at one end where some men had lost control of the boat and the people were being shot out into the sea and was suspended in the air.

1212. I suppose the whole thing was done under great pressure? - Undoubtedly.

Examined by Mr. Joseph Cotter.

1213. Did you see any of the crew after the vessel was struck by the torpedo? - I saw two of the sailors starting to get ready to lower the boat into which I put my wife. Those are the only ones I saw while I was on that side.

1214. Did you not see any stewards or stewardesses on the way going up from E deck to the boat deck? - No, I did not.

1215. Did you not see anybody when you crossed the gangway, as you call it, the second cabin portion of the boat deck to the promenade deck - the first class - did you see any of the crew there? - No.

1216. Did you go to the port side at all? - We were at the port side when the explosion occurred. I returned to the port side when I went back to the second class portion of the vessel, after seeing my wife safely into the boat.

1217. Was it the starboard side boat, or the port side boat that your wife got into? - The starboard side.

1218. Then you went to the port side? - Yes.

1219. What was the condition of the boats then when you got on to the port side? - I did not notice, but I noticed that none were being lowered or could be lowered, the people were just standing there, crowded up on the deck.

1220. Did you notice the condition of the boats at all? - I cannot say I noticed the condition of the boats at all, because I went below to get three life jackets immediately.

1221. And when you went down a second time did you see any stewards or stewardesses? - No, there was nobody on the deck then - there was nobody down below at all only on the decks.

1222. And you never saw any of the stewards or stewardesses on your journey twice down the companion? - Almost by the time I got my wife safely in the boat everybody had left the decks. This was only a few minutes before the vessel went under, and I was the last man down below and that is why I referred to the port holes being shut.

1223. And your contention is that practically the whole of the 600 second class passengers had come up on deck? - Every one except any who had fainted in the drawing-room or saloon.

1224. Did you have any difficulty in finding your lifebelt? - I got my lifebelt out of a first class cabin myself, but I had to go into several cabins down below on E deck before I found them because it was dark.

1225. You got your lifebelt out of a first class room? - I did.

1226. How did you get down there; did you go down the first class companion way? - I got into one of the deck cabins of the first class. I got my lifebelt just after seeing my wife into the boat.

1227. You did not get into the boat yourself? - No.

1228. You jumped over the side of the ship? - Yes.

1229. Did you hear any orders being given on the deck when you were there? - No, I did not.

1230. Did you see any boat lowered? - No, I did not see one actually lowered, not one, but I saw one on the water just after it had been lowered.

1231. Can you tell us approximately how many boats there were, when you were on the starboard side putting your wife into the boat, still swinging in the davits? - I took my wife to what I thought was the first boat into which people were getting. This was about half-way down the promenade deck; doubtless there were others being lowered at the same time, but this was the first one along that deck that was being filled.

1232. Which deck are you speaking of? - The first class promenade deck.

1233. You did not go on to the boat deck? - I mean the boat deck. I thought that big promenade deck was the boat deck.

1234. The boat deck is the top deck of all where the boats were swung out? - That is right. I went on to the promenade deck afterwards to see if I could see my wife in the water because there were a lot of people in the water on that side.

Examined by Mr. Clem Edwards.

1235. After the ship was struck then you noticed a list did you not? - Yes.

1236. That list was over to the side of where the ship had been struck? - Yes.

1237. Did you notice in which direction she was settling in relation to her head? - I noticed that her bows were going under.

1238. They were going under rapidly were they not? - Yes.

1239. Now at any time between the moment that you noticed she was settling down and the time that she disappeared was it a slow gradual process or were there any jumps in the movement? - A slow gradual process.

1240. All the time? - Yes.

1241. And more or less by the head? - Yes.

1242. More to starboard? - Yes.

(The witness withdrew.)

Theodore Diamandis, Sworn.

Examined by Mr. Dunlop.

1243. I think you are a Greek? - Yes, I am a Greek subject.

1244. Were you a third class passenger on the "Lusitania"? - Yes, unfortunately.

1245. Where were you when the "Lusitania" was torpedoed? - Myself and two friends of mine, two Greeks, went down and we could not get second class cabins, and we were obliged to take third class cabins. At the time she was struck we had finished lunch about half-past one, and I sat about 20 or 25 minutes talking to my friends, and then I thought of going round to have a shave in the second class.

1246. On the way to the barbers did you feel a shock? - On my arrival at the barber's shop, about 30 or 40 yards on the other side, she was struck immediately.

1247. Did you see anything of the submarine? - After she was struck I ran aft towards the First Class, when I went up on the top deck, and when the "Lusitania" was turning towards the land, then I saw the periscope of the submarine just disappearing.

1248. How far away was the periscope? - I should say about 300 yards.

1249. *The Commissioner*: Which was it you saw the periscope or the conning tower? - The periscope - not the conning tower.

1250. *Mr. Dunlop*: And how far do you say it was when it disappeared? - I should say it was about 300 yards.

1251. Did you afterwards go on to the boat deck? - Yes. I crossed the boat deck to the starboard side.

1252. When you got to the boat deck was there any officer or officers? - There was one standing. There were three boats in that part just swung in the davits and they were lowering them down and there was an officer there attending to it.

1253. And was the officer who was there giving orders to the crew? - Yes, giving instructions to the crew to help the people.

1254. And were the crew to whom he was giving instructions obeying his instructions? - Yes, certainly.

1255. Did you hear any of the stewards telling the people to get up on to the boat deck after she had been struck? - I did not see any stewards, but on the deck where I was there was an officer giving instructions, and there were two or three people helping the women and children into the boats.

1256. The question I asked you was, did any stewards or stewardesses give any instructions for third-class passengers to get up on to the boat-deck? - There were not any stewards there or stewardesses, only the officers and two or three other people.

1257. Where were you when the ship was struck by the torpedo? - I was on the port side.

1258. Where were you when the ship was struck? - I was crossing the ship from the third class to the second class on the promenade deck.

1259. Your third class promenade deck is really the main deck of the ship? - There is not any promenade deck in the third class on the port side.

1260. It is the main deck? - Yes.

1261. It is the same deck as the entrance to the engine-room is on, is it not? - It is an entrance to the second class.

1262. It is the same deck with two dining-rooms on the third class forward? - No, on the top.

1263. And that is the same deck as you were speaking about, is it not? - Yes.

1264. And the main companion entrance comes out over that deck? - That deck is a long deck for the third-class passengers to promenade and the other is for the second-class passengers. That is the long deck - the promenade deck.

1265. Had you any difficulty in getting up on to the boat-deck? - No, not at all.

1266. The companion is a wide companion with plenty of space, is it not? - Yes, there is plenty of space. There were a few people going up to the staircase on the deck part. They were helping first the women and children going up the stairs on the deck part.

1267. Was there any panic among the third class passengers going up the staircases? - None at all - very little to speak about.

1268. Were any of them attempting to take any baggage with them? - No, I never see any.

1269. Were any of the stewards giving lifebelts out to passengers? - I did not see them.

1270. Did you get a lifebelt? - No, I had none.

1271. *The Commissioner*: You jumped into a boat? - Yes, I jumped into the lifeboat.

1272. And there you remained till you were safely on board a trawler? - I was first of all in a fishing boat and then I was taken from the fishing boat to the "Flying Fish."

1273. You did not want a lifebelt? - No.

1274. *Mr. Cotter*: Did you hear any orders being given when you got up to the boat-deck? - The officer was giving instructions to the people to lower down the boats. The first boat was lowered down successfully.

1275. When you say the first boat, can you tell us whereabouts the first boat was that you saw being lowered? - Just at the back by the mast (*pointing to the plan*).

1276. On the starboard side - on the right-hand side was it? - Yes, on the starboard side.

1277. Had you any difficulty in standing up when you got up there? - Yes, great difficulty; she was listing a lot.

1278. Was there any panic among the passengers? - Not at all.

1279. When you got up on to the deck and going into the boat, were the crew assisting the passengers to get into the boat? - The crew that were there were assisting.

1280. They were assisting the passengers to get into the boat? - Yes.

1281. And there was no panic? - No panic, only a little excitement, that was all.

1282. How many people were there in the boat that you got into? - The boat I jumped into was practically the last boat; there must have been between 30 and 35, about, in her.

1283. You did not notice the number of any boat? - No.

1284. And your boat was successfully launched and put into the water? - Yes, our boat.

1285. Did you see who lowered the boat? - Our boat reached the water by the sinking of the "Lusitania"; we did not practically have time to lower down. She reached the water by the sinking of the "Lusitania."

1286. The ship going down took the boat down? - Yes.

1287. That is how she was put into the water? - Yes.

Examined by Mr. Butler Aspinall.

1288. You remember the vessel being struck on the starboard side? - Yes.

1289. After she was struck did I catch you to say that you ran along the port side of the ship? - I was going on the port side, yes.

1290. Then you ran along the port side? - Yes.

1291. Whilst you were going along the port side of the ship I think you told this gentleman that you saw a periscope? - Yes.

1292. Was that on the port side of the ship? - Well, when I was going round to the port side and when I went upstairs on to the port deck, the "Lusitania" had then practically turned a demicircle toward the shore and from the port side you could then see the periscope from there.

1293. And there on the port side of the vessel you saw the periscope of a submarine? - Yes.

1294. Did you think that was a different submarine to the one which had fired the torpedo? - No, I did not think so. I had seen only one periscope.

The Commissioner: No periscope was seen, as far as I understand, at the time the torpedo was fired, and no conning tower.

Mr. Butler Aspinall: No, my Lord. What occurred to me was that the ship was struck on the starboard side, and he immediately goes on to the port side and finds a periscope there. It may be due to the fact that the ship had turned.

1295. *The Commissioner:* How many periscopes have you seen in your life? - Only one.

1296. And it was that one? - It was that one.

1297. Have you any experience of periscopes? - No, I have no experience of periscopes, but I have seen them.

1298. One witness in the box told me that the conning tower was like a silk hat? - I know what the conning tower is.

1299. What is the conning tower like? - It is the larger part of the submarine.

1300. How wide is the conning tower? - Larger than this table.

1301. Hold up your hand so that I can see? - As large as that (*describing*).

1302. Rather larger than a silk hat? - I think so. If it was the conning tower that the people went down into the submarine, that is what I call the conning tower.

(The witness withdrew.)

The Solicitor-General: My Lord, with regard to the other passengers, the Board of Trade has a large number of statements made by passengers both of the first, second and third classes. I have read I think all those statements or all that I have at present before me, and I am bound to tell your Lordship that they involve, in my judgment, a very great deal of repetition, and they do not develop specific complaints so far as my recollection of them goes, except in relation to the suggested inadequacy of speed on the part of the vessel at the critical time, or to the fact that no destroyers were present to protect them, or to the fact of the alleged circumstance that there were no officers at the boats, and so far as I have read these proofs, the complaints which they make go to one or other of these points, and of course the Board of Trade is merely here to assist the Court in arriving at the facts and I find myself in some little doubt as to how far I can usefully assist the Court.

The Commissioner: You must exercise your own judgment of course, Mr. Solicitor, but as to the first two points, the speed and the absence of destroyers, we have, it seems to me, all the evidence that we are likely to get.

The Solicitor-General: I think so.

The Commissioner: There is the third point, namely, the alleged absence of officers at the boats. My experience tells me that it is not of much importance, but you must use your own discretion with regard to that matter.

The Solicitor-General: Quite, I think, perhaps, the most convenient course would be if your Lordship would give me an opportunity before to-morrow morning of discussing the whole of the remaining balance of this evidence with the Attorney-General.

The Commissioner: Does that mean that you want us to rise now.

The Solicitor-General: It is 10 minutes to 4 my Lord.

The Commissioner: Then it does mean that you want to rise.

The Solicitor-General: No, my Lord. There is nothing that I should like better than to go on taking evidence if it will amuse your Lordship to hear passengers called.

The Commissioner: Then we will rise now till half-past ten to-morrow morning.

Adjourned to to-morrow at 10.30 o'clock

THIRD DAY (17 JUNE, 1915).

Name of Witness.	Description.	Examine by	No. of Question.
Mr. John Frederick Valentine Jones	Chief Steward on the "Lusitania."	The Attorney-General Mr. Rose-Innes Mr. Clem Edwards Mr. Butler Aspinall	1303-1339 1340-1350 1351-1366 1367-1370
Mr. Albert Arthur Bestwick [sic]	Junior Third Officer on the "Lusitania."	The Solicitor-General Mr. Rose-Innes Mr. Clem Edwards Mr. Butler Aspinall	1371-1400 1401-1417 1418-1427 1428-1443
Mr. Robert Henry Duncan	First Senior Third Engineer on the "Lusitania."	Mr. Branson Mr. Donald Macmaster Mr. Clem Edwards Mr. Butler Aspinall	1444-1459 1460-1462 1463-1485 1486-1488
Mr. --- Robertson	Carpenter on the "Lusitania."	The Attorney-General Mr. Rose-Innes Mr. Clem Edwards Mr. Duncan Macmaster	1489-1575 1576-1601 1602-1625 1626-1628
Captain William Thomas Turner [recalled]	Master of the "Lusitania."	The Attorney-General Mr. Clem Edwards Mr. Donald Macmaster Mr. Thomas Priest	1629-1648 1649-1665 1666-1672 1673-1674
Frederick O'Neil [sic]	Able Seaman and Lamp Trimmer on the "Lusitania."	Mr. Dunlop Mr. Donald Macmaster	1675-1708 1709-1712
Joseph Casey	Fireman on the "Lusitania."	The Solicitor-General	1713-1725
Thomas Madden	Fireman on the "Lusitania."	Mr. Branson	1926-1735
Frederick Davis	Trimmer on the "Lusitania."	The Solicitor-General	1736-1744
Mr. McDermott	Trimmer on the "Lusitania."	Mr. Dunlop Mr. Clem Edwards	1745-1751 1752-1774
Miss Alice Lynes [sic]	Nurse on board to the Children of Major Warren Farrell [sic].	The Solicitor-General	1775-1789
Mr. James Baker	Passenger on the "Lusitania."	The Attorney-General Mr. Thomas Priest Mr. Clem Edwards Mr. Butler Aspinall	1790-1808 1809-1815 1816-1821 1822-1835
Mr. Francis Bertram Jenkins	First Class Passenger on the "Lusitania."	Mr. Rose-Innes Mr. Butler Aspinall Mr. Scott	1836-1871 1872 1873-1874
Mr. Robert W. Cairns	First Class Passenger on the "Lusitania."	Mr. Rose-Innes Mr. Butler Aspinall	1875-1887 1888-1906

		Mr. Rose-Innes	1907-1911
Miss Eveline Wild [sic]	Second Class Passenger on the "Lusitania."	Mr. Rose-Innes	1912-1932
Mrs. Elizabeth Lasseter [sic]	First Class Passenger on the "Lusitania."	Mr. Thomas Priest Mr. Rose-Innes Mr. Butler Aspinall	1933-1949 1950 1951-1965
Mr. Robert James Timmis			1966-1975
Mr. David Alfred Thomas	Member of the Advisory Committee to the Intelligence Department of the Board of Trade.	The Solicitor-General Mr. Wickham Mr. Butler Aspinall	1976-2002 2003-2004 2005-2017

In the Wreck Commissioner's Court.

Central Hall,

Westminster, S.W.

Thursday, 17th June, 1915.

PROCEEDINGS

BEFORE

The Right Honourable LORD MERSEY,

Wreck Commissioner of the United Kingdom,

WITH

Admiral Sir F. S. INGLEFIELD, K.C.B.,

Captain D. DAVIES,

Lieut.-Commander HEARN,

Captain J. SPEDDING,

Acting as Assessors,

ON A FORMAL INVESTIGATION

Ordered by the Board of Trade into the
LOSS OF THE STEAMSHIP "LUSITANIA."

THIRD DAY.

The Attorney-General (THE RIGHT HON. SIR EDWARD CARSON, K.C., M.P.), The Solicitor-General (THE RIGHT HON. SIR F. E. SMITH, K.C., M.P.), MR. P. J. BRANSON, and MR. DUNLOP (instructed by Sir Ellis Cunliffe, Solicitor to the Board of Trade) appeared as Counsel on behalf of the Board of Trade.

MR. BUTLER ASPINALL, K.C., MR. LAING, K.C., and Mr. A. H. Maxwell (instructed by Messrs. Hill, Dickinson and Co., of Liverpool) appeared as Counsel for the Owners, the Cunard Company, and the Captain.

MR. DONALD MACMASTER, K.C., M.P., appeared as Counsel for the Canadian Government.

MR. G. A. SCOTT appeared on behalf of the representatives of the late Mr. Alfred Gwynne Vanderbilt, a passenger.

MR. THOMAS SCANLAN, M.P. (instructed by Mr. H. Z. Deane), appeared on behalf of Mrs. Ellen Coughlan, widow, and the representatives of between sixty and seventy, first, second and third class passengers.

MR. ROSE-INNES, K.C., and MR. WICKHAM appeared on behalf of Mr. Crichton and certain passengers (instructed by Messrs. Thorne and Co.).

MR. A. M. LATTE (instructed by Mr. Thomas Priest) appeared for Mr. H. B. Lasseter and others.

MR. COTTER appeared on behalf of certain representatives of the crew.

MR. CLEM EDWARDS, M.P., appeared on behalf of the National Union of Sailors and Firemen.

MR. W. L. MARSHALL (General Secretary), appeared on behalf of the Marine Engineers Association.

The Attorney-General: My Lord, with reference to the ship's manifest that I put in yesterday, and with reference to what took place on the ship starting at New York, there is a letter which I should like to read from the Collector of the Treasury Department of the United States Customs of the port of New York; it is dated 2nd June of the present year, and is directed to Mr. Charles Sumner of the Cunard Steamship Company: "Dear Sir, - I have your letter of June 1st stating that you have received a cable from your Liverpool office, as follows: 'Send declaration of proper customs officials showing no description of cargo was loaded in violation of American shipping law, particularly as regards passenger steamers.' In reply to this enquiry I have to state all the articles specified in the manifest of the 'Lusitania' are permitted to be shipped on passenger vessels under the laws of the United States."

Mr. John Frederick Valentine Jones, Sworn.

Examined by the Attorney-General.

1303. Were you chief steward on board the "Lusitania" on the voyage from New York to Liverpool? - Yes.

1304. Have you had more than one voyage on board the "Lusitania"? - Four.

1305. Do you remember the 7th May last, when the ship was struck? - Yes.

1306. Where were you? - Crossing the main companion way.

1307. When she was struck what did you do? - I was told by the second steward, whilst I was coming across, that a torpedo was approaching the ship on the starboard side. I walked outside and saw it coming.

1308. You saw the torpedo? - Yes.

1309. In what direction? - Coming right direct for the ship on the starboard side.

1310. How far away was it when you saw it? - About 60 or 70 yards, I should say.

1311. Did you see any trace of a submarine? - No.

1312. Or a periscope? - Neither.

1313. Can you tell us how far away from where you were standing the torpedo struck the ship? - I should say about 12 yards abaft from where I was standing.

1314. When it struck the ship did you do anything on Deck B about the lifebelts? - The lifebelts were all in the rooms.

1315. Did you give any orders, or call out anything? - I called out to the passengers as far as I could see directly as I went about the ship from deck to deck and to the crew also to get their lifebelts.

1316. Did you give any directions to the stewards and stewardesses? - All I met I told to assist the passengers as much as they possibly could with their lifebelts.

1317. Did you go yourself to the smoking room and lounge? - Yes.

1318. Did you proceed to give the same directions there? - Yes.

1319. Everywhere you went along? - Everywhere I went.

1320. Do you remember when you got on A deck seeing boat No. 17? - Yes.

1321. What condition was she in? - Down by the head.

1322. What had happened? - The line had evidently run through the block.

1323. Was that on the port side or on the starboard side? - The starboard side.

1324. What did you do after that? - We hoisted it up immediately.

1325. What happened to that boat afterwards? - I could not say.

1326. Did you see whether she was filled? - It was full of people. I was then engaged at the after end of 15 boat, which came near the forward end of 17 boat. I think the rope of 17 boat ran through my legs whilst I was at 15, and I think I went down again.

1327. What happened to 15? - 15 got safely away from the ship.

1328. Was she filled with passengers? - She was filled with passengers.

1329. Then you yourself, I think, jumped into the water? - I jumped into the water when the ship was sinking.

1330. And you were picked up, eventually? - Yes.

1331. Were there ample lifebelts? - Ample for everyone.

1332. In all the rooms? - Everywhere.

1333. And in all the rooms were there notices with regard to the belts? - Yes.

1334. Do you know whether on the top deck there was a reserve of lifebelts? - I did not see them this voyage, but I believe there was. On previous voyages there had been.

1335. On the Thursday, the 6th May, was anything done as regards the lifeboats - that was the day before? - There was the usual lifeboat drill.

1336. Was anything done to the boats; were they swung out ? - All swung out.

1337. Do you remember on the 7th May any orders being given as to closing the bulkhead doors? - Yes. On the morning of the 7th May the staff captain met me on the main companion way, C deck, and said they wished the bulkhead doors to be closed and also the ports, and he said he would go down and see it done himself.

1338. Was that Captain Anderson? - Yes, Staff Captain Anderson.

1339. As far as you know were they all closed at the time of the ship being struck? - I believe they were.

Examined by Mr. Rose Innes.

1340. With regard to the lifebelts, whereabouts had you seen any lifebelts on the deck prior to the ship being struck ? - On this voyage I had not seen any.

1341. Were there any lifebelts available, after the ship was struck, from the decks that you saw? - No.

The Commissioner: At present I believe they were there.

Mr. Rose Innes: I am only putting the question.

The Commissioner: I do not want you to put questions unless you have an object. Have you evidence that they were not there?

Mr. Rose Innes: Yes, my Lord, I have.

The Commissioner: Then it is quite right you should put the question.

1342. *Mr. Rose Innes: (To the Witness.)* With regard to the boats, you saw one of these boats, No. 17, I think, slip into a vertical position? - No, I did not see it slip.

1343. Did you see it just after it slipped? - I saw it in that position.

1344. Was it the bow or the stern which slipped? - It was hanging bow down.

1345. Were any persons thrown from that boat into the water? - I could not say.

1346. Did any similar accident happen that you saw to any other lifeboat? - I did not see any.

1347. That was the only one you saw? - Yes.

1348. And that too was No. 17 boat? - No. 17.

1349. *Mr. Scott:* Did you know Mr. Vanderbilt? - Yes.

1350. Did you happen to see him after the torpedo struck the ship? - No.

Examined by Mr. Clem Edwards.

1351. Did I understand you to say that the watertight doors were closed before the torpedo struck the ship? - I said Captain Anderson gave orders and went down himself, and I understand he expressed himself afterwards as being perfectly satisfied that every thing was tight on the "E" deck.

1352. That was in the morning of the day the torpedo struck the ship and before it struck the ship? - That would be in the morning.

1353. What watertight doors would those be? - Those on "E" deck forward.

1354. Were those the only watertight doors that were closed before the torpedo struck her? - There are watertight doors in other parts of the ship, in the engine room and the store room on "E" deck which I do not know anything at all about.

1355. Is it your understanding that those watertight doors were closed up to the time the torpedo struck the ship? - I do not know positively.

1356. You do not know positively but is that your understanding of it? - I did not go down just before the ship was struck but they were closed previously according to Captain Anderson.

1357. From the observations made by Captain Anderson you understood the watertight doors were shut on the morning the torpedo struck the ship? - Yes.

1358. Was it your understanding, without being positive about it, that the watertight doors had remained closed up to and including the time when the torpedo struck the ship? - Yes, I understood that.

1359. Whereabouts were you in relation to the position where the torpedo struck the ship? - I was just outside the main companion way on the starboard side.

1360. Where would that be precisely in relation to where you understand the torpedo struck the ship? - I should suppose it would just be forward of amidships - slightly forward of amidships.

1361. Which deck were you on? - "B" deck.

1362. Did you go any lower than "B" deck after the torpedo had struck? - Yes, I went to "C" deck.

1363. Did you see any water there? - No, not on "C" deck.

1364. Did you see anyone immediately after the torpedo struck her who had come up out of any of the watertight compartments forward of where the torpedo had struck and from a deck as low as "F" deck? - I did not quite catch your question.

1365. Immediately after the torpedo struck did you see anybody who you would have known had come up from a part of the ship forward of where you were and from as low as "F" deck? - No, I could not remember.

1366. Do you know whether any steps were taken to ascertain what damage had been done in particular watertight compartments? - I do not know.

Examined by Mr. Butler Aspinall.

1367. You have been asked some questions about the life belts. We were told by a gentleman called Mr. Albert Laslett, the Board of Trade Engineer, and ship surveyor at Liverpool, and also by Captain Barrend who was the Board of Trade Emigration Officer at Liverpool, that they surveyed amongst other things, and inspected, the lifebelts. Do you remember them doing that? - Yes, they did that very fully.

1368. And they told us that they were satisfied, and that they were adequate in numbers and quality. I notice there was no cross-examination directed to either of those points.

1369. *The Commissioner:* I am not going to listen to the evidence of people who say they did not see them. I did not see them, and no doubt many people did not see them. (*To the witness.*) Were you on the ship when she was lying in New York? - Yes.

1370. Is there any reason, so far as you know, for saying that the lifebelts were taken off the ship in New York? - No.

(The witness withdrew.)

The Attorney-General: Your Lordship asked me to get out the numbers of the passengers and crew on board, and the survivors. I have had them made out and will hand them in.

The Commissioner: I want you before you finish, to read, or to ask Mr. Solicitor to read, the questions one by one so that we may see that the evidence has been given which is required for answering them.

The Attorney-General: Yes, my Lord. That will be when our evidence is closed.

Mr. Albert Arthur Bestwick [sic], Sworn.

Examined by The Solicitor-General.

1371. Were you junior third officer of the "Lusitania"? - Yes.

1372. Did you attend to boat drill before the vessel left New York on the last voyage? - That was my first voyage on board.

1373. I mean on this voyage before she left New York? - Yes.

1374. The boats were swung out; were they put into the water? - No; there was a coal barge underneath the boats where I was. I cannot answer for other boats, but my section's boats were not put into the water because of the coal barge underneath.

1375. On the 6th May was there any boat practice - the day before the accident? - There was the usual boat practice at 11 o'clock.

1376. Now, I want to come to the 7th May, and I want you to tell me how your attention was first directed to what happened to the vessel. What did you see or hear? - I heard an explosion. I was in the officers' smoke room at the time, and I went out on the bridge and I saw the track of a torpedo.

1377. Where? - It seemed to be fired in a line with the bridge, and it seemed to strike the ship between the second and third funnels, as far as I could see. Then I heard the order given "hard-a-starboard" and I heard Captain Turner saying "lower the boats down level to the rail," and I went to my section of boats.

1378. Where was your boat station? - My boat station was No. 10 on the port side.

1379. That was your individual boat? - Yes, that was my individual boat; my section was from 2 to 10.

1380. You were responsible generally for boats from 2 to 10? - Yes.

1381. What did you do when you went to the boats? - I started to get No. 10 lowered down to the rail, but it landed on the deck. Captain Anderson was there beside me and he said: "Go to the bridge and tell them they are to trim her with the port tanks." I made my way to the bridge and sung out that order to Mr. Heppert [sic], the second officer. He repeated it and I came back again and No. 10 boat was on the deck. We tried to push it out, but we could not do it.

1382. How was the ship behaving at this time? - She had a big list to starboard on her.

1383. Did any of the boats 2 to 10 for which you were responsible get away? - Not to my knowledge.

1384. *The Commissioner*: Do you refer to the even numbers on the port side? - Yes.

1385. *The Solicitor-General*: How long did you continue your efforts to get the boats off? - Until she went down.

1386. *The Commissioner*: Did you continue at the port boats until the ship went down? - Until the water came up and we could not do it any longer.

1387. What was the good of working at the port boats if you could not get them down? - Well, Captain Anderson was there beside me and I took most of my orders from him.

1388. Did you think it was worthwhile trying to get the port boats out? - I thought when we trimmed her with the port tanks she might right herself a little bit.

1389. Immediately after the torpedo struck her she took a list to starboard did she not? - Yes.

1390. A very bad list? - Yes.

1391. Did she then apparently attempt to right herself or did she go on listing? - She went on listing for about 10 minutes I should say.

1392. Then what happened? - Then she seemed to rectify the list a little bit.

1393. She went over and came back again? - A small bit.

1394. But she never lost her big list to starboard? - No.

1395. Then I want to know why you went on working at the port side boats? - When she rectified herself a little bit it gave us encouragement and we thought she might come up altogether or it might give us a better chance.

1396. *The Solicitor-General*: Did you think it was hopeless to get them away or not? - No, I did not think it was hopeless.

1397. And you say Captain Anderson was there with you? - Yes.

1398. I think when the water came aboard you stepped over the side into the water? - Yes.

1399. How far was that off; how far was the drop? - Two or three feet.

1400. And you were dragged down and afterwards you came to the surface and took refuge on one of the collapsible boats? Yes. A man named Quinn pulled me on.

Examined by Mr. Rose Innes.

1401. You told us just now that there would be the usual boat practice at 11 o'clock on May 6th? - Yes.

1402. Will you describe what you mean by the usual boat practice? - My watch in the morning is from 8 to 12, and the boat practice and fire drill is at 11 o'clock, and as far as my connection with the boat drill is concerned I have nothing to do with the boat drill, but I telephoned down about the fire drill. As far as boat drill is concerned I have nothing to do with it. I am on watch on the bridge at the time.

1403. *The Commissioner*: But can you see it on the bridge where you stand? - I cannot see any details. I can see the men getting into the boats.

1404. But you can tell that gentleman what the boat drill consists of? - I could not.

1405. Yes you can, you know. You ought to know it. What do they do? - It is too far back for me to see. I could not tell you.

1406. How long have you been at sea? - Since 1908.

1407. That is several years. Have you been on the Cunard Line all the time? - No. That was my first voyage.

1408. That was your first voyage in a Cunarder? - Yes.

1409. Have you been on a big liner before? - No.

1410. Was this your first voyage on a big liner? - Yes.

1411. *Mr. Rose Innes*: Did you ship in England for New York? - Yes.

1412. You signed articles in England? - Yes.

1413. You had taken the outward journey and were coming back? - Yes.

1414. You said there was boat drill. What did you actually see taking place at 11 o'clock on the morning of the 6th. What did you see yourself? - I cannot remember that I saw the boat drill.

1415. You told us there was one?

The Commissioner: There would be a boat drill, but you are quite right, Mr. Rose Innes, in asking what it consists of.

1416. *Mr. Rose Innes*: Did you ever examine these boats yourself? - No, I examined the gear in them.

1417. Did you know that one of them leaked so badly that she went down with the passengers in her, and they were all drowned but two? - No.

Mr. Butler Aspinall: I submit it is somewhat hard on us these topics being introduced on the third day of the enquiry. This is the first we have heard of it.

The Commissioner: What was the question?

Mr. Butler Aspinall: Whether one of the boats was leaking so badly that it went down by the head and all the passengers were drowned.

Mr. Rose Innes: "By the head" is an interpolation by my friend.

The Commissioner: That is a perfectly proper question, but this man does not know anything about it.

Mr. Rose Innes: I am quite content if he does not know.

The Commissioner: You had better ask others.

Examined by Mr. Clem Edwards.

1418. Where were you at the time the torpedo struck the ship? - In the officers' smoke room.

1419. Did you come out immediately after? - Yes.

1420. Where did you go to? - To the starboard side of the bridge.

1421. Did you hear any instructions given by the officers on duty? - I heard the captain giving instructions.

1422. Did you hear him giving any instructions with regard to watertight doors? - No, not when I was on the bridge. I was only there a matter of 10 seconds.

1423. Did you hear him give instructions to anyone to go below and see if they could ascertain the extent of the damage? - No.

1424. *The Commissioner:* You were within earshot of the captain for 10 seconds I understand you to say. Is that right? - As far as I can tell, yes.

The Commissioner: He was not likely to hear much then.

1425. *Mr. Clem Edwards:* I did not catch that he said 10 seconds, my Lord. (*To the Witness.*) You were only there, were you, for a matter of 10 seconds? - About that time.

1426. Do you know whether in fact any instructions were given to take soundings in different parts of the ship? - I did not hear any.

1427. Nor hear that instructions had been given? - No, it would not come within my knowledge.

Examined by Mr. Butler Aspinall.

1428. You remember the morning of the 7th May. During the 8 to 12 watch were you on duty? - Yes.

1429. What was the character of the weather during that time? - A thick fog.

1430. Were you taking soundings? - Yes.

1431. Why were you taking soundings? - Because of the fog.

1432. It was to ascertain as well as you could the position of the ship? - Yes.

1433. Later on do you remember sighting the Old Head of Kinsale? - Yes.

1434. After a time did you get it 4 points on your port bow? - As far as I can recollect it was 5 points when I went down.

1435. Did you at any time get orders to take a 4-point bearing of the Old Head of Kinsale? - Yes.

1436. Did you proceed to carry out that order? - Yes.

1437. Did you complete that operation or did you leave it to somebody else? - I left it to somebody else; I was relieved on the bridge.

1438. Who was the gentleman you left there? - Mr. Stevens.

1439. *The Commissioner*: Was that at 12 o'clock? - No. This would be shortly before 2 o'clock.

1440. I thought your watch was up to 12 o'clock? - My watch was up to 12 o'clock, but I go down to dinner at 1, and then I come up to relieve the junior officer on the bridge.

1441. *Mr. Butler Aspinall*: And you did not complete this operation? - No.

1442. Will you tell me what was the object of your getting a 4-point bearing? - To find the distance that the ship would be off the land and if she was abeam the Head of Kinsale.

1443. That is the still recognised way, is it not, at sea in order to get your distance from the land and your accurate position? - Yes.

(The Witness withdrew.)

Mr. Clem Edwards: Will your Lordship allow me to make an application? I understand from your Lordship's observation that there are certain questions that have been formulated which go to the matters which have to be investigated on this inquiry. It would be a matter of very great convenience to my friends and myself if at this stage we could be supplied with copies of those questions, instead of their being left until the end of the inquiry, when all the witnesses have been heard.

The Commissioner: Do you object to that, Mr. Attorney?

The Attorney-General: I have no objection.

The Commissioner: Then you shall be supplied with a copy, Mr. Edwards.

The Attorney-General: The procedure laid down is that the questions are read out at the end of our evidence, but I have no objection to Mr. Edwards having them beforehand.

The Commissioner: Then let him have a copy.

Mr. Robert Henry Duncan, Sworn.

Examined by Mr. Branson:

1444. Were you the first senior third engineer on board the "Lusitania"? - I was.

1445. Shortly after 2 o'clock on the 7th May, I think, you were walking up and down the port side of C deck? - I was.

1446. Did you hear an explosion? - I heard an explosion.

1447. Did you then go about among the passengers trying to reassure them? - There were quite a number of second cabin passengers on the same deck at the time, and there was great excitement caused through the explosion, and I tried to pacify the people as best I could for the time being.

1448. Some time after that did you hear the sound of a second explosion? - I heard the sound of a second explosion.

1449. Could you tell me where that second explosion occurred? - I could not exactly tell you where it occurred, but it must have been nearer to me than the first one, because where I was standing there was a thermo tank and a piece of the thermo tank flew off and dropped at my feet after the second explosion.

1450. Where were you standing? - Just abaft the engineers' quarters.

1451. Would that be where the main mast comes down? - Just exactly the place where the main mast comes down.

1452. In your opinion did the explosion occur just about there? - It was forward of that, because a piece of the tank flew off.

1453. *The Commissioner:* What was the interval between the two explosions? - I should say about a minute or a couple of minutes, from what I can gather.

1454. *Mr. Branson:* Then I think you assisted people to get lifebelts on? - I did.

1455. And finally you went into the water as the ship went down? - I walked down the port side in nearly an upright position.

1456. And you were rescued by getting on to a tank and being picked up? - I was holding on to a small tank out of one of the lifeboats.

1457. When were you last in the engine room? - 12 o'clock noon.

1458. Can you tell us what was the condition of the bulkhead doors at that time? - We were slowed down, through hazy weather, from 8.26 (I reported on the Engineers' log) till ¼ to 12, and we had to close all doors possible during hazy weather, by the orders of the Chief Engineer.

1459. Were all the doors possible closed? - All the doors possible were closed.

Examined by Mr. Macmaster.

1460. I understand you were instrumental in saving some of the passengers? - I was.

1461. You rescued a lady, I think? - A Mrs. Adams of Bristol, I found out.

1462. I see, from the draft of the questions submitted to you, that you rescued a Canadian lady. Perhaps you will be kind enough to tell me her name? - The Canadian lady was Mrs. Adams. There was another lady and a gentleman on the tank, but the gentleman died from exposure, and the lady got hysterical and we lost her too.

Examined by Mr. Clem Edwards.

1463. I think you told my friend that all the watertight doors it was possible to close were closed? - That is so.

1464. Were there any that it was not possible to close? - No, we cannot close them on account of working the ship.

1465. I am afraid you did not quite understand my question. You say that all the watertight doors which it was possible to close were in fact closed? - Yes, they were closed.

1466. Were there some doors which it was not possible to close? - There were some doors, yes.

1467. What particular watertight doors were those? - The hydraulic doors.

1468. In what position would those doors be? - These doors I am referring to are in the engine room.

1469. *The Commissioner*: I understand you to say that they are doors which must be kept open in order to work the ship? - Yes.

1470. *Mr. Clem Edwards*: That means that they are doors between the engine room proper and the stokehold. Is that right? - There is only one door between the engine room proper and the stokehold in the engine room.

1471. Was that door closed or not closed? - That door was closed.

1472. Now I want to get exactly what watertight doors were not closed? - The doors leading into the different H.P. engine rooms were not closed.

1473. How many of those doors are there? - Two.

1474. Were they closed at any time? - They were not closed during my watch.

1475. And your watch lasted from what time till what time? - From 8 till 12.

1476. And they were not closed then? - They were not closed then.

1477. Where were you when the torpedo struck the ship? - I was walking up and down on the port side by the engine-room door.

1478. And immediately the torpedo struck her what did you do? - I tried to pacify the passengers around me as best I could.

1479. You did not go into the engine room? - Not at that moment.

1480. Did you go into the engine room later? - When I went into the engine room I met the chief engineer coming out, and he told me I could do nothing down below, but I was to look after myself.

1481. So that you cannot say whether in fact these two watertight doors you have spoken of were closed or not? - I cannot say.

1482. *The Commissioner*: Where are these two hydraulic doors worked from? - From the bridge.

1483. *Mr. Clem Edwards*: Which deck were you on? - C deck.

1484. Did you see any water? - When I left the ship the water was coming over the starboard rail.

1485. That is when you got on to the side of the ship? - Yes.

Examined by Mr. Butler Aspinall.

1486. With regard to these doors which were not shut, you have told my Lord that they are operated from the bridge? - Yes, they are operated from the bridge.

1487. Has the officer on the bridge in front of him a little plan which enables him to see at once what doors down below are shut and what are open? - Yes, he has an indicator on the bridge.

1488. So that he has information to tell him exactly which doors are shut and which are open? - Yes.

(The witness withdrew.)

Mr. Robertson, Sworn.

Examined by The Attorney-General.

1489. Were you the carpenter on board the "Lusitania"? - I was.

1490. At New York did you examine the lifeboats? - I did.

1491. In what condition did you find them? - In perfect condition.

1492. Was anything done under your orders, or did you see anything done, as to oiling the drop point bolts? - Yes.

1493. The drop point bolts fix the lifeboats, do they? - No; there is a skid that the ordinary lifeboat rests on above the deck lifeboat and there are pins connecting the stanchion to the skid. These skids have a drop point and you have to use your two hands to take out that bolt and the skid is quite clear. Even if these skids were not able to clear, the boat would float all the same.

1494. The boat underneath is a collapsible boat, is it? - It is a deck boat.

1495. They call it semi-collapsible, I think? - Yes.

1496. Is the necessity for this oiling to make it more easy to remove the skids? - Yes.

1497. Was the oiling done before you left New York? - Yes, it was.

1498. Was all that was necessary for the removing of the skids left in good order? - Yes.

1499. On Thursday, the 6th May, we know that the lifeboats were swung out. Did you examine on that day the collapsible or semi-collapsible lifeboats? - Yes.

1500. Were they all right? - Yes, in perfect condition.

1501. Did you also examine the pins and the gear in the lifeboats? - Yes.

1502. Were they all right? - All right.

1503. Perhaps you can tell me whether at any time before the ship was struck the portable skids were removed? - No.

1504. I mean the skids that keep the semi-collapsible lifeboats in their place? - No, that is only a minute's work; it is not necessary.

1505. I am asking you, were they removed as a fact? - No.

1506. If they had been removed could not the semi-collapsible lifeboats have easily fallen themselves automatically into the sea? - Even if the skids were not removed, they would still fall into the sea.

1507. At all events you say they were not removed? - No.

1508. Was it your duty to take care of Nos. 22 to 22e boats? - Yes.

1509. And to superintend their launching? - Yes.

1510. On the 6th May, did you have boat drill in connection with your boats? - That was on the Thursday?

1511. Yes, that was the day before? - Yes, on the Thursday morning at 5.30.

1512. And you left the boats swung outwards? - I left them swung out.

1513. With regard to the watertight doors in the hold, will you tell us how they are secured? - There is an iron hatch; that is watertight.

1513a. How was that made watertight? - There is a rubber joint secured by bolts right round it.

1514. Is that screwed down? - That was screwed down in New York.

1515. Did you yourself see it secured? - I saw it secured along with two of the shore gang at New York.

1516. On the 6th May did you yourself see whether the after store was made watertight? - Yes.

1517. What was done to that? - Just the same as No. 1.

1518. Screwed down? - Screwed on.

1519. Did you examine the steerage pockets? - Yes.

1520. What are they? - They are the lower pockets on the lower deck, M, N, and P sections for steerage passengers. There were no passengers there, so I shut up the place.

1521. Was that rendered watertight? - Yes.

1522. What did you do to that? - I screwed on the scupper plugs and shut the watertight doors.

1523. That was on the Thursday? - On the Thursday.

1521. Did you close all the bulkhead doors there? - Yes.

1523. As regards the other watertight compartments, is there regular drill for the stewards to close them as immediate occasion may require? - Yes, they are drilled every day in bulkhead work.

1526. On the day when the ship was struck, did you, when you saw that she was struck, go to your boat station? - Yes. I thought, owing to the heavy list, something serious had happened, and I thought it best to go to my boat station.

1527. That was 22 to 22e boats? - Yes.

1528. What did you find when you got to 22? - When I got to 22 boat I saw the boat had gone, and I told two stewards to pick up the falls and get them attached to 22a, and looking over the side I found the afterfall [sic] was gone altogether, block and all; and it was useless then to attempt anything as far as putting the boat over the side with the falls was concerned.

1529. Where had boat 22 gone to? - That I could not say. It appeared to me that there was a bit of wreckage hanging to the forward fall.

1530. Did you give any orders as to clearing away the collapsible boats? - I did.

1531. To whom did you give them? - To the stewards standing around.

1532. Were those launched? - No.

1533. Why? - Just because we could not launch them without the fall. We had to wait till the boats floated off the ship.

1534. What I suggested to you was that if the skids had been removed they would have floated themselves off? - Yes - well, they did float.

1535. Would they have floated off earlier? - No, they could not, because that was the last point at which they touched the water the highest point on the ship.

1536. Were any of them tied down? - Yes, they were tied down with gripes.

1537. Should those have been removed? - No, because if the ship rolled the boats would be all over the deck.

1538. What I suggest is, right or wrong, that when you came within the danger zone, what I may call the war zone, would it not have been proper to loose those collapsible boats, so that in the event of the ship being struck they could be easily floated? - I do not think so; because you might do as much damage to the passengers by loosening the boats as otherwise.

1539. At all events they were not loose? - No, that is the aft boats.

1540. *The Commissioner:* These collapsible boats, I understand, were on the deck? - Yes.

1541. They were not hanging up in any way? - No.

1542. They are strapped, as I understand, in order to prevent their slipping about? - Well, the aft boats are strapped, from 22a to 22e, that is five boats altogether.

1543. But I suppose you cannot have them loose on the deck; they must be held in position? - That is so.

1544. Because if the ship was rolling at sea they would be all rolling about? - Yes.

1545. So that you would have to strap them in some way. Now, supposing you had had them unstrapped as Sir Edward Carson suggested, when the ship took the list what would have become of them? - If they had not been strapped they would just fall to leeward.

1546. They would have all gone down like the port boats did? - They would help to list the ship. They would all drop to the lee side.

1547. I want to know, would they encumber the deck? - They would, on the port side.

1548. I should have thought they would have encumbered the deck on the starboard side? - No, they would fall off the ship on the starboard side.

1549. I know they would; they would come down and fall against the passengers on the starboard side, and cause confusion, I should think? - No, they would fall off the ship on the starboard side. The ship was listed to starboard.

1550. *The Attorney-General:* They would fall off the ship into the sea? - Yes.

The Commissioner: But before they fell off into the sea they would smash the passengers.

The Attorney-General: They were quite at the very side of the ship, my Lord; they would not smash any passengers. If your Lordship will look at this diagram it will explain the position. (*The Attorney-General explained the position on the diagram.*)

1551. *The Commissioner:* (*To the witness.*) Are the collapsible boats never put amidships? - Not in the "Lusitania."

1552. Are they in any liners? - On the "Aquitania" I believe they are.

1553. *The Attorney-General:* I want to ask you about the gripes that you spoke of, for keeping them in their places. Are not these boats fixed on what are called chocks? - Yes.

1554. And are not those chocks bolted in the deck? - No.

1555. How are the chocks fixed? - There is what I would call a deck plank. There is a notch in the plank, and the deck lifeboat sits in the plank and it is chocked on either side to keep it upright.

1556. Are not the chocks screwed into the deck? - No.

1557. Without, therefore, the gripes being there at all, would not the boats have kept in their place unless there was a very heavy list which would bring them over into the sea? - The boats would remain in their place if the ship remained steady.

1558. What I want to get is this. In the event of a sudden attack on the ship of this kind would it not be proper to have removed both the skids and the gripes, so that these boats might be more easily got into the sea? - Perhaps I have not made it quite plain. From No. 1 to No. 20 there are no gripes. From 22a to 22e the boats were fastened with gripes.

1559. But there were skids, were there not? - Yes, there were skids from No. 1 to No. 20. The weight of the top boat keeps the other boat in its place, and then there is an outer sling goes round the boat at sea.

1560. We know that the boats were slung out on the 6th, so that you could have removed the skids from over these collapsible boats, and they were not removed? - They were not removed.

1561. I do not know whether you are able to answer this or not, but would it not have been a prudent precaution, knowing that you were within the danger zone, to have removed them? I shall have to call the captain again to ask him a question about it? - I do not think so.

1562. Were you yourself attempting to loose some of these collapsible boats? - Yes, I loosened them all on the port side.

1563. Before you were washed into the sea yourself? - I loosened them all on the port side and then went for my lifebelt, and when I came up I noticed one of the boats, 21e on the starboard side, still fast, and I loosened that, and I was busy at that when I was washed into the sea, or slipped into the sea.

1564. I put it to you, that it would have been prudent to have loosed that boat before the ship was struck? - No.

1565. The advantage of these boats is, is it not, that they cannot sink? - That is one of the advantages, provided they are not injured in any way.

1566. I mean, if they slide automatically into the sea, provided they are not injured, they do not sink? - No.

1567. And they are available for people to get on to, like a kind of raft? - Yes, like a raft.

1568. When you were washed into the sea, that was just a moment before the ship disappeared, I think? - Yes.

1569. Did you yourself see three of these collapsible boats? - Yes.

1570. In what position were they? - One on top of the other.

1571. And I believe you, with others, got them separated? - That is so.

1572. And you went round and picked up a large number of people? - Yes. The boat I was in was badly damaged.

1573. How many did you pick up altogether? - I think it would be about 27.

1574. And then you were taken over by the "Indian Empire"? - No. There was a boat which asked me if I wanted assistance, and I told them No, to go ahead and see if they could pick up anybody who was worse off than us. Then I saw a boat in a sinking condition, and I hailed Mr. Jones, who was in charge of another boat, to take some women and children out of her, and when he came alongside he told us we all had better come into his boat.

1575. Was that the "Indian Empire"? - No, that was one of the ordinary lifeboats.

Examined by Mr. Rose Innes.

1576. I did not catch your official position? - I am the ship's carpenter. I am a shipwright by trade.

1577. Do I understand you to say that you examined the lifeboats before the ship started on her voyage from New York? - I did.

1578. Every one of them? - Every one of them.

1579. Were they lowered into the water? - No.

1580. How would you detect a leakage unless a boat was sunk into the water? - I could detect the leakage, or if there was anything the matter, by sounding the boat, by going round it.

1581. Did you go round these boats and sound them all? - I can see, from walking round the boat, or inside the boat, if there is anything the matter.

1582. Can you? - Yes, I can.

1583. Did you discover anything the matter with any of those boats? - Nothing whatever.

1584. Supposing one was launched after the accident and it began to leak, how would you account for the leakage? - Perhaps the plug might be out.

1585. The plug might be out, the bottom of the boat might be out, but how would you account for the leakage? - Providing the plug was in, if we had had a fine voyage and warm, there might be a certain shrinkage in the timber, but as soon as the boat got into the water it would take up and the boat would be tight. If we had a rough voyage the boats would be tight when they got into the water.

1586. Had you a strong sun before the 7th May? - Fairly strong.

1587. Were these boats covered with canvas or tarpaulin? - They were covered with a canvas cover.

1588. The sun would not reach their bottoms very easily, would it? - Yes.

1589. How? - It would depend on which way the sun was shining whether it would reach the side of the boat.

1590. But you do not imply that the sun in the early morning or evening is as strong as at mid-day, do you? - Oh no, certainly not.

1591. Do you seriously suggest that if one of these boats was found to be leaking, it might have been caused by the rays of the sun during the journey? - It might have been.

1592. Do you suggest it. You say there was boat drill on the 6th of May. Were you present at that? - I was.

1593. What was done? - We swung out the boats.

1594. Do you mean you swung the davits clear? - Yes, we swung the davits clear and had the boats ready to lower into the water.

1595. Were there any men in them? - No, it is not necessary to put men into them.

1596. You swung the davits out and swung the boats clear, did you? - Yes.

1597. Was anything else done? - No, that was all.

1598. How long did the boat drill last altogether? - I should say we finished at 6 o'clock.

1599. What time did you start? - At 5.30 every boat in the ship was manned. There were 22 ordinary lifeboats swung out.

1600. Did you superintend this drill, or did you see it take place? - I superintended the drill at Number 22 boat.

1601. You were not present, were you, at the 11 o'clock drill spoken of? - No.

Examined by Mr. Clem Edwards.

1602. Do you have a book of instructions from the company? - No, I have no book of instructions.

1603. Where are your duties defined as chief carpenter? - I am a shipwright and my duties take me from the keel to the truck.

1604. I am not asking you what they are, but I am asking where your duties as chief carpenter are defined? - I am the chief carpenter.

1605. That I understand. Have you no printed or written instructions which show the limits of your duties? - No.

1606. None at all? -

The Commissioner: Have you ever heard of such a book on these liners?

Mr. Clem Edwards: Yes, my Lord, we had one in the "Titanic" Inquiry.

The Commissioner: A book of instructions for the carpenter?

Mr. Clem Edwards: Instructions setting forth the particular duties of the different officers.

The Commissioner: There was a general book, I know; but was there any book specially directed to the carpenter?

1607. *Mr. Clem Edwards*: Not specially directed, but the carpenter's duties were defined in one part of the book as the duties of other officers were defined in other parts of the book. (*To the witness.*) But you have not had a book of instructions yourself? - No.

1608. And you have had no written or printed directions defining your duties? - No.

1609. What are your duties as chief carpenter in relation to the hull of the ship?

The Commissioner: I see, Mr. Edwards, on this book "Rules to be observed in the Company's service," the carpenter "shall examine the masts and the pumps, and report their condition to the officer of the watch. The carpenter shall deliver his monthly expenditure and requisition to the Marine Superintendent." As far as I know, those are the only directions in the book with reference to the carpenter, but I dare say you will agree that the carpenter has to do a great deal more than is mentioned in that book.

1610. *Mr. Clem Edwards*: I should have thought it would have been the shortest way if his duties had been set forth in writing, but I think I can get it from the witness. (*To the witness.*) In relation to the hull of the ship, what are your duties? - Well, I examine the hull if we are going to take in cargo, outside the engine department.

1611. It would become your duty, would it not, if any damage were done to the hull of the ship, to make an examination? - That is so.

1612. Is it any part of your duty to see whether the watertight doors are working properly? - All the hinged doors come under me, excepting the engine department.

1613. Then excluding the engine department, it is your duty to look after the watertight doors that are on hinges. Where were you at the time that the torpedo struck the ship? - I was just about the entrance to "P" section on the shelter deck; that is the "C" deck.

1614. As soon as you think damage might be done to the hull of the ship, is it your duty, without instruction from the captain or the officer on duty, to go and make an examination, or do you wait for instructions? - I never wait for instructions.

1615. You were aware that the torpedo had struck the ship, were you? - Well, I did not know what struck the ship, because I never saw it.

1616. You knew something had struck the ship? - I knew something had struck the ship.

1617. Did you at once start to see where the damage was, and the extent of it? - I meant to go forward to sound the ship, but I found that she was listing that quick that I thought I had better go to my boat station. Which I did.

1618. So that in fact you never did take any soundings? - No. Had I gone to take soundings I would not have been here to tell the tale.

1619. That may be. I only want to get to the fact. You did not attempt to take any soundings? - No.

1620. What time was there between the striking of the torpedo and the sinking of the ship? - about 20 minutes? - I could not say.

1621. Did you attempt to make any examination to see if any of the watertight doors were open? - I examined the doors on Thursday.

1622. I am not talking of the Thursday. I only want to get the fact. I am talking about whether you made any examination of watertight doors after the torpedo had struck the ship? - No.

1623. Then may I take it you concluded it was all up, and you skedaddled off to your boat station? - No, you are mistaken.

The Attorney-General: I do not think you ought to use the word "skedaddled" in an Inquiry of this nature.

Mr. Clem Edwards: It was a term which I thought had received a classical interpretation owing to its use by the learned Attorney-General, but I withdraw it and I use instead the words, you made all speed to your boat station? - I did.

1624. From the time you knew that a torpedo had struck the ship till the time you got to your boat station, how long was it? - About three minutes, as near as I can judge.

1625. Did you during those three minutes see the captain, or either of the officers? - No.

Examined by Mr. Donald Macmaster.

1626. Can you tell me how many boats altogether were launched from this ship? - I could not say.

1627. What was the total complement of boats? - 48.

1628. How many did you see launched yourself? - None.

The Attorney-General: I should like, while we are on this point of the collapsible boats, to recall the captain.

(The Witness withdrew.)

Captain William Thomas Turner, recalled.

(Further examined by the Attorney-General.)

1629. I want to ask you with reference to what they call collapsible boats - Is that the right name? - Yes, that is the right name.

1630. We know that they were on the deck fixed by skids? - Yes. The skids were all loose. The upper boats held the skids down.

1631. Then when the upper boats were swung out, the skids remained? - The skids remained, but that would not prevent the boat coming away.

1632. In addition to that were the boats on chocks? - Yes, chocks underneath.

1633. Were those chocks fixed into the deck? - No.

1634. Were they loose? - They were loose.

1635. It is suggested to me that is not so, but if you say so - ? - I think those chocks were loose, but I would not be sure.

1636. *The Commissioner:* Please answer according to your knowledge. You told that gentleman that they were loose? - Well, I think they were loose to allow the boats to slide across the deck.

1637. You think they were, but you do not know? - I am not sure.

The Commissioner: If they were not loose, how do you suggest they were fastened?

The Attorney-General: By bolts into the deck.

The Commissioner: Then there must be somebody who knows whether they were bolted to the deck.

1638. *The Attorney-General:* I have no doubt, my Lord. (*To the Witness.*) Did you remove the skids when you came into the danger zone? - No.

1639. Or did you take any steps to render it more easy for these collapsible boats to slide automatically into the water? - No.

1640. Ought not you to have done so? - I do not think so.

1641. Of course at the time you were anticipating there might be torpedoes? - We were.

1642. Did you consider the question of whether it would have been an advantage to the crew and passengers if these boats could readily get into the water? - Yes, I considered that question, but it would have been dangerous to loosen them, because they would slide across the deck if the ship listed.

1643. At all events, your evidence is that it would not have been right to do as I suggest? - I do not think so.

1644. As regards the boats that had the gripes, were the gripes loose? - No, they had slip links to them. It would be easy to unfasten them.

1645. I only want to know, were they loose? - I do not think so.

1646. Is there any practice on board of loosening and getting out these collapsible boats during the voyage? - Not generally. We have it occasionally.

1647. Did you have it at all during this voyage? - I do not think so.

1648. Did you provide during this voyage, which was a very special one, or had you any special practice for such a sudden matter arising as torpedoing [sic]? - None whatever further than using all precautions and giving special orders.

Mr. Clem Edward: My Lord, when Captain Turner was previously in the witness box, I had not had the advantage of looking at the questions which constitute the terms of reference. I should ask permission now to put one or two questions which are well within questions 14 and 15.

The Commissioner: Anyway it really does not matter whether they are within the questions or not - if you think it desirable to put them you must put them.

Mr. Clem Edwards: I am obliged to your Lordship.

Further Examined by Mr. Clem Edwards.

1649. After the torpedo had struck the ship, how soon did you make up your mind that she was going down? - About 10 minutes afterwards.

1650. For the first 10 minutes you thought she might float? - I did.

1651. During those 10 minutes did you take any steps to have soundings made in any part of the ship? - I told Captain Anderson to send word along to the carpenter to sound the ship at once.

1652. You heard what the carpenter has said; that he never took soundings and never got instructions to do so? - I think he was quite right in what he did.

1653. You heard what he said to me a moment or two ago? - I heard it and he was quite right.

1654. If it was dependent on the carpenter that soundings should be taken, it is perfectly clear that soundings were not taken? - That I would not like to say.

The Commissioner: Then I do not understand the question and I do not understand the answer. Will you put your question again. You began with "if" I think.

Mr. Clem Edwards: I say if it was based on his previous answer. If the taking of soundings was dependent on the carpenter, it is perfectly clear from the reply which the carpenter gave to me that in fact no soundings were taken.

Witness: That is right.

1655. And did you after giving those instructions to Captain Anderson see Captain Anderson again? - I did not see him again; he was busy with the boats.

1656. Did you give any instructions at all to see that the watertight doors were all closed? - I gave that order in the morning, and it was reported to me that the order had been carried out.

1657. After the torpedo had struck the ship did you give any order at all with regard to the watertight doors? - The watertight doors and stonelight [sic] doors were closed from the bridge immediately by Second Officer Heppert [sic].

1658. That was after the torpedo had struck? - When the torpedo was coming. He had strict orders to do that from me if he saw anything of the kind coming.

1659. Do all the watertight doors close automatically from the bridge? - No, only in the engine room.

1660. How are the other watertight doors closed? - By hand.

1661. Did you give any instructions that those which are closed by hand should be closed after the torpedo had struck the ship? - No, I did not. Orders were given in the morning to close all bulkhead doors as far as possible.

1662. If watertight doors can be closed by hand, watertight doors can be opened by hand, can they not? - Naturally, if they are not jammed.

1663. And they were ordered to be closed in the morning on the off-chance that something might happen? - That is right.

1664. Do not you think as the responsible officer of that ship, that when that something had happened there ought to have been definite instructions to go and see that all the watertight doors were closed? - Orders had been given before that if anything did happen to see that they were closed.

1665. But you do not know whether the officer carried them out? - I do not know, but I presume they were, from what Mr. Jones says.

Examined by Mr. Donald Macmaster.

1666. I want to ask you a question with regard to the number of boats on the deck. Since the report on the "Titanic" disaster, was the number of boats on the "Lusitania" greatly increased? - They were increased I understand.

1667. You have no doubt about it? - No.

1668. The added boats were put on the top deck in the main, were they not? - Yes.

1669. Do you think that any inconvenience arose, in connection with the launching of the boats, from the crowding of the boats on that deck? - None whatever. If we wanted to launch the lower boats we had only to run the tackles and get the first boat out first.

1670. In some cases the collapsible boats were placed underneath one of the ordinary boats? - Yes.

1671. And in that case you would have your top boat off first before launching the second? - Quite correct.

1672. *The Commissioner*: Do you think it has turned out to be an advantage that the number of boats has been increased since the "Titanic" inquiry? - I do not know that it has.

Examined by Mr. Thomas Priest.

1673. After you gave the first order for all persons to take to the boats, did you vary that order and say "all women and children out of the boats"? - No, I did not. I said, "All women and children in the boats first." That is all I said, and I never contradicted my order.

1674. You did not? - I did not.

(The Witness withdrew.)

Frederick O'Neil, Sworn.

Examined by Mr. Dunlop.

1675. Were you an able seaman and lamp trimmer on the "Lusitania"? - Yes.

1676. During the voyage from New York did you take part in boat drill? - Yes.

1677. At the time the "Lusitania" was struck where were you? - In the baggage room.

1678. Did you go on deck? - I was there with the boatswain's mate with 4 or 5 men of the watch, and I jumped into the lift and got upon deck.

1679. When you got up on deck did you notice anything in the water? - Yes, I saw what appeared to me to be a torpedo that had missed the ship going away from the starboard quarter.

1680. What did you see in the water which led you to form that opinion? - Well, the wash. I have seen torpedo work, and it was a torpedo that I saw going away from the ship. It just missed her by a few feet.

1681. And passed under the stern? - Yes.

1682. From what direction? - It must have been fired from the port side.

1683. From port to starboard? - From port to starboard.

1684. Have you been in the Royal Naval Reserve? - I have been in the Royal Navy.

1685. Have you any doubt at all that what you saw was a torpedo? - None whatever.

1686. Where was your boat station? - I was stationed at No. 14 boat.

1687. And that is on the port side? - That is on the port side.

1688. We know that the torpedoes that struck her, struck the "Lusitania" on the starboard side? - Yes.

1689. Is it your suggestion that there was a second submarine? - I never felt but the one shock.

1690. You felt a shock? - Yes.

1691. Was that a shock on the starboard side? - Yes, the ship bodily lifted.

1692. But later on, you say, you say what appeared to be a torpedo crossing under the stern from port to starboard? - Quite right.

1693. How long after the shock was it that you saw the torpedo which passed under the stern? - The time that it would take me to bring the lift up from the baggage room.

1694. How long would that be? - I suppose it would be about a minute.

1695. Do you know how your ship was heading when you saw the torpedo? - No.

1696. Whether she had headed towards the land or not you do not know? - I could not say.

The Commissioner: I think there is some mistake about this.

The Attorney-General: No, my Lord, the suggestion is that there was a second submarine that fired a torpedo that missed on the other side. He says he saw the torpedo pass under the stern.

The Commissioner: I know he does, but we have heard nothing about it yet.

Mr. Butler Aspinall: The Greek witness did mention something about it, my Lord.

The Commissioner: Yes, but there was a question about the ship having turned round. The impression I gathered was that the ship had turned round and that the torpedo probably came from the same submarine.

Mr. Butler Aspinall: No, my Lord; with respect, I did not gather that. What I gathered was this. *Here* is the "Lusitania," and your Lordship is sitting as it were on the coast of Ireland. She is struck on the starboard side. The Greek gentleman appreciated that and ran along the port side, and whilst running along the port side somewhere out on the port beam he saw what he thought the periscope of a submarine. During the period of time between the shock and the seeing by him of what he thought was the periscope, the ship had been turning, but she was turning in that way, under the starboard helm, so that that would not account for this submarine being found on that side (*describing*).

1697. *Mr. Dunlop: (To the Witness.)* Did you see the wake of the torpedo across your stern? - Yes.

1698. Have you any doubt at all that what you saw was a torpedo? - None whatever.

The Commissioner: I want to be clear. Was this the second explosion?

The Attorney-General: No, this one did not strike the ship, my Lord.

The Commissioner: There were two explosions from the starboard side?

The Attorney-General: Yes.

The Commissioner: And then another explosion?

The Attorney-General: The witness says this one did not strike the ship, but passed under the stern?

Witness: Yes.

1699. *Mr. Dunlop:* As I understand, the torpedo, you say, missed you by a few feet by passing under your stern? - Yes.

1700. Did you go to your boat station? - Yes, I had a job to get there. I could not get on the port side at all.

1701. On account of the list? - On account of the list and the people being on that side.

1702. Then did you go to a boat on the starboard side? - I went to the opposite number boat to the boat I belong to.

1703. Did you assist with the boats? - I helped clear one away.

1704. Did you succeed in filling a boat and lowering it and getting it safely away? - Yes.

1705. Did you go on one of the boats yourself? - Yes.

1706. And did you get safely away in your boat? - Yes.

1707. When you were in the water with your boat did you pick up other passengers who were in the water? - Yes.

1708. And were you afterwards picked up by a tug? - Yes.

Examined by Mr. Donald Macmaster.

1709. You say that the torpedo which you saw passed under the stern of the ship? - Yes.

1710. *The Commissioner:* What was your rating in the Royal Navy? - Second class petty officer, seaman gunner and torpedo.

1711. *Mr. Macmaster:* Do you mean it actually passed under the stern of the ship or astern of the ship? - It passed astern of the ship from port to starboard.

1712. You do not pretend to say it actually passed under the keel of the ship? - No.

(The Witness withdrew.)

Joseph Casey, Sworn.

Examined by the Solicitor-General.

1713. Were you a fireman on the "Lusitania"? - Yes.

1714. I think you made many voyages in her? - Yes.

1715. Were you formerly in the Naval Reserve? - Yes, for 15 years.

1716. And you have had instruction in the recognition of torpedo attack during that time? - We were given instructions how to recognize a torpedo when it was coming through the water,

1717. Do you remember about 2 o'clock on the 7th of May, the day the "Lusitania" was sunk? - Yes.

1718. Where were you? - On the starboard side between the after end of the engineers' quarters and the commencement of the second-class cabins.

1719. What happened? - There was another shipmate of mine and me looking at a passenger fixing a trunk up, and this shipmate says to me, "Joe, what's that?" I immediately looked to the forward end on the starboard side and I saw two white streaks approaching the ship; one seemed to be travelling quicker than the other. At the beginning I thought there was only one, but as they approached the ship they opened outwards and the after one seemed to strike the ship either forward or near the centre of No.2 funnel, and a white flash came and an explosion. There seemed to be two explosions but they were like together.

1720. Have you any doubt from your experience that there were two torpedoes you saw at this time? - No, no doubt at all, because there were two streaks.

1721. I need not ask you questions which have been dealt with by other witnesses, but was this the last torpedo you saw or not? - No.

1722. Tell the Court what you saw next? - When we were getting ready to go down the rope to go over the side aft, there was this streak of a third torpedo coming from a diagonal direction.

1723. On what side? - On the starboard side.

1724. From starboard to port? - It was fired from the forward end on the starboard side, not the same as the others in a straight line, but in a diagonal line.

1725. Did that strike the ship? - No.

(The Witness withdrew.)

Thomas Madden, Sworn.

Examined by Mr. Branson.

1726. Were you a fireman on board the "Lusitania"? - Yes.

1727. Were you in the No. 1 stokehold on the 12 to 4 watch on the day of this disaster? - Yes.

1728. Were you working at the centre boiler on the port side of the ship? - Yes.

1729. As you were working there did you hear an explosion? - Yes.

1730. Where did you think the explosion came from? - I thought it came from the forward end on the starboard side, from the forward side of the starboard boiler.

1731. Did water come into the boiler room? - Yes.

1732. How soon after you had heard the explosion? - About 2 or 3 minutes.

1733. Was it much water? - Well, I ran to the watertight door, that was shut down, and by the time I got back it was coming through the boilers. There would be about a foot and a half then.

1734. Then I think you got to the escape ladder and up the ventilator? - I got knocked down by the force of the water, but I got up and went up the escape ladder and got out on the deck.

1735. And fortunately you were rescued? - Yes.

(The Witness withdrew.)

Frederick Davis, Sworn.

Examined by the Solicitor-General.

1736. Is your name Frederick Davis? - Yes.

1787. Were you a trimmer on this vessel? - Yes.

1787a. On Friday the 7th May were you on the noon to 4 p.m. watch on No.1 boiler room in the centre on the starboard side? - Yes.

1788. At 10 minutes past 2 did you go into the forward bunker hatch, load up your barrow, and return up the amidships pass? - Yes.

1789. Where were you when you heard the explosion about a quarter past 2? - Just by the end of the pass of No.1, near the centre stokehold.

1740. That would be on the starboard side, would it not? - Yes.

1741. What happened? - There was loud bang, and there were objects blowing about, and the lights went out.

1742. Could you form an opinion as to where the explosion took place? - The bang seemed to come from the after end on the starboard side of No.1.

1743. No.1 what? - No. 1 stokehold. No.1 boiler.

1744. Could you tell whereabouts it was as regards the bunker hatches? - They seemed to shake.

(The witness withdrew.)

Mr. McDermott, sworn.

Examined by Mr. Dunlop.

1745. Were you a trimmer on the "Lusitania"? - Yes, but I was promoted fireman.

1746. At the time the "Lusitania" was struck were you in No.2 stokehold on the starboard side? - Yes.

1747. Can you say where it was the "Lusitania" was struck? - No, I cannot.

1748. Did you form any opinion at the time? - I think she was struck at the after end of No.2, between the two boilers. I ran to about three parts of the way between the boilers, when a rush of water met me, and knocked me off my feet and I was struggling in the water for two or three minutes.

1749. Which way was the water coming? - From the after part of the ship.

1750. Coming into No.2 stokehold? - Yes.

1751. Was it a big rush of water or not? - Yes.

Examined by Mr. Clem Edwards.

1752-3. I do not quite understand where you were? - On the starboard side on the after part.

1754. How far away were you from where you thought the explosion took place? - That I cannot say.

1765. Supposing the explosion took place between Nos. 2 and 3 funnels, how far away would you be? - About 40 yards.

1756. And you were 40 yards forward, were you? - Yes.

1757. Between you and the point of the explosion how many bulkheads would there be?

The Commissioner: But does he know where the explosion was?

1758. *Mr. Clem Edwards:* Assuming that the explosion took place between Nos. 2 and 3 funnels, he says that where he was would be about 40 yards forward. (*To the witness.*) Now, let us for a moment assume that the explosion did take place about 40 yards aft from where you were; what I want to get from you is this, how many bulkheads would there be between you and the point of the explosion? - One.

1759. How far would that bulkhead be from where you were? - About 30 feet.

1760. There was a watertight door in that bulkhead was there not? - Yes.

1761. Was that watertight door open or closed? - That I cannot say, as I had not time to get to the bulkhead because of the rush of the water.

1762. Now, you say the water came along? - Yes.

1763. And that water came from aft, did it? - Yes.

1764. Did it appear to come from the direction where the watertight door was? - No, from the side of the ship.

1765. .As far as you know, was there any damage done by the explosion forward of where you were? - No.

1766. No damage at all? - I only heard the one explosion.

1767. So far as you are aware did that explosion cause any damage further forward than you were? - That I cannot say.

1768. Did it knock you about at all? - No; it just shook me; that was all.

1769. How did you get further abaft? - I ran between the two boilers, between the centre and the starboard boilers.

1770. Then how did you get up? - The force of the water washed me out through the bottom of the ventilating shaft.

1771. How far forward from where you were when the explosion took place was the bulkhead forward? You said the one that was aft was about 30 feet away. How far was the one that was forward? - It was the aft part of No.2 section - the bulkhead you are speaking of.

1772. I am talking now of the bulkhead that was forward of where you were. How far away would that bulkhead be from you? - About the same distance.

1773. That is about 30 feet. Did you get near the bulkhead? - No, I did not get forward at all.

1774. And you cannot say whether the watertight door in that bulkhead was closed or not? - No.

(The witness withdrew.)

Miss Alice Lynes [sic], sworn.

Examined by the Solicitor-General.

1775. Is your name Alice Lynes [sic]? - Yes.

1776. And I think you were a nurse on board to the children of Major Warner Farrell [sic]? - Yes.

1777. Were you on the "E" deck of the "Lusitania" when the vessel was struck? - I was.

1778. What did you do with your two children? - I rushed for the baby and boy, and took them up on deck as quick as possible.

1779. Which deck? - "A" deck.

1780. Which side of the deck did you go to? - The port side.

1781. What happened to you then? - I had difficulty in standing. I was knocked towards the ship and had a hill to climb to get into the lifeboat.

1782. But you did it with the children, did you? - Yes, I had the baby in my arms and a little boy of five hanging to my skirt.

1783. And you got them into the boat still on the port side? - Yes.

1784. Did anyone help you? - The passengers on board. Two gentlemen helped me up the stairs. One left me to get a lifebelt for me, but I saw him no more, and another passenger helped me into the boat.

1785. Were there any sailors there? - I saw none.

1786. What happened next? - We went down to the boat quite easily until we got to the bottom and the water splashed up. It was rather difficult to get away.

1787. But you got away safely on the port side? - Yes.

1788. And you and both the children were all right? - Quite all right, except a few bruises.

1789. Do you remember the number of the boat? - I do not remember any.

The Solicitor-General: This is the only boat, so far as I know, my Lord, which got off from the port side.

(The witness withdrew.)

Mr. James Baker, sworn.

Examined by the Attorney-General.

The Attorney-General: This is one more passenger who desires to make a statement and I had then hoped that Mr. Thomas, a Member of Parliament, would be here, and then my Lord, I should close the case for the Board of Trade. Of course if any specific passenger desires to be heard -

The Commissioner: Of course, if anyone desires to say anything they call do so.

1790. *The Attorney-General:* *(To the Witness.)* You were a passenger on board the "Lusitania"? - I was.

1791. I think you started from Liverpool to New York, and you came back again on the return voyage on the 1st May? - Yes.

1792. Do you desire to make any statement about the crew? - I have made a statement.

1793. I only want to give you the opportunity if you have anything to say about the crew? - I see. I want to repeat that to me there appeared to be not a question of discipline but no competent men about.

1794. Does that apply to the whole time? - No, only applying to the lowering of the boats and the advice to the passengers as regards lifebelts.

1795. Let me take you a little into detail about that. When the ship was torpedoed did you notice an effort to lower one of the boats opposite to the main entrance? - I was in my cabin, and when I got up they were lowering - I could not tell you the number - the boats opposite the leading room on the port side. I remained on the port side the whole time. I think - I am sure it was opposite the reading room, and I saw that boat run away because the man at the bows could not hold the falls. At the stern the rope fouled and left the boat bows in the water, and at an angle of about 45 degrees.

1796. Was there an officer in her? - There was a young officer in the water when I looked over. I did not see the start of lowering the boat, but when I looked over to see what had happened, there was a young officer trying to climb into the bows. The stern post had been wrenched away from the sides, so that when the boat did get into the water she could not possibly keep afloat.

1797. At that time we know there was a very heavy list on? - I know there was a bit of a list. When I got on to the deck there was a greater list than later on. The ship appeared to me to gradually right herself, because when I got to the second boat we were able to shove the boat out and had got her clear when we got orders to clear the boats, all women to come out.

1798. That was the boat opposite the reading room, was it? - No, that boat had gone. I came next to the boat opposite the main entrance and we had filled that boat.

1799. Was that on the starboard or the port side? - On the port side. We had filled her with women and children and we were trying to shove her out, the list having brought the boat in. We stood on the collapsible boat and tried to shove her out, and while we were attempting to do it the list was so great that the number of men there at the time could not do it. We called for more men; we had not much purchase as we were standing on top of the collapsible boat, but finally we got steady and with one shove got her clear and lowered her a foot or so, when the order came "Stop lowering the boat. Clear the boat," and we got everyone out.

1800. Where did that order come from? - I believe from the staff captain from the bridge.

1801. That was Captain Anderson? - Yes.

1802. Did you know it was he who gave that order? - I will swear that it was he.

1803. Then did you help a number of ladies out of the boat? - I helped some ladies out of the boat.

1804. This was all on the port side? - This was all on the port side. Then I told them to go for their lifebelts.

1805. Did you see any other boats lowered or attempted to be lowered? - Yes, I came then to very nearly the smoke room and they were at work launching a boat there; but as there seemed to be plenty of men, I started on the collapsible boat and did not attempt to help with the third boat.

1806. What happened to that? - I heard it run away and collapse and smash up like a matchbox. May I say with regard to the second boat, while that was being lowered I came to the conclusion that there were not enough men in the boat to help shove her off the side as she ran down. I made it five men, but I will not swear to it.

1807. I think you loosed the grips of one of the collapsible boats? - When I saw the boats going down and they could not hold them, I realised that it was a question of moments. I looked round to see what was being done with the collapsible boats, and I could not see one being got ready nor the canvas tops taken off, so with a penknife I cut one clear and was working on a second when I saw the water coming.

1808. And the general purport of your evidence is that there was a want of general control and an absence of authority? - An absence of authority and of competent men at the falls.

Examined by Mr. Thomas Priest.

1809. Do you say you heard an order for the women and children to come out of the boats? - Yes.

1810. Did you hear the first order given by the captain? - No, I was not on deck at the time.

1811. Are you sure it was Captain Anderson who gave the order to clear the boats? - Yes.

1812. Did you hear any other order by Captain Anderson afterwards to take to the boats again? - No.

1813. Is it your opinion after what you have stated that if the people had remained in the boats they could have got clear? - My view was that I could not understand why we were stopped lowering the boats, at any rate lowering them empty down to the "C" deck, where they could have been filled easily.

1814. And you consider time was lost by negligence or incompetence? - I would not like to say negligence or incompetence. I think it was probably an optimistic view that the ship was going to float.

1815. Well, we will call it a mistake. Did you see any boats overturned when they were getting them out? - No.

Examined by Mr. Clem Edwards.

1816. At what time did you hear the instructions given that the people were to get out of the boats or that they were to stop lowering? - I should say it would be between ten and twelve minutes after the torpedo struck us.

1817. Whom did you hear give that instruction? - Captain Anderson.

1818. Did Captain Anderson express any opinion as to the ship floating? - Yes. He said: "She is not going to sink; there is no danger."

1819. Did you hear Captain Turner express that view? - No.

1820. Where was Captain Anderson when he expressed that view? - On the bridge on the port side.

1821. You do not know whether he had taken any soundings. You heard what Captain Turner said, that he gave instructions to Captain Anderson to take soundings? - I know nothing about that.

Examined by Mr. Butler Aspinall.

1822. You were a passenger you told us. What are you? - I am a director of a company trading in America, London and the near East.

1823. As you told us, during the time you have given your evidence about, you were on the port side? - Yes.

1824. The whole time? - Yes.

1825. *The Commissioner*: What is the business of your company? - Oriental carpets.

1826. Anything to do with shipping? - Nothing to do with shipping.

1827. *Mr. Butler Aspinall*: Were some of the passengers like yourself helping to get the boats out? - Yes.

1828. You and others were doing your best? - Yes. Unless there had been passengers we could not have put those boats out.

1829. You and some of the passengers were doing your best to get these boats out on the port side? - Yes.

1830. And you found the difficulties were such that you could not do it? - I personally felt that I could not go and help at the falls because I was not an authority and there was no one there asking me to go and help. I should have liked to help, but in shoving out the boat we were all called on to help.

1831. I am not complaining of what you did. Apparently what was happening with the boats on the port side was that you and certain other passengers were doing, your best to get those boats out? - I think so.

1832. And you found you could not succeed? - It was not our efforts that were not successful. I have a friend here, who has not been called, who was successful in helping to lower a boat and held the falls himself.

1833. On the port side? - On the port side, and the boat got down.

1834. At any rate whatever that other gentleman did, whilst you and others who were assisting, you were trying without success. Captain Anderson gave the order to stop lowering those boats. He saw what was happening I suppose when he gave the order? - My idea was that he felt the ship was not going to sink. He said so.

1835. That is your idea? - He said so.

(The Witness withdrew.)

The Attorney-General: Perhaps your Lordship will allow me to defer the examination of Mr. Thomas as he has not been able to get here. It will be very brief. Now, my Lord, I propose to read the questions.

The Commissioner: You have a copy of these questions, Mr. Edwards?

Mr. Clem Edwards: Yes, my Lord.

The Attorney-General: -

(1.) When the "Lusitania" left New York on the 1st May, 1915 - (a) What was the total number of passengers on board, and how many of them were women or children? (b) Were there any troops on board? (c) What was the total number of her crew and their respective ratings? (d) What cargo had she on board, and where was it stowed?

(2.) Did the "Lusitania" before leaving New York comply with the requirements of the Merchant Shipping acts, 1894 to 1906, and the Rules and Regulations made thereunder?

(3.) Were any instructions received by the master of the "Lusitania" from the owners or the Admiralty before or during the voyage from New York as to the navigation or management of the vessel on the voyage in question? Did the master carry out such instructions?

(4.) Were any messages sent or received by the "Lusitania" with reference to enemy submarines during the voyage?

(5.) What was the state of the weather and sea on the 7th May, 1915? Was the position, course, or speed of the "Lusitania" on that day in any way affected by the weather!

(6.) Were any submarines sighted from the "Lusitania" on or before the 7th May, 1915? If so, when and where was any submarine sighted, and what was the position, course and speed of the "Lusitania" at such time?

(7.) Was the "Lusitania" attacked by a submarine on the 7th May, 1915? If so, can the submarine be identified? Did the submarine display any, and if so, what flag? Was it a German submarine?

- (8.) When and how in what circumstances was the attack made by the submarine on the “Lusitania”?
- (9.) Before and at the time the “Lusitania” was attacked –
- (a) What was her position, course and speed?
 - (b) Was such position, course and speed proper in the circumstances?
 - (c) Was the master in charge of her?
 - (d) Had a proper lookout been set and was it being kept?
 - (e) What flag was the “Lusitania” flying?
- (10.) Before the submarine made the attack –
- (a) was any, and if so, what warning given to the “Lusitania” by the submarine of her presence or intention to attack, or was and, and if so, what signal given for communication made by the submarine to the “Lusitania”?
 - (b) Was any, and if so, what request made by the submarine to the “Lusitania” to stop?
 - (c) Was any, and if so, what opportunity given to any persons on board the “Lusitania” to leave her?
- (11.) Was any, and if so, what action taken by those on board the “Lusitania” before she was attacked –
- (1) To escape from the submarine?
 - (2) To resist visit or search?
 - (3) To avoid capture?
 - (4) Or otherwise in reference to the submarine?
- (12.) Was the “Lusitania” armed? If so, how was she armed?
- (13.) Was the “Lusitania” struck by one or more torpedoes? Where was she struck? What interval was there between the time the “Lusitania” sighted the submarine and the time she was struck?
- (14.) What was the effect on the “Lusitania” of being struck by the torpedo or torpedoes? Did any cargo or other thing on board the “Lusitania” explode or ignite or increase the damage caused by any torpedo? Did the “Lusitania” take any and what list? If so, what caused the list? How long after the “Lusitania” was struck did she sink and what caused her to sink?
- (15.) What means were taken on board the “Lusitania” after she was struck to save her or the lives of those on board of her? Were such measures reasonable and proper or otherwise? Was proper discipline maintained on board the “Lusitania” after she was struck?
- (16.) How many persons on board the “Lusitania” were saved and by what means, and how many were lost? What was the number of passengers, distinguishing between men and women and adults and children, who were saved? What was the number of the crew, discriminating their ratings and sexes, who were saved?

(17.) Was any loss of life due to any neglect by the master of the "Lusitania" to take proper precautions or give proper orders with regard to swinging out of the boats, or getting them ready for use, clearing away the portable skids from the pontoon decked lifeboats, releasing the gripes of such boats, closing of watertight bulkheads or portholes, or otherwise, before or after the "Lusitania" was attacked.

(18.) Were any other vessels in sight at the time the "Lusitania" was attacked or before she sank? If so, what vessels were they and what were their relative positions to the "Lusitania"? Did they render any, and, if so, what assistance to the "Lusitania" or any of her passengers or crew?

(19.) What was the cause of the loss of the "Lusitania"? What caused the loss of life?

(20.) Was the loss of the "Lusitania" and/or the loss of life caused by the wrongful act or default of the master of the "Lusitania" or does any blame attach to him for such loss.

(21.) Does any blame attach to the Owners of the S.S. "Lusitania"?

The Commissioner: Is there any question here which is not covered by the evidence?

The Attorney-General: I do not think so.

The Commissioner: I do not think there is. I suppose the Manifest tells us where the cargo was stowed?

The Attorney-General: That I am not sure of.

The Commissioner: A great many of these questions I think follow old forms, and I do not think it is in the least material?

The Attorney-General: I do not think it is, because there has been no allegation or suggestion that anything happened by reason of any part of the cargo being in any particular place.

The Commissioner: Has the question been asked - you dealt with it in your opening - as to whether there were any troops on board?

The Attorney-General: I asked the captain that.

The Commissioner: You did?

The Attorney-General: Yes.

The Commissioner: Then that is enough. Do we know what flag the "Lusitania" was flying?

The Attorney-General: He said they were not flying any flag, and of course the submarine was not seen. The only evidence was that someone thought they saw a periscope.

The Commissioner: Someone said he saw a periscope and another one said he saw part of a conning tower.

The Attorney-General: Yes.

Mr. Rose-Innes: With reference to Questions 3, 4 and 5, I have nothing to say, because, as your Lordship is aware, one does not know what evidence may be taken on that point requiring the Court to deal with it. With regard to the other Questions, I have some witnesses whose evidence I desire to be taken.

The Commissioner: By all means you had better call them at once.

Mr. Rose-Innes: I will first call Mr. Jenkins.

The Commissioner: Has this gentleman given his proof to the Solicitor to the Board of Trade. (*To Mr. Jenkins.*) Have you given your statement to the Board of Trade?

Mr. Jenkins: No, only to my solicitor. I do not know whether my solicitor has done so or not.

The Commissioner: Because it is rather inconvenient. The more regular course is for witnesses to give their statements to the Board of Trade. However, it does not matter.

The Attorney-General: Of course, I do not pretend to have examined all the passengers who gave statements. We have called a good many of them, as many of them as seemed to deal with specific points.

The Commissioner: But you have not had a statement from this gentleman?

The Attorney-General: Not that I know of.

Mr. Rose-Innes: I place myself entirely in your Lordship's hands, and the Attorney-General may examine the witness if your Lordship desires.

The Commissioner: Not at all. He is a gentleman you bring here and you had better examine him.

Mr. Rose-Innes: I think it is the other way. He brings me here; but it does not matter. It is a short proof and it seems to me to be relevant on some of the points.

Mr. Francis Bertram Jenkins, Sworn.

Examined by Mr. Rose-Innes.

1836. Were you a first class passenger on board the steamship "Lusitania"? - Yes.

1837. Did you go out by her, or were you only on her during the return voyage? - Only during the return voyage.

1838. At the time she was struck on the afternoon of the 7th May, were you at luncheon in the first class saloon? - I was.

1839. And with you was there a Mrs. Crichton? - Yes

1840. Who was unfortunately one of the drowned? - Yes.

1841. After the vessel was struck did you take her upstairs to one of the boats? - I did, and I assisted in taking another young lady up who was saved.

1842. On which side of the ship was the boat that you took them to? - We came out on the port side.

1843. Did you help her into a boat in which there were some other persons? - I did.

1844. Having got her into the boat what happened? - She was partly in the boat, I was standing with one foot on the deck of the "Lusitania" and one foot on the life-boat, when one of the ropes broke, or the sailors loosed their hold, and the thing collapsed and went into the water. I seemed to go down a long way, and when I came up I was under the boat. It was bottom upwards. Then I saw an open port hole about two feet above me, and I clutched it but could not hold on. Then I saw a rope hanging down, which I got hold of and some twenty others too [sic] hold of it. We seemed to be sinking and some could not swim. I let go and then I saw a champagne case which I swam to but let go, and then swam for an oar. Then I saw a long piece of wood some distance ahead of me, which I swam for and in an exhausted condition reached it.

1845. And ultimately I believe you were picked up? - Yes, I think I was picked up about 4 o'clock. I must have been unconscious some two hours. I was picked up by one of the lifeboats, in which were some 80 other passengers.

1846. With reference to the boat in which you placed Mrs. Crichton, was that a large boat or an ordinary sized boat? - It was one of the large lifeboats.

1847. With what capacity? - With some 50 or 60 I should think. As a matter of fact when I was handing her in there were seven women in it and two men getting the oars loose, and two sailors attempting to lower it.

1848. How many sailors did you observe lowering the boat? - One at each rope.

1849. No more? - No more.

1850. With reference to lifebelts, did you search about the deck for lifebelts? - Not on that particular day, but I had previously observed that no lifebelts were on the deck at all. I had spoken about it to several friends on board.

1851. Where were the lifebelts kept, as far as you saw? - In the cabins. There was one in my cabin, on the top of the wardrobe. It particularly struck my attention that no lifebelts were on the deck, under such critical conditions.

1852. *The Commissioner*: What do you think had become of them since the vessel left Liverpool? - I am not aware. I saw none on the deck. I saw lifebuoys.

1853. But do you mean to swear they were not there? - I cannot swear unless they were covered up. I saw none.

1854. *Mr. Rose-Innes*: Up to the time of the ship being struck by the torpedo you had been struck by their absence? - I had been.

1855. And mentioned it? - It struck me -

The Commissioner: What he says is that he did not see them. That I can quite believe; but that they were not there I do not believe. The Surveyor says they were there. They did not fly away.

Mr. Rose-Innes: Your Lordship has had evidence that they were on board before starting.

The Commissioner: What do you suggest became of them?

Mr. Rose-Innes: I can make no suggestion whatever, except to call the evidence and ask your Lordship to draw your own inference.

The Commissioner: Do you mean they were stolen. They could not have been eaten. What became of them? They were there when the ship left Liverpool and the carpenter says they were not taken off when the ship was at New York.

1856. *Mr. Rose-Innes*: I can offer no theory, my Lord. But there is the fact that this witness did not observe them. (To the Witness): Had you remarked on their absence to other people? - I had.

1857. *The Commissioner*: Did you speak to anybody in authority about them? - I did not do so.

1858. When you say you remarked it, you mean to say you talked to some other passengers? - I did.

1859. *Mr. Rose-Innes*: Had you, as far as you were concerned, seen any of the boat drill? - I had not. As a matter of fact, I think the lifeboat drill took place before I was up in the morning. I did not get up very early.

1860. Was there any lifebelt drill amongst the passengers? - None at all.

1861. Had you seen any instructions anywhere as to what should be done in case of emergency? - I had not.

1862. *The Commissioner*: Did you look to see whether there were any? - I looked in my cabin, because I was under the impression that in one boat I travelled in instructions were placed there as to where I should go in case of emergency; so I particularly looked in my cabin for them, and there were not any.

1863. Did you ask for any instructions? - Ask who, my Lord?

1864. Anybody. - No, I did not.

1865. *Mr. Rose-Innes*: But in fact there were none in your cabin? - There were no instructions in my cabin.

1866. Now did you notice anything with regard to the condition of some one or more of the lifeboats? - I did.

1867. I understand you to say you did observe something with regard to the condition of one or more of the lifeboats? - I noticed there was a hole in the bottom of the boat where apparently a bung should have been placed, but was not there.

1868. Was this before the boats were swung out? - Yes.

1869. Did you see anything wrong with any of the lifeboats after they were launched as far as you could observe? - No, I did not.

1870. *The Attorney-General*: The day before the ship was torpedoed when you say that there was a hole in one of the lifeboats did you draw the attention of the captain or of anyone else to that? - Not the day before the ship was torpedoed, it was the day previously to the boats being swung out.

1871. Did you draw the attention of the captain or anyone else to that? - No, it was not my duty and I did not do so. The boats had not been swung out by that time.

Examined by Mr. Butler Aspinall.

1872. Do you know whether the plugs are kept in those holes or not? - I do not know.

Examined by Mr. Scott.

1873. Did you know Mr. Alfred Vanderbilt? - Very well by sight.

1874. Did you see him at all after the vessel was struck? - No, I was under the impression he was in the ladies' saloon, but I do not remember seeing him there.

(The Witness withdrew.)

Mr. Robert W. Cairns, Sworn.

Examined by Mr. Rose-Innes.

1875. Were you also a first-class passenger on the "Lusitania"? - I was.

1876. You recollect the day she was struck by the torpedo? - Yes.

1877. Did you get into one of the lifeboats on the port side of the vessel? - I did.

1878. About how many other persons were there in that lifeboat? - I should imagine between forty and fifty.

1879. Was that boat successfully launched? - It was in a way, but when I got up on deck, as a matter of fact, there were very few of the crew about, there seemed to be only one at the bow and one at the stern of the boat, and they could not get the boat off. The boat was swung right on to the deck, and, of course, I went five or six paces back, and I told all the others on each side to push the boat right over, and we eventually got it over. I got all the women and children into the boat, and then a few gentlemen followed, and when we were lowered we got into the water but it tilted just a little up just before we got in, and two of the passengers fell out, but after the boat really reached the water she commenced to leak immediately.

1880. Were there any sailors in charge of the boat - any of the crew? - No sailors at all, none whatever.

1881. You tell us that as soon as she was launched, she began to leak. Did you yourself see the water coming in? - I did.

1882. And what did you and some of the other passengers do or attempt to do? - I had no hat on as a matter of fact, but the other gentlemen in the boat took their hats and baled the water out.

1883. How long did they continue to do that? - For about four or five minutes.

1884. And then what happened? - When I saw the boat was level with the sea, and everyone, of course, was expecting the boat to go down every minute; I am a very good swimmer, and I jumped out immediately, and I was followed by another passenger. I had been swimming for about a minute and a half, and I had turned round to look at the boat, and the boat had gone down, capsized, with the keel upwards. All had gone down with it with the exception of two or three who were hanging on to the keel.

1885. When you let down the lifeboat, how far up was the water with reference to the gunwale of the boat? - It was taking us right up to the knees, the sea was level with the water in the boat. We were all sitting right up to the knees in the boat, expecting the boat to go down every minute.

1886. Before you got into the lifeboat, had you made a search about the decks for lifebelts? - I had.

1887. Did you find any? - Not a single one.

Examined by Mr. Butler Aspinall.

1888. Did you see Mr. Jenkins at work whilst you were seeking to get into the boat, the last witness? - No.

1889. Apparently, what happened with regard to your boat was, that you and certain of the passengers were successful in getting her into the water? - Yes.

1890. No doubt it was a very difficult task? - As a matter of fact had it not been for the passengers that boat would never have been in the water at all; it was entirely owing to the passengers. I am pretty strong and I got right into the centre, and I went back five or six paces, and I said to the others, "The moment I rush the boat to the centre, push like wild" and we were just able to get the boat over, and then I got all the women and children into the boat. I said "women and children must go into the boat first and men afterwards."

1891. And you carried out your object? - Yes, all the women and children got in first.

1892. And I daresay it is highly probable that owing to what I may call this fight which had to be fought in order to get the boat outboard, as the boat went down there must have been a good deal of damage done to her? - No, I do not see how she could possibly have got any damage at all because she was leaking from the bottom. Immediately she touched the water she commenced to leak, and it was impossible. There were five or six gentlemen trying to bale her out with their hats.

1893. *The Commissioner*: What is your profession? - An American director of an American brewery.

1894. Of what? - An Anglo-American brewery director. I am a director of six companies.

1895. When the boat got over the side, the boat that you were engaged in launching, did she touch the side of the "Lusitania" while she was being launched? - It appeared to me that the boat kept fairly clear of the side of the "Lusitania." I could not swear whether she actually touched the side or not.

1896. It is difficult to understand how she could have been lowered into the water on the port side without touching the side of the ship? - I am not certain, but I could not answer that question.

1897. *Mr. Butler Aspinall*: That is what I had in my mind. I mean to say what was happening was this. Assume this to be the ship, the ship had got a list to starboard, had she not? - Yes, a little at that time.

1898. And you and the gentlemen who were dealing with that boat found that the boat had swung inboard by reason of the list? - Yes.

1899. That is so? - Yes, that was the difficulty we had in getting her out.

1900. Then you, exercising all the strength you could, succeeded with force in pushing her over and outboard? - That is so.

1901. Then having got her as far as that, I think I am right in saying, am I not, that from the position where she then was to the water, was what - somewhere about fifty to sixty feet, I am told, down, and while she is going down, unless you keep her free of the side of the ship, she would be seeking to get back to a vertical position, would she not, and touching and bumping against the side of the ship as she gets lower and lower and at last reaches the water? - I do not remember her bumping against the ship; she got fairly well to the water, but the trouble was when she got into the water. She commenced to leak immediately, and there were five or six gentlemen with their hats doing their very utmost to bale her out, and just in a few moments she was right full of water level to the sea.

1902. I am not complaining for a moment, I only want to get, if I can, what probably did happen to this boat. I have no doubt that at the moment your hands were full doing what you were doing - you were taking an active part in saving these women and children as you have told us, very properly, but as to what was happening to the boat as between the boat and the side of the ship, it is really impossible for you to speak with any certainty is it not? - Yes, it is in a way, but I can only say this, that there was no kind of knocking about the boat while it was being lowered into the water. I should have remembered that; there was nothing of that sort.

1903. Of course, if it was bumping against the side of the ship in view of the fact that before it gets to the water, it is not water-borne, and she had how many people in her? - I should say just over 40 people in her.

1904. A fairly heavy load? - A fairly heavy load; I have been informed that the boats hold about 60 people altogether, so that in a way of course it was not a heavy load.

1905. In view of the load it was carrying if it was bumping against the side of the ship it is highly probable that it might sustain damage, is it not? - I am quite sure that it did not bump against the ship; I

will not admit that she did bump against the ship. The trouble of that boat was that when she reached the water she leaked immediately until she filled full of water.

1906. *The Commissioner*: Mr. Aspinall wants to know what happened to her before she reached the water? - There was no undue bumping, that was perfectly impossible. I would have remembered that - no undue bumping whatever; in fact, she went down very smoothly indeed.

Re-examined by Mr. Rose-Innes.

1907. Were you in the boat while she was being lowered? - I was.

1908. Was there as far as you know any bumping against the side of the ship sufficient to account for the straining of the timbers? - No, there was not.

1909. Nothing of the sort? - No, nothing that I can remember; I would have remembered that.

1910. She reached the water in safety? - Yes, she reached the water in safety.

1911. And then began to fill? - Yes, she then began to fill immediately and in a few minutes was level with the sea, and all the passengers on board.

(The Witness withdrew.)

Miss Eveline Wild [sic], Sworn.

Examined by Mr. Rose-Innes.

1912. I believe your name is Eveline Wild [sic]? - Yes.

1913. Were you a second class passenger on board the "Lusitania"? - Yes.

1914. At the time she was struck by the torpedo were you having lunch with your sister in the dining saloon? - Yes, I was.

1915. There was a rush, was there not, by a number of people to get up the main staircase to the deck? - Yes, I should think about 200 people went up.

1916. And did you reach the deck by going up the back stairs, which led to the deck? - Yes, we hesitated in our seats about three minutes, and by that time the crowd had got on to the stairs, and my sister said: "Eveline [sic], keep quiet; we will go the back way."

1917. And then you went up the staircase and reached the deck? - Yes. We reached the "C" deck then, and then we joined the main staircase again; and a few of the people had struggled from the main staircase and joined us on these stairs, but not very many.

1918. When you reached the open deck were you on the port or the starboard side? - We went to the side nearest the water.

1919. That we know was the starboard side? - Yes.

1920. Did you there find a lifeboat which was covered? - Yes, we did.

1921. How was it covered? - It was covered just like they always are, in a perfectly ordinary way; it was covered right over with canvas.

1922. Was that boat on the starboard side swung out over the water or was it not? - No, it was on the deck.

1923. Did you see any member of the crew attempting to handle that boat? - There was no one on our side or the boat at the time I and my sister were there.

1924. What did you and your sister then do? - My sister said: "It is no use standing here; we shall not get any help here," so we immediately rushed along the second class deck through the gate and on to the first class deck, still keeping on the side that was nearest the water, and there I clung on to the rail, and my sister rolled the full length of the deck, and I was still wondering how to pick her up, and a member of the crew picked her up, and said: "Oh, I will help you," and he helped her into the boat.

1925. And did you and she both get into the same boat? - Yes.

1926. Now I think you were both there with some of the stewards of the ship, were you not? - Yes, stewards, and we had a few sailors.

1927. When you got into the boat, did they seem to understand the handling of it? - Yes, very well.

1928. Just tell us what they did? - They kept waiting for other people, to see if they could get anyone else off the ship, and then when it was time to be lowered, there seemed to be a difficulty in lowering the boat; there did not seem anyone to do it to begin with, and after a while two men on deck, I think they were firemen, steadied the ropes, and one of the ropes worked and the other did not work, and eventually it was cut by one of the passengers, a first class passenger.

1929. That boat reached the water and it was quite a sound boat, was it not? - Yes, it was.

1930. Now just one more question - Had you looked about to see if you could find any lifebelts? - We had no lifebelts until we were in the lifeboat, and then one of the passengers handed me one. But my sister had none.

1931. Were you the only one that had a lifebelt? - Yes.

1932. Had you seen any about on the deck? - No, I had not.

Mr. Butler Aspinall: No question.

(The Witness withdrew.)

The Commissioner: Now are there any other witnesses, or does anyone desire to call any more witnesses. Do you, Mr. Edwards?

Mr. Clem Edwards: I do not desire to call any witnesses, my Lord.

The Commissioner: Is there anyone else who desires to call any witnesses?

Mr. Priest: I understand that Mr. H. B. Lasseter, whom I represent, has made a statement, to the Solicitor to the Board of Trade.

The Commissioner: Do you want to call him?

Mr. Priest: Yes, I should like to call him, my Lord.

The Commissioner: Then you had better call him.

The Attorney-General: I do not think we have a statement from him - Yes, we have a statement from Mr. Frederick Lasseter.

The Commissioner: Is the gentleman here; because, if so, you had better call him.

Mr. Priest: I understand Mrs. Lasseter's son has made a statement and Mrs. Lasseter herself wishes to give evidence.

The Commissioner: If you want to call her, by all means call her.

Mrs. Elizabeth Lasseter, Sworn.

Examined by Mr. Thomas Priest.

1933. You were a first-class passenger on board the "Lusitania"? - I was.

1934. With your son, Lieutenant Lasseter? - Yes, with my son.

1935. You heard the first order given by the Captain as he stated, "Women and children in the boats first"? - I did.

1936. Did you get into the boat in consequence of that first order? - My son and another gentleman helped me into the boat.

1937. Who was the other gentleman? - Mr. Harold Bolton.

1938. Were there any other ladies with you in the boat? - I cannot remember if there were very many other ladies - there were some.

1939. Was the boat filled in consequence of that order? - It was not very full; it was fairly full. I do not know how many people. I should say there were about 30 of us.

1940. Did you hear any order given after you were in the boat? - Quite distinctly I heard the order. We were in the first boat on the port side next to the captain's bridge; I do not know what the number of the boat was.

1941. What order did you hear given? - I heard him first give the order (he was on the bridge at the time): "All women and children into boats," and it was because of that order that we got into the boat, and directly I got into the boat I heard the order: All women and children out of boats."

1942. What happened then? - My son got me out of the boat.

1943. And all the others as well? - All the others got out of the boat.

1944. What happened to you then? - I then asked my son what he thought was the best thing to do, and I also spoke to Captain Stackhouse who was standing by us, and he did not answer. My son saw she was sinking very quickly and I think we were the last to leave the ship, and he and Mr. Bolton and I clasping hands, jumped into the water.

1945. Are you quite sure it was the Captain who gave the order to get out of the boats? - I am quite sure it was the Captain standing on the bridge who gave that order. I was the first next to the bridge when I heard it. We three were standing there together, and when we jumped, we were the only three left there.

1946. Do you know Captain Anderson by sight? - I do not know him by sight.

1947. Did you hear any further order given by anybody? - No. I heard no third order, and I asked my son after we had got into the boat, and when we had got out of the boat, "what shall we do?" because we were then not given any order.

1948. Is it your opinion that had you been lowered into the boat into which you got first, by the Captain's order, that lifeboat and those on board of it would have been saved? - That I cannot say, but I should think so; I do not know if there were any other boats that were lowered on that side.

1949. Do you know, as a matter of fact, that any of the people who were in the boat which you got into in consequence of the first order were drowned? - That I cannot say, because directly we got out of the boat -

The Commissioner: You seem to be asking questions about which you know nothing.

Mr. Priest: I beg your Lordship's pardon, I did not ask her any such questions.

The Commissioner: You are asking them now, the lady does not know. You must not call witnesses here to tell me what they do not know, if so I shall be here for ever. I want them to tell me what they do know.

Examined by Mr. Rose-Innes.

1950. Did you happen to see the boat that was launched on the port side which sank almost directly it got into the water? - I happened to see something happen to a boat, but everything was in such confusion I cannot speak to anything I saw beyond that which I did see.

Examined by Mr. Butler Aspinall.

1951. I have got here what is called a proof amongst lawyers, a statement made by Mr. Frederick Lasseter. Is he your son? - Yes.

1952. *The Commissioner:* What happened to him? - He was with me all the time, and we jumped together with Mr. Harold Bolton.

1953. *Mr. Butler Aspinall:* Is he here? - He is in York with his regiment, but he is willing to come.

1954. We have a statement from him here? - Yes, and he is willing to come if necessary.

1955. You were with him during those trying times? - I was not with him when we were struck. but I joined him about seven minutes afterwards where we had arranged to meet in case we were torpedoed, and we met there.

1956. Was the order which came from the bridge this: "Lower no boats"? - The first order I heard was "All women and children into boats," and the second order I heard which was about five minutes afterwards and after I had got into the boat was "All women and children out of the boats," get out of the boats, and I heard that three or four times.

1957. Did you hear the order “Lower no boats”? - I did not hear that order.

1958. Was your son standing by you at the time? - We were all three standing on the deck more or less together.

1959. *The Commissioner*: Have you read your son's proof? - No, I have not. I was very ill after the wreck and I have not seen or spoken to my son at all about it. I have been too ill to do so.

1960. *Mr. Butler Aspinall*: There is no suggestion that you are not doing your very best to give us your recollection of what happened, but may I read to you what your son had told us? - I should like you to read it.

1961. I will not read the early part because it is immaterial, but he goes on thus: “The order was given from the bridge to lower the boats to the level of the boat deck. This was done with some difficulty with the boat opposite us as it had jammed owing to the list. The boat's crew, however, managed their work though no officer was present to take charge. I gave my lifebelt to a woman, and returned to the cabin for another. I came back, passing through the captain's cabin, where I saw the staff captain, who told me to tell everyone to lower no boats.”

The Commissioner: That is Captain Anderson.

1962. *Mr. Butler Aspinall*: Yes. “The order to lower no boat was also given from the bridge;” (*To the Witness*.) Apparently you did not hear that? - I did not.

1963. You missed that if it was given? - Yes.

1964. Then it goes on thus: “Finding the ship sinking by the bow I jumped in with my mother, and after three hours we were picked up by the ship's boat of the “Katrina,” a Greek cargo steamer; we owed our lives to clinging to a square box about 4 feet 6 inches as there was no room in the half sinking lifeboats near us. A great many people, especially ladies, on being reassured from the bridge went into the lounge on the boat deck just before the ship sank. I have nothing but the highest praise for the crew, especially the stewards. My mother, who was in the dining saloon at the time of the accident, would have been unable to get upstairs had it not been for the help she and other passengers received from the dining room stewards and cabin room stewardess. I heard but one explosion. The ship was still making perceptible headway when she sank about 1½ knots and sank slowly.” Then after that your son deals with the “Katrina”? - It was a stewardess that helped me on with my life3belt.

1965. In substance do you agree with the statement I have read to you? - I do agree with it.

(The Witness withdrew.)

The Commissioner: Now is there any other witness? Do you want to call any other witness, Mr. Priest?

Mr. Priest: No, my Lord.

The Commissioner: Is there any other witness who desires to come?

Mr. Timmis: I should like to be examined, my Lord.

The Commissioner: Very well, come along.

Mr. Robert J. Timmis, Sworn.

1966. *The Commissioner:* You have given a proof, have you not? - I have given a statement to the Board of Trade representative in Liverpool.

The Attorney-General: I have not got any proof of this gentleman. There is a declaration, not a proof.

The Commissioner: Have you read it?

The Attorney-General: I have not, my Lord. It is not in the proofs that were given to me.

The Commissioner: Do any of you desire to examine the gentleman, because if not, we will take his statement.

The Attorney-General: I understand what happened about it was that yesterday evening when the passengers' evidence was being considered, the Solicitor-General read the proof and thought it added nothing to the evidence already given, and that is why we did not call this gentleman.

1967. *The Commissioner (To the Witness):* Now make your statement? - I want to say it is no use my reciting what I have already put in my proof.

1967A. *The Commissioner:* Oh, yes, you had better do so; I have not heard it. - I was in the dining room on D deck at the time of the explosion, at the time the ship was torpedoed, at 10 minutes past 2, Greenwich time. I noticed in the evidence so far called, my Lord, there has been no question as to what time was referred to, as to whether it was Irish time or Greenwich time or ship's time. This was 10 minutes past 2, Greenwich time, according to the information I got from the smoke room steward, who told me at 12 o'clock that day that the ship's clock had been set to London time or Greenwich time, and I set my watch. I was sitting at the table at 2 just finishing my lunch when the torpedo struck the boat. I and my friend, Mr. Ralph Moody, realised immediately what it was, and he said to me "They have got us"; I said, "Yes, we had better go to the boat deck." We were about 20 feet aft of the door leading to the main stairway, the main companion way; we started for there. There was no panic in the saloon, there were not many people in it. It was then an hour and ten minutes after lunch had been started, and the steward came forward through the saloon crying "Steady, gentlemen, steady." We got to the door and repeated that, and passed everybody, I think, out through that door into the main companion way. When the room was emptied, Mr. Moody and I turned to go up the staircase to deck. A. We found, almost immediately after

the torpedoing, that there was a perceptible list on the boat. That list, at the time we started up the stairway, which was probably under two minutes after the torpedo had struck her, was quite a list; it might be referred to as a big list, and as we went up the stairway I came next to a lady who was having some difficulty in making her way up, and I took her by the arm and helped her. I noticed that Mr. Moody did the same with another lady, and we so made our way up to A deck. The last flight leading on to A deck I carried my lady up on my hip hanging on to the balustrades with my left hand. That was necessary because the list was so great. I then told her to go to the low side of the ship; she said "Oh, no"; she seemed to want to go to the high side.

1968. *The Commissioner*: I do not think we want the conversation with the lady. Tell us what took place? - I then went to my room on A deck and put my belt on. There had been two belts in my room during the trip. I was the sole occupant of the room, and when I went in there to get my belt, there was only one. I put it on and went out on the port side forward of amidships. Where was a man I noticed, they were lowering the boat and the falls of this boat came across the deck. The first after leaving the pulleys, and he had three turns round the davit pins.

1969. Was this boat on the port side? - Yes, and the rope came through the davit across the deck, that is the rope lay on the deck and then was carried on to the roof of a deckhouse, the funnel deck, and was there coiled, and this man was crying to the passengers to keep clear of the rope, so I went to the rope and paid the rope out off this deckhouse. I stood inboard, and I cried to the passengers to keep clear of the rope, because if it got out of control it would kill them. We managed to keep them clear of the rope. The rope did get out of control, and it went through the pulleys so fast, that those laps round the davit pin, that the rope smoked. I should think 60 or 70 feet of it paid out in that way, and I was thrown to the deck. I tried to hold on to this rope thinking my weight would stop it, but I was thrown down to the deck. I let go before I connected with the davit pin; I jumped up and looked over the rail expecting to see the boat wrecked, and to my astonishment she was on an even keel in the water with about 60 people in her, and evidently in good condition.

1970. She had been going down with 60 people in her? - Yes. I should state here that I did not see the boat as she started. She was already below the rail before I got hold of the fall - that is the rope to lower her by. I noticed that the boat afterwards was sunk, her nose was showing above the water, and I think she was fast by the forward fall. I saw about 15 people with lifebelts on, evidently her passengers, swimming in the water. There was a little weigh on the "Lusitania" at that time, but not very much, because I noticed that these people who had been cast out of this boat after the one I had helped to lower were not losing headway much. Soon after that time, stewards came through the crowd, saying, "Everybody out of the boats; the ship is safe." I concluded that that order came from the bridge; I do not know that it did, but I concluded and still presume it did come from the bridge, and people got out of the boats. Whether they all got out or not I cannot say. I was surrounded about this time by a great crowd of steerage passengers, some Russians and other foreigners. I tried to reassure them; I could not talk to them, but I put up my hand and nodded my head and said, "All right, all right," and they seemed to understand that, and one of them kissed my hand, the first time I had ever had my hand kissed. Then the ship righted herself very much.

1971. Do you say she got on an even keel? - Almost, my Lord. Perhaps I am not justified in saying almost on an even keel, but she had come from an angle of about that to about that (*describing*). I might state that I was on my feet from the moment she was struck by the torpedo, and I never found any difficulty in standing on her deck excepting at the time I was helping that lady up the stairway. As the ship righted herself, Mr. Moody, who was about 6 feet from me on my right said to me: "How about it, old man?" and I shook my head at him. My idea was that the ship was then gone, that the water had come over her longitudinal bulkheads, and that is why she righted herself. I did not want the steerage passengers round me to imbibe that idea though, but that was my idea then. They brought a woman to me in about a minute -

1972. Does it matter, about their bringing a woman to you? - No, I do not think it does.

1973. Then do not tell us about it. - All right, excepting that she had not a lifebelt, my Lord.

1974. Cannot you get to the end of this story? - Yes, the ship then sank, and I sank with her, and I was in the water I should think about two hours, and I was then picked up by a collapsible boat in a damaged condition; and after an hour in that boat I was put upon a lifeboat in a proper condition in charge of the first officer, who landed me at about 6.30 on a trawler, the "Indian Empire," and I eventually got to Queenstown at 10.30, I think.

1975. That is the end of it? - Yes.

The Commissioner: Does anyone want to ask this gentleman any question?

No answer.

(The Witness withdrew.)

The Commissioner: Is there any other witness?

No answer.

The Commissioner: Then as far as you are concerned, Sir Edward, the evidence is closed subject to Mr. Thompson coming, and we will rise now until half-past-two.

After a short adjournment.

The Solicitor-General: My Lord, Mr. Thomas is here and as the Attorney-General indicated his wish that his evidence should be given to the Court, I propose shortly to take him.

The Commissioner: Very well.

Mr. David Alfred Thomas, Sworn.

Examined by the Solicitor-General.

1976. You are a member of the Advisory Committee to the Intelligence Department of the Board of Trade? - I am.

1977. And you have, I think, been a Member of the House of Commons for 23 years? - I was. I am not now.

1978. You were a first class passenger on board the "Lusitania" travelling with your daughter, Lady Mackworth, and your private secretary, Mr. Rees Evans? - Yes.

1979. Your berths were on B deck? - Yes.

1980. I think you read in the "New York Times," after getting on board the "Lusitania," certain warnings of the German Embassy at Washington and a reply by a representative of the Cunard Company in New York of a reassuring nature? - I did. I have the paper here now.

1981. And I think you received the exact terms of the assurance in reply to the cable? - I did.

1982. Now I come to the explosion. You were, I think, leaving the luncheon room with your daughter and you had just reached the lift when you heard a noise? - That is so.

1983. I think you were in no doubt that it was such, that it was either a torpedo or a mine? - Quite so.

1984. And will you tell me what you did when you heard this noise? - I went straight upon the boat deck to see what had happened, and looked round. I was under the impression then that the boat would certainly not sink for some time, whatever had happened, and there was a list on the boat at once. I had not my belt, and I saw, although the word was passed round I think officially that there was no immediate danger, so I tried to get, down to my cabin which was on the B deck on the port side - there were a number of people about and I did not succeed in doing that, so I came on to the A deck again and my secretary, who was on one side of me said, "You have not got a belt, would you not like to have one?" and I said, "Certainly, I should," and I went with him to the cabin and put it on, but it seemed rather an unsatisfactory affair; so I thought I would make another try and get down to my cabin and I succeeded in getting a belt.

1985. And then you went up to A deck again? - Yes.

1986. And by that time there was a very strong list on the boat, and you formed the view, I think, that she was rapidly sinking? - Yes, there was a very considerable list; it was only 2 or 3 minutes before she sank.

1987. Could you get to the port side? - No, I went down on the starboard side just opposite the Grand Central Staircase. And there was a boat there which I estimated to be about three parts full, and there were a couple of women and a small boy on the deck. The A deck then was level with the water, and this boat which was attached to the davits in the ropes at the side, one woman and the boy jumped into and the other woman got rather hysterical, and was too hysterical to enter it, and I rather forcibly helped her into the boat, there was nobody about, and I got in myself.

1988. I think you looked for your daughter and lost sight of her? - Yes, she looked for me and I looked for her.

1989. You never saw her after you went down for your belt? - No.

1990. Then the boat got clear, and how far were you away from the "Lusitania" when she sank? - I do not think we were more than 10 or 12 feet.

1991. Was there much suction that you could see? - No, not at all, and that is what I was surprised at.

1992. Then you went towards the coast, and I think you saw a little sailing smack which took you up? - Yes.

1993. And when you were on the smack, did you take up two more loads of people, making about 150 on board? - I estimated it at that, and we took two more in, too.

1994. Now I want to ask you about the crew of the "Lusitania"; first of all, were you able to form an opinion as to the demeanour and behaviour of the officers? - Well, I really saw very few officers. I am not prepared to swear that I saw an officer at all, but my impression was that the officers behaved very well, and certainly the stewards and stewardesses behaved exceedingly well and heroically, I should say, and the second and third class passengers behaved exceedingly well. There was no panic at all amongst them, but afterwards it became very panicky, and the third class passengers crowded up on to the boat deck.

1995. Everybody has told us that the stewards and stewardesses behaved extremely well, and you will agree with that? - Quite.

1996. Now, I want to ask you, is there any other observation (you are a man of considerable experience) that you would like to make to the Court, either in general or in particular? - No. My first impression was that there was very little discipline or organization at all, but thinking it over again, and bearing in mind that this list occurred very soon after the boat was struck, - I was perhaps out of temper at the time, and am now rather prepared to modify that view, but speaking here I would say that there was no kind of organization, but there was certainly panic five or ten minutes after the boat was struck, and I do not think the order of the captain, "women and children first," was obeyed by a very large number of the crew.

1997. Do you mean that they themselves went into the boats? - They looked after themselves first - they took care to save themselves first - in fact I met two or three of them afterwards, and they were boasting about it at Queenstown.

1998. Is that what you base your opinion upon, namely on what they said at Queenstown, or what you actually observed for yourself during the intensity of the crisis? - I know at the time the first boat sank - it is not direct evidence - there were very few women and children in the boat that I got into. The first boat on the port side was let down so badly that the whole of the passengers and crew that were in it fell into the water - there were very few women in that.

1999. I want to get your own personal observation of the boat in which you were and in which you say there were not many women and children. Were any women or children excluded from the boat? - No.

2000. So that although you have made the criticism that there were not many women and children in that boat, you are not able to tell us that a single woman or child was excluded from the boat? - No, that is quite a fair comment.

2001. That is all I want from you. Now add anything you wish. - I was going to say that of course the Court can ascertain for themselves probably the figures of those saved, the different classes, women and children, and the first, second, and third class passengers and crew. With regard to the first boat, I was told by a number of people in the first boat that it was let down more rapidly than the others, that was on the port side, and the whole of those in the boat were plunged into the water, and my daughter, who was close by me, told me that there were very few in that boat and that there were not more than half a dozen children in that boat.

2002. Is that all you wish to say? - That is all upon that point.

Mr. Butler Aspinall: You and your daughter were luckily saved.

Examined by Mr. Wickham.

2003. In what condition was the board that you saw the women turned out of? - I say I did not see it, my daughter told me that.

2004. You did not see the boat at all? - No. There were very few boats launched on the port side at all.

Examined by Mr. Butler Aspinall.

2005. You remember after you got into the boat and were being rowed towards the coast? - Yes.

2006. Did you at the time form the opinion that the coast was about 15 miles away? - I did; I formed the impression and I thought I asked Captain Bell, the master of the smack, and he indicated, I thought, that we were farther away, but thinking it over afterwards I came to the conclusion that we could hardly have been 15 miles from Kinsale Lighthouse, and I wrote to him again and I have his letter here in which he

says as far as he can guess she was 10 miles S.S.W. of the Old Head of Kinsale. It was a very, very clear day and the sun was shining very brightly; there was not a cloud in the sky.

2007. Now I just want to ask you what you told the Solicitor to the Board of Trade; you made a very full statement, did you not? - As full as I could.

2008. I am not complaining. Did you say this to the Solicitor to the Board of Trade: "We rowed towards the coast which appeared to be about 15 miles away and was plainly visible." Is that right? - Yes, I thought the Old Head of Kinsale was very visible indeed, shining out right in the sun.

2009. Afterwards did you say this: "We reached Queenstown safely." Everything was done for us on board the tug, and on board the smack too. I asked the captain of the sailing smack how far we were off Kinsale Lighthouse, and suggested we were 15 miles away from Kinsale. He said, "You are further than that, because our fishing limit is 18 or 19 miles and you are outside that?" - Quite - that is what I referred to just now, and I think he must have misunderstood my question, and that is why I wrote to him again.

2010. His answer seems to be, you know, very much to the point. He said, } You are farther than that, because our fishing limit is 18 or 19 miles, and you are outside that?" - I have tried to explain that that is my recollection of what he told me at the time but thinking it over afterwards, I do not think we could possibly have been so far from the Old Head of Kinsale as that, so I wrote to him asking him for his opinion, without expressing my opinion myself, and asked him "How far do you think we were from the Old Head of Kinsale?" and he said "Ten miles S.S.W."

2011. The answer he made at the time was, "You are further than that, because our fishing limit is 18 or 19 miles, and you are outside that?" - Yes, but I think the 18 or 19 miles may not have been from the Old Head of Kinsale, it may have been from some other point, but you can easily ascertain that.

2012. I do not want to argue the matter with you? - I am reconciling the two statements or endeavouring to.

2013. Did you also tell the Board of Trade's Solicitor this, that "On the 'Lusitania' the officers and first and second class passengers behaved well and coolly"? - Yes.

2014. And also the stewards and stewardesses? - Yes.

2015. "There was no panic at first, but before I went down for my lifebelt the steerage passengers came up in a swarm, and after that there was no discipline at all, and no control whatever"? - Quite.

2016. That is your impression? - Yes, that is my impression.

2017. The steerage passengers were giving trouble in your view were they? - They came up in a swarm and were trying to get into the boats.

(The Witness withdrew.)

The Solicitor-General: Now, my Lord, that is the last witness whom by the indulgence of the Court was allowed to call at this stage. As far as the Board of Trade is concerned, I desire to make three very short observations, and unless there is any specific point upon which I can assist your Lordship, I have finished. The last witness who has just left the box has made a suggestion which so far as I know has not been made hitherto in the case, namely, that in making the necessary arrangements in reference to the boats, the crew of the "Lusitania," in some cases at least, did not carry out the orders of the captain that priority should be given to the women and children. My Lord, that suggestion has not been made, as far as my recollection of the evidence goes, by any other witness. It would, if established and believed, constitute a most grave reflection on the crew, and therefore it becomes necessary to examine however shortly the evidence on which the last witness based the conclusion to which he apparently arrived. He made the statement first of all as a general statement, and then he made it more particularly all a statement in reference to the boat by which he made good his own escape. My Lord, I do not propose to deal with his evidence in so far as it consists of general allegations, because they are based upon hearsay, and would appear with respect to Mr. Thomas to be valueless. When I test them in the light of the boat in which he himself escaped, it would appear that the observation he makes is even of less value because although he advanced strangely enough in support of his suggestion that the crew had not made proper efforts to enable the women and children to escape first, and although, when I tested that statement, he cited in support of it the case of the boat in which he himself escaped and said that there were not many women and children in it, he was unable to say, having had the opportunity of observing the facts, that a single woman or a single child was excluded from that boat at the moment it left the "Lusitania," and therefore, as far as the Board of Trade is concerned, I do not certainly ask your Lordship to accept the suggestion which was made.

The Commissioner: Have you taken out the total number of children and women that were on board this boat?

The Solicitor-General: Yes, my Lord; those were contained in the Statement which was handed up by the Attorney-General to your Lordship at the very beginning of the proceedings - I think I can give your Lordship the figures - I am told that they are on page 3 of the Shorthand Notes, I have got them here in the first day's proceedings.

The Commissioner: Then just give them to me.

The Solicitor-General: I think it is the third paragraph. Let me tell your Lordship the facts about the crew and passenger. "The total number of passengers was 1,257, made up of saloon passengers 290, second cabin passengers 600, third cabin passengers 367, making a total of 1,257. Of these there were 688 adult males, 440 adult females, 51 male children, 39 female children and 49 infants."

The Commissioner: Both figures are the same?

The Solicitor-General: Yes.

The Commissioner: 129 women and children?

The Solicitor-General: Yes, my Lord. Then my learned friend did not give the figures distinguishing sex amongst the adults; he gave your Lordship this figure, that “the number of passengers lost was 785 and the number saved 472,” but of the children my learned friend had the figures. “Of the 129 children, 94 were lost and 35 saved.” Of course the Court has naturally to consider the effect of exposure upon infants and children of tender years in dealing with those figures.

The Commissioner: What I want to see is this, what the proportion of women and children saved was.

The Solicitor-General: My learned friend gave your Lordship the proportion of children, and I will see if I can get your Lordship that of the women. Your Lordship sees that of the 129 children, 94 were lost and 35 were saved.

The Commissioner: That is to say about one-third were saved.

The Solicitor-General: Yes. I think I can give your Lordship now the exact figures dealing with the adults. I have given your Lordship the children, Of the 688 adult male passengers (so that your Lordship may compare the figures) 421 were lost and 267 were saved.

The Commissioner: What is the percentage of the saved?

The Solicitor-General: I should have to work it out. While I am giving your Lordship the figures as to the women passengers, the percentage will be worked out. Of the 440 adult female passengers, 270 were lost and 170 were saved. I do not imagine it is worth while distinguishing between the children according to their sexes; I have the figures, but I do not suppose it is worth while.

The Commissioner: No, but what I want to get at if I can, is the percentage of women and children saved and then I want to know what percentage of the crew were saved, and then I want to know what the percentage of the male passengers was.

The Solicitor-General: I have all those figures here and it is a question of working out the percentages and it shall be done, and while that is being done may I give your Lordship the figures for the crew?

The Commissioner: What I want to ascertain is this, whether Mr. Thomas's statement is borne out by the figures.

The Solicitor-General: Quite so.

The Commissioner: Is there a greater percentage of: women and children saved as compared with the males or a greater percentage of the male passengers saved?

The Solicitor-General: Yes, I have given your Lordship the figures.

The Commissioner: I should expect to find a larger percentage of the women and children saved than of any other part of the passengers.

The Solicitor-General: Yes, that is so, always of course subject to this observation that there were several hours, of exposure in open boats, and that some of these children were very young.

The Commissioner: If many of the children were babies, they might very well die very quickly.

The Solicitor-General: There were 39 who were specially distinguished as being infants in the number.

The Commissioner: Yes. Have you made these calculations, Mr. Aspinall?

Mr. Butler Aspinall: No, my Lord, we are seeking to do it now in order to get the percentages.

The Solicitor-General: While the percentages are being worked out, perhaps I might finish very shortly the only two other points upon which I wish to make observations to your Lordship. My Lord, it would appear that the outstanding questions that are likely to engage most seriously the attention of the Court, for I do not desire to deal with the smaller points which have been intermittently put forward, and I do not think very seriously pressed, the two outstanding questions would appear to be the question of the responsibility of the master and then the question (which was also discussed) of the action, of the company in restricting the effective boiler strength.

Now, my Lord, with regard to the master, I do not propose to add anything here or indeed to ask your Lordship to give me an opportunity of adding anything elsewhere. The facts which your Lordship must consider in arriving at a conclusion upon the conduct of the master have been fully placed before the Court and your Lordship is in a position, after considering the undoubted difficulties in which the master was placed, and, after making proper allowance for those difficulties, arrive at a conclusion as to whether the course which he adopted was a proper course, or was a course which under all the circumstances of the case exposes him to blame or censure. I do not propose to add any further observation, upon that point unless it is desired.

My Lord, as far as the question of the position of the Cunard Company is concerned, I should make the same observation; the point is an extremely simple one. Mr. Booth, the Chairman of the Company, has told your Lordship the considerations which were effective to induce the Cunard Company to make the arrangements with regard to the boiler strength which have been explained by Mr. Booth to your Lordship. They were considerations of economy, based upon the desire explained by Mr. Booth, that the service should be kept going and on a balance of considerations, not upon facts as we know them now, but upon the facts as they were known then, and as reasonable men ought to have reviewed them, That again, is for your Lordship in answering these questions to form a conclusion.

Now, my Lord, unless there is anything further upon which I can assist the Court, I have nothing to add. I am told it will take a little time to work the figures out, and they shall be worked out and your Lordship shall have them.

The Commissioner: That can be done later on.

The Solicitor-General: If your Lordship pleases.

The Commissioner: Now, Mr. Aspinall, do you propose to call any evidence?

Mr. Butler Aspinall: No, my Lord.

The Commissioner: What do you propose to do?

Mr. Butler Aspinall: I am going to ask your Lordship to allow me to address you after the other gentlemen have addressed you.

Mr. Wickham: I do not propose to make any observations, my Lord, as you have heard the evidence; but, my Lord, I want to call your attention to your powers under Rule 16 of the Statutory Rules and Orders, and to ask your Lordship to exercise them if you think fit to do so with regard to the costs of the various parties that have been here before your Lordship and have called evidence if you think they have assisted in the investigation.

Mr. Scott: Of course, my Lord, I have no remarks to make. I am purely here to find out what happened to Mr. Alfred Vanderbilt.

Mr. Scanlan: I feel, my Lord, that I cannot usefully assist this tribunal by making any observations. So far as I am concerned, and I believe my position is that of a number of other interests represented here. - the most important evidence is unknown to us, but it has been heard by your Lordship, and I have no doubt your Lordship, taking everything into consideration, will arrive at a conclusion based upon the facts, and it is useless to attempt to comment upon evidence which I have not heard and which is most important from the point of view of the clients I represent at this Inquiry. Therefore, I do not propose to make any observations to your Lordship.

The Commissioner: I have given you a great many examples.

Mr. Clem Edwards: I know your Lordship does not do anything without design. I feel, my Lord, in a special difficulty rather. I am here representing the relatives of considerably over one hundred of the crew who were lost. I am also here representing an organization. which represents or which has as members the majority of the crew who survived, and I do want, my Lord, to make a somewhat adverse comment upon the way in which your Lordship in the exercise of your discretion has decided as to who should be made formally parties to this Inquiry. Of course I fully recognise that as Commissioner your Lordship has the discretion, and your Lordship has seen fit to exercise that discretion by limiting the formal parties to three, each one of whom might possibly be culpable. The parties that your Lordship has admitted is the Board of Trade, who are responsible for the regulations under the Merchant Shipping Act, and there might have arisen some question here, as in another case, as to whether those regulations had been properly enforced, The owners, in connection with whom there arises a very grave question of responsibility; there may be something in that; and the captain, in connection with whom there also arises

a very grave question; but your Lordship has ruled that the crew on this great ship should not be made parties to the Inquiry.

The Commissioner: I have heard them by their representative.

Mr. Clem Edwards: Well, my Lord, I have been in this difficult position; I have been here representing them on sufferance and having to trust to your Lordship's grace from time to time. Your Lordship is always kind and I say nothing as to that, but let me give an example or two, if I may, as to the different position in which I stand here, to what I should have stood in had we been formal parties to the Inquiry. The Inquiry commenced three days ago, and until more than three-fourths of the witnesses had been called I was not placed in possession of the terms of what constitute the terms of reference to this Commission.

The Commissioner: You would not have had them had you been parties unless you had asked for them.

Mr. Clem Edwards: I had no right to ask for them. One assumes that they were in existence and one assumes that there might be -

The Commissioner: Are there any witnesses, Mr. Edwards, whom you would desire to have re-called now that you have seen the questions?

Mr. Clem Edwards: Yes, my Lord, there are.

The Commissioner: Very well. Give me a list of them and they shall all be re-called. Do not let us have a grievance, Give me the names of the witnesses whom you wish to be re-called.

Mr. Clem Edwards: It is not a question of the names of witnesses. It is a type of witness that I should desire to be recalled. I will explain precisely what I mean. Would your Lordship kindly look at Question 14.

The Commissioner: Read it to me.

Mr. Clem Edwards: The first part of the question says, "What was the effect on the 'Lusitania' of being struck by the torpedo or torpedoes? Now beyond the broad fact that we know she went down within 20 minutes, we have had no evidence at all as to whether -

The Commissioner: Do you wish to call any evidence?

Mr. Clem Edwards: Personally, I do not.

The Commissioner: Then what is your grievance?

Mr. Clem Edwards: My grievance, my Lord, is this, that the Board of Trade, who have been responsible primarily for the conduct of this Inquiry, have not put witnesses in the box to show, if it were possible to show it, what was the extent of the damage -

The Commissioner: Do you know that they could find any such witnesses?

Mr. Clem Edwards: Well, we ought to have been told that, my Lord.

The Commissioner: By whom?

Mr. Clem Edwards: By those who are responsible primarily for bringing the evidence before this Court.

The Commissioner: Who are they?

Mr. Clem Edwards: The Board of Trade.

The Commissioner: Now wait a moment. You have a grievance against the Board of Trade, and it is that they have not called a certain class of evidence. Do we know that that class of evidence exists?

Mr. Clem Edwards: I assume that it does, my Lord.

The Commissioner: But why do you assume it? Do not try to make objections.

Mr. Clem Edwards: I think there are very real and substantial objections.

The Commissioner: I am not going to let you have a grievance. You shall have anybody here who you suggest can help you.

Mr. Clem Edwards: The point is, my Lord, that the grievance exists and that grievance is that we have not been parties to the Inquiry, and therefore not in a position to stand upon rights.

The Commissioner: What better position would you have been in if you had been a party to the Inquiry?

Mr. Clem Edwards: If we had been parties to the Inquiry we should have been admitted to another room where we should have been able to ascertain whether there was any evidence at all directed to this specific point.

The Commissioner: You would not, let me tell you plainly. Therefore that is not a grievance.

Mr. Clem Edwards: Very well. Then if it is to be put that that is within the category of the things that we could not inquire into in public, then my grievance is that we were not parties and were not admitted, and that is a grievance rather against your Lordship's direction than against the Board of Trade.

The Commissioner: What difference would it have made to you, except costs - I understand that - if you had been made a party?

Mr. Clem Edwards: I suggest, my Lord, that if we had been parties to the Inquiry (I put that with regard to the admission to another room) we should there have been able to thrash out a question -

The Commissioner: Are you again suggesting that you would have been heard *in camera*?

Mr. Clem Edwards: I suggest that is so.

The Commissioner: Then I tell you again as I have told you so before, you would not.

Mr. Clem Edwards: Then the lesser grievances that I have as representing the sailors and the firemen would be merged in the greater grievance, that they would not be a party to an Inquiry that they thought vital, and I say no more upon that particular point.

Now I do suggest that apart altogether from those questions which by common consent it would be right, in the state in which we find ourselves at the present time, to rule out of public discussion - apart from that, I do suggest that there ought to have been evidence in this Inquiry as to how far, if it had been possible to get it, the immediate damage from the torpedo went, and secondly -

The Commissioner: I have asked you before, and I will repeat the question: Do you suggest that such evidence exists?

Mr. Clem Edwards: I do, my Lord.

The Commissioner: Where is it?

Mr. Clem Edwards: I should suggest that it exists among some officers and members of the crew.

The Commissioner: Can you give us the name of a single officer or member of the crew or passenger who can assist you in that direction.

Mr. Clem Edwards: No, my Lord, because we have not had access to these witnesses, nor have we had access to their proofs.

The Commissioner: But you might have if you had chosen. You are a very rich Union, are you not?

Mr. Clem Edwards: No, we are not.

The Commissioner: You have got a good deal of money?

Mr. Clem Edwards: No, we have not.

The Commissioner: Have you no money?

Mr. Clem Edwards: There is some, my Lord, but there are very grave responsibilities upon the Union.

The Commissioner: You could have got at these witnesses quite well. You have given me the impression that you want to make a grievance.

Mr. Clem Edwards: I tell you frankly I have no desire to make a grievance, but I do desire to place frankly before your Lordship what I consider to be a real grievance. We have a right to assume, in an Inquiry of this sort, that something like precedent would be followed, and one assumes that the questions would not have been drawn as they have been drawn for the purpose of this Inquiry by, I presume, the responsible officers of the Crown, without there had been some evidence.

The Solicitor-General: What do you mean?

The Commissioner: I will tell you this: Those questions are drawn up before any evidence is obtained at all.

The Solicitor-General: This is a matter of some importance. My friend is evidently reflecting in some vague and unintelligible fashion, and perhaps he will explain his position a little more clearly.

The Commissioner: Now try and get rid of your grievance and come to the point.

Mr. Clem Edwards: I do not understand the observation of the learned Solicitor-General.

The Commissioner: Go on with your case, but do try and divest yourself of these grievances which I do not believe you mean.

Mr. Clem Edwards: I am not going to question the responsibility to my clients by protesting that there is no grievance when I think there is a very real grievance.

The Commissioner: All these other people that have been called upon by me have exactly the same grievances, if they are grievances, and I have not heard a word from them about it.

Mr. Clem Edwards: I am not my legal brother's keeper, so I can say nothing as to that, but we have had here no evidence admitted to show whether above and beyond the primary damage which was done by the torpedo there was secondary trouble caused through the question of the watertight doors or not.

The Commissioner: You have cross-examined about it yourself, you know, men who were down in the engine room and men who could give you the information.

Mr. Clem Edwards: That quite illustrates that. When I started to cross-examine the third engineer your Lordship pulled me up by saying that a third engineer was not a proper person to ask questions of that sort.

The Commissioner: You have had others since then.

Mr. Clem Edwards: Since I have had these questions handed to me Captain Turner has returned to the witness box, and with your Lordship's permission I asked Captain Turner certain questions, which resolved themselves into Captain Turner saying that he gave instructions to Captain Anderson to instruct the carpenters to take soundings and we could not get beyond that.

The Commissioner: You did not expect Captain Anderson to be called did you?

Mr. Clem Edwards: No, I did not. Of course I did not. With regard to the main point of the Inquiry, it is of course perfectly futile, and in view of the vital evidence not being before me it is perfectly impossible for me to address the Court with any advantage at all. I can only say this, that if the question of speed is a matter of importance, an important element of safety in relation to submarine warfare, if the question of keeping a straight course or zig-zagging is an important element of safety in relation to submarine warfare, then I should submit that upon the evidence as you have it here, apart from the question of Admiralty advice which we cannot go into, there is revealed a grave responsibility, both on the part of the owners and on the part of the captain of the ship, for the owners of a ship with a great danger anticipated for them to tie their hands to a captain in the manner of navigating by limiting - by giving him an instruction telling him that he should only have 19 boilers which will give a maximum speed of 21 knots, instead of having the 25 boilers fired, which when linked up would give a maximum speed of 24 to 25 knots, reveals a state of very grave culpability, I submit on the part of the owners.

The Commissioner: Had it anything to do with this catastrophe?

Mr. Clem Edwards: That I am unable to answer in the absence of the evidence which your Lordship took *in camera* and that is why I postulate it.

The Commissioner: That is not true. You are making a statement which is not accurate. The evidence given *in camera* has got nothing to do with the question that I am putting to you now. If the speed and the power of getting up speed had been increased would it have made the least difference to this catastrophe, and if so tell me how, because I should like to consider it.

Mr. Clem Edwards: There has not been evidence given here in public which shows one way or the other; that is to say, that at most all that can be done is to draw an inference from and to make a comment upon the evidence which has been given and if her speed is an important element of safety.

The Commissioner: Now do not slip away from the point.

Mr. Clem Edwards: I am not going to, my Lord; I am going to do it in my own way.

The Commissioner: I am not going to let you, if I can help it. This torpedo suddenly came into the side of the "Lusitania"; it was not observed much more than a few seconds before it came; how would the speed

of the vessel or the capacity for getting up speed have affected the catastrophe? That is what I want to know from you.

Mr. Clem Edwards: It can only be an inference, and what I suggest is that this is the right inference to draw from the evidence that is already in public before your Lordship.

The Commissioner: That is quite right.

Mr. Clem Edwards: Captain Turner in answer to a question by me said "I kept as straight a course as I possibly could," That is one, "I was going at 18 knots." That is two. Now let us assume that there was a submarine on the watch; there could have been no difficulty for the observation officer in that submarine to get the speed at which the ship was travelling, no difficulty at all to place himself in a certain definite position in relation to the oncoming ship and knowing its line and knowing its distance, it can fire a torpedo at a comparatively short range, the likelihood of getting that steamer at 18 knots as compared with a greater speed; there is a likelihood - I simply put it in that way; that is to say, it is a balance of probabilities between the one speed and the other. So much for the moment for speed alone, Let us suppose that you have in combination with a speed a zig-zag course, and let us assume that for a certain distance the steamer runs one quarter of a mile to the north-east, then it swings over and it runs half a mile to the south-east, it swings back again and does 800 yards to the north-east and so on, it would be very, very difficult if not impossible for a submarine to estimate exactly what was going to be the distance on a particular one of the zig-zags; that is to say, a varying distance at each zig-zag would be confusing to the submarine. I therefore submit, that assuming the general principle that speed has something to do with safety and that zig-zag has something to do with safety, it is a perfectly fair inference from the evidence which has been given by Captain Turner that he was zig-zagging, and he was only going 18 knots an hour, to say that that was even on the evidence as you have it here, a grave contributory cause to this disaster, and if that be so, then any action on the part of the owners' limiting the discretionary powers of the captain, is in its turn a matter of grave culpability, I cannot say more than that.

The Commissioner: All that I quite well understand, and what you are saying now appears to me to be the point. It is the grievance I do not like.

Mr. Clem Edwards: I admitted, my Lord, that the grievance was continuing after we got to the speed of the ship, and that so far as the evidence goes here is really the main evidence with regard to which one does feel in a special and peculiar difficulty, that is to say, that the evidence that your Lordship has to deal with is evidence which is not at present before us, and upon which I am not therefore in a position to comment.

Mr. Marshall: We are quite satisfied, my Lord, with the course of the Inquiry, and do not raise any objection whatever.

Mr. Macmaster: My Lord, I have only a few observations to make and I will be able to make them in two moments. In the first place I have no grievance.

The Commissioner: I am very glad to hear that.

Mr. Macmaster: The fullest opportunity has been given here to cross-examine witnesses and to call witnesses and there has been no mention in any respect of any grievance in that connection. The second observation I wish to make is this. The hearing has been very expeditious; the evidence has been so recently taken that it is entirely fresh in your Lordship's memory and for that reason it is quite unnecessary, I think, to review it. Then the remaining question is the question of the responsibility which may have some bearing in respect of the public and in respect of private individuals. These may not be entirely before your Lordship at this time and may not be entirely precluded by the result of this Investigation, but, upon the whole, upon behalf of the clients whom I represent, I must say we are entirely satisfied.

The Commissioner: Where is Mr. Cotter?

Mr. Clem Edwards: He has gone to sea, my Lord.

Mr. Butler Aspinall: I have been looking for him, my Lord, but he is missing. My Lord, I cannot say I have nothing to say but I have little to say, and I say so advisedly having regard to the evidence which has been put before your Lordship and those who sit with you.

My Lord, my duty is now to address you on behalf of my two clients, one the Cunard Company and the other the master, and in view of the fact that a good deal of the evidence which affects the conduct of the master has been given before your Lordship in private, unless your Lordship wishes me to address you with regard to his conduct, I do not propose to add more than I did have an opportunity of saying before your Lordship *in camera*.

The Commissioner: I may desire you and the representative of the Board of Trade to address me upon the question of navigation - but not here.

Mr. Butler Aspinall: I thought it was highly probable that that was the course your Lordship would adopt, and therefore I shall make it my business under those circumstances to severely dissociate myself from in any way dealing with the topic which were mentioned in your Lordship's private room. It therefore becomes my duty to ask your Lordship to consider, looking at the matter quite broadly, whether or not the Cunard Company have failed in the duty which they owe to the public, and my submission to your Lordship is that the answer to that should be in the negative. One has noticed that various representatives of passengers and others and also certain unions have taken a part, and a very proper part, in the elucidation of the facts, and after the evidence was closed all of them, with the exception of Mr. Clem Edwards, whom we are always delighted to hear, had nothing to say; in other words, apparently neither had they a grievance nor apparently had they a case.

Mr. Scanlan: That is not admitted at all.

Mr. Butler Aspinall: Then I withdraw it at once.

The Commissioner: You need not trouble about Mr. Scanlan.

Mr. Butler Aspinall: No, my Lord, he is a great friend of mine and it may well be that we may have the pleasure of meeting him in some other place, but at any rate they have seen fit not to trouble your Lordship for the moment with any evidence which otherwise we might have had the benefit of hearing. Mr. Clem Edwards has, I submit, not a grievance so much as a grumble to put before your Lordship, and he succeeded in putting it, but it is difficult for me as representing the interests of the Company to appreciate quite what the grumble amounts to. He is appearing here on behalf of the National Union of Sailors and Firemen, and what benefit either he or his clients would get -

The Commissioner: Whom are you talking of now.

Mr. Butler Aspinall: Mr. Clem Edwards.

The Commissioner: I thought Mr. Clem Edwards represented the Engineers?

Mr. Clem Edwards: The National Union of Sailors and Firemen.

Mr. Butler Aspinall: I have been wondering what benefit he would get by succeeding in establishing that there was any dereliction of duty on the part of the Cunard Company or of the officers in charge of this vessel. However, perhaps I may pass that by.

Now, my Lord, has there been any dereliction of duty on the part of the Cunard Company? I submit it is established beyond all possible doubt that, in this case, the Cunard Company supplied the public with a seaworthy and a high class vessel and a vessel fitted and amply fitted with life-saving appliances, and also that they put her in the charge of a capable and efficient master, officers and crew, and did their best, as business people, so far as they reasonably could, to bring it home to the master that it was his duty to take all precautions and extra precautions to avoid the danger of submarine menace.

My Lord, I submit that if they have discharged those duties, they have done all that can be asked of them. It is beyond all doubt (you want no evidence of that) that the "Lusitania" was almost the last word, if I may so call her, in the great passenger steamers that cross the Atlantic. She was, as we have heard from the Board of Trade officials, amply fitted with life-saving appliances on the occasion when some three weeks before, I think it was, she left Liverpool, and we have the affirmative evidence of various officials whose duty it would be to attend to these matters who tell your Lordship that at the time there were ample life-saving appliances and everything was in good order and condition and ready to be used. We have the fact that after this vessel entered into the danger zone it was appreciated by the captain that the time had come for him to take extra precautions.

The Commissioner: I have had no evidence as to when these lifeboats, as to which some complaints were made, were built. Will you ascertain for me, were they built for the ship or have they been built since.

Mr. Butler Aspinall: My Lord, the general manager tells me that the boats which were on the ship at the time of this calamity were not the boats, certainly not all the boats, which had originally been supplied to the ship owing to various recommendations which have been made.

The Commissioner: I suppose some of them were put on after the "Titanic."

Mr. Butler Aspinall: Yes. The general manager says that many of the original boats would still have been on at the time of the casualty, a certain number were put on at a subsequent time, and those were either new or comparatively new boats. My Lord, so far as the equipment of this ship is concerned, I submit that it would be impossible for your Lordship upon the evidence to come to the conclusion that there had been anything wanting with regard to their efficiency or anything wanting with regard to their condition or anything wanting with regard to their readiness for use. They were swung out, and it was the business of one of the officials on board the ship to see that they were ready for use, and for the safety of the man's own skin, one may feel assured I submit that everything was done that could be done in order to make these boats efficient and ready for use on this occasion.

Now the next point that one has to consider is this: speaking on behalf of my client, did the captain, did the officers, and did the crew, although I only hold a brief for the master - did they do everything that could be expected of them after the ship had been struck by the torpedo?

My Lord, I submit that these men were not found wanting in this hour of need. We have it that the first consideration on the part of the officers and the master was the women and children. I shall deal shortly with the impressions - I advisedly use that word of Mr. Thomas. There is an abundance of evidence that that is what came first, not only on the part of the captain, not only on the part of the officers and crew, but very probably on the part of the male passengers - women and children first; and if there was some slight confusion can it be unexpected? There was no panic. Of course there was confusion, and Mr. Thomas has told u himself that apparently there was no practical confusion until the steerage passengers, to some extent, as it were, rushed the ship, but women and children came first, and if one may go almost to the end of this drama, this tragedy of the sea. What happened? As this great vessel goes down, where do we find the captain? Where would you expect to find him? On the bridge of his vessel. What is happening during the interval? The time is short; the vessel has a list which means, of course, that practically all the boats on the port side are put out of action. By some great good luck some of those boats did reach the water, and when they did reach the water, so far as we can find, they were damaged and they were useless for the purpose of saving life, but not only was the time short, and not only were half the boats put out of action, but In addition to that, the ship had this great list and she never lost her headway, and when one remembers the height from which these boats have got to be lowered into the water, and if in addition to that you have to deal with the difficulty when the boats were being lowered of the ship being in motion, I submit that extremely good work was done by these men in handling the boats as they did. There were mishaps with regard to the boats; of course there were; it is to be noticed that so far as we have been able to gather from the evidence, those mishaps mainly happened on the port side. Unfortunately the passengers, I have no doubt actuated by the best wish in the world, wishful to save the lives of others and their own, took charge of certain of the boats on the port side, and the result of it was that in their efforts to get those boats into the water, I submit it is fairly certain that those boats met with catastrophe, and other boats which reached the water as I said, in the process of reaching the water had

been bumped against the side of the ship, and the result of it was that those boats when they got to the water were leaking, water got in, and the result of it was that the unhappy passengers and the occupants of the boats were thrown into the water.

My Lord, to justify what I am contending for, namely, that the master, officers, and crew behaved well on the occasion of this disaster, may I, by way of illustration, remind your Lordship of one little incident that happened? I call it little; it is the wrong epithet, that was the part that that young man played; his name was Leslie Morton, He was a boy aged 18, He was thrown into the water. He told us that after he got into the water, he with another man, I think his name was Parry, saw a boat with its cover on, probably one of these collapsible boats; he unzipped the cover and he and his companion got in and succeeded in saving some 50 lives, They put them in a smack, They then with the help of others returned to the wreck and saved more lives.

The Commissioner: What was that boy's name?

Mr. Butler Aspinall: That boy's name was Leslie Morton. He was a young lad who had been an apprentice - and this was his first voyage with the Cunard Company and I hope he will make many successful voyages in years to come - and at New York he was shipped on board as a seaman and that is what he told us he did. Mr. Jones, the first officer, in the same way told us that that was the sort of thing he did, and I have no doubt that there were many deeds of a similar character of which we have heard nothing, but which were in fact performed.

Now that, my Lord, leads me to deal with Mr. Thomas's evidence, and I speak in no spirit of hostility to Mr. Thomas, far from it. Mr. Thomas said many things which I pray in aid. As I pointed out I directly hold no brief for the sailors; I rather think that is Mr. Cotter's duty. But appearing as I do on behalf of the Cunard Company, I think it is only right to say as I have said, that I submit the evidence establishes that the sailormen on board the "Lusitania" did not fail. It is to be remembered that Mr. Thomas's opportunities for accurate observation were poor, they were short. I notice his main desire was to save his life and probably to save the life of his daughter, and I do not suggest for one moment that he has not come here wishing to give your Lordship what he conceives to be the facts of the case; but it is to be noticed that whereas in the statement that he made to the Board of Trade, his attention is directed to the conduct of those engaged in the management of the ship, this very grave and very serious reflection is not made in that statement. It may be of course that he has recollected it since.

The Commissioner: is there any objection to potting that statement of Mr. Thomas in?

Mr. Butler Aspinall: I cross-examined Mr. Thomas to it and to that extent it is in evidence.

The Commissioner: Is there any objection to putting it in?

The Solicitor-General: Not on the part of the Board of Trade.

The Commissioner: Then put it in.

Mr. Butler Aspinall: I want Mr. Thomas to perfectly understand that I am in no way reflecting on the honesty of his evidence, not for one moment, Of course it is a grave matter. These men were men in a humble position of life, but their character is to them just as valuable an asset as it is to us.

The Commissioner: I want on this part of the case to ask you a question. I was told, I think, in the course of the Inquiry that the crew who sign on at Liverpool sign on for the return voyage. That is so, is it?

Mr. Butler Aspinall: Yes.

The Commissioner: They go out and home.

Mr. Butler Aspinall: Yes.

The Commissioner: Have the men the right as the law stands, to be paid off if they choose at New York?

Mr. Butler Aspinall: I think not.

The Commissioner: Could you tell me, Mr. Edwards? Supposing the men sign on at Liverpool for the round journey out and back?

Mr. Clem Edwards: It would depend entirely, my Lord, upon their articles.

The Commissioner: What I mean is this, suppose they sign on there and back have they under the law a right to claim their discharge and be paid their wages at New York?

Mr. Clem Edwards: No, my Lord.

The Commissioner: If they obey the law they must come back in the boat they went in.

Mr. Clem Edwards: That is so, my Lord.

The Commissioner: Then they cannot be bound for more than one round voyage can they?

Mr. Clem Edwards: Yes. There are time articles with some ships, my Lord, where they bind themselves to go for so long - two years in some cases.

The Commissioner: Is it possible to bind a man for two years?

Mr. Clem Edwards: I do not know that a case has been tested, my Lord. It is done in practice.

The Commissioner: That is sufficient for me, if it is done in practice.

Mr. Clem Edwards: Yes, my Lord.

Mr. Butler Aspinall: My Lord, so much for the conduct of the master, officers and crew of the vessel. I also wish before I sit down to pay the tribute of the Cunard Company to the efforts and the successful efforts to save life that were made by the small craft that came out upon the scene of the wreck.

The Commissioner: How many of these fishing craft were there?

Mr. Butler Aspinall: I do not think there is any evidence with regard to their exact number. There were some four or five that we have heard of.

The Commissioner: That is enough.

Mr. Butler Aspinall: My Lord, the only other topic that it remains for me to discuss is the topic of the speed of the "Lusitania." Mr. Clem Edwards in his attack upon the navigation of the "Lusitania" emphasized that matter. I submit, my Lord, that the Cunard Company have nothing to reproach themselves with for having sent their ship to sea under such circumstances that she should travel at a reduced speed. They are, of course, a business company; they are not philanthropists; they send their vessels to sea in the hope of making a profit and what Mr. Booth told us was that in view of the war, and in view of the submarine menace, it was considered what was to be done, whether to keep both the "Lusitania" and the "Mauretania" in commission, and on this service, or were they not. They withdrew the "Mauretania," and they came to the conclusion, as I submit they were rightly entitled to do, having regard to the experience they had at the time that it was safe and reasonable to drive her at a speed of 21 knots through the water; in fact, my Lord, she still, I believe, continues to be the fastest vessel crossing the Atlantic, and it would mean that if it were wrong to send a ship to sea which would travel at only 21 knots, it would be almost criminal for the other passenger steamers which happily are still safely crossing the Atlantic to continue to do so. The Attorney-General who were keenly desirous of elucidating all the facts did ask Mr. Booth this, whether in view of the fact that on the Sunday he knew and heard that threats were being made in New York to torpedo the "Lusitania." he had taken any steps to inform the captain by wireless that he ought to take measures to accelerate his speed. Mr. Booth, I submit, gave a perfectly satisfactory and proper answer to that question. He said "No." He said, of course, we could have communicated with the ship, but we could only have done so through the Admiralty, and it may be there was just sufficient coal, no doubt a near thing. But after all, this is to be remembered, that in order to put your extra six boilers into commission you want the necessary equipment of firemen, stokers and greasers, and they were not there to do the work.

My Lord, I submit the comment made by Mr. Clem Edwards with regard to speed fails, and that there was nothing wrong with regard to the diminution of speed.

Now, in connection with that topic, may I remind your Lordship what the evidence of that boy whom I have already alluded to, young Leslie Morton, was as to what he saw with regard to the torpedo. He seems to be a distinctly intelligent lad, and he said when the torpedo was fired, he saw it coming about 500 yards away, and about 4 points on the starboard bow of the "Lusitania." Now that was the position fairly and substantially of the submarine at the time the torpedo was fired. Well, if you take that to be the ship, the picture, and if you put the torpedo off 4 points on her starboard bow, in view of the fact that she is very nearly 800 feet long, if there was to be anything in the nature of accurate firing, it is almost certain

that she would get a hit, and I submit that this difference of speed, this reduction of speed was in the circumstances of the case negligible. My Lord, to sum the matter up, the two questions which mainly concern me are the two last questions, the questions whether the captain of the "Lusitania" and whether the owners of the "Lusitania" are to blame. I ask your Lordship with much confidence to answer those two questions in the negative.

The Solicitor-General: Now, my Lord, I have the statement of Mr. Thomas which I will hand up to your Lordship (*handing in the same*), and I have those percentages worked out.

The Commissioner: Just tell me what they are.

The Solicitor-General: Of the total crew 41.7 were saved. Of the total passengers, including in that the men, women and children, 37.5 were saved. Of the total female passengers, 38.6; total male passengers, 38.8; total children 27.1.

The Commissioner: There was a larger percentage of the crew saved than of passengers.

The Solicitor-General: Certainly, my Lord, but, of course, as your Lordship will see (I am not concerned to argue it) - your Lordship will see that in dealing with the crew you are dealing with men who are in the main sailors, and are in the prime of life and are more accustomed to taking care of themselves than women and children.

The Commissioner: However, there is the fact, that there is a larger percentage of the crew saved than of the passengers.

The Solicitor-General: Yes.

The Commissioner: Now I observe that the smallest percentage saved is in the children.

The Solicitor-General: Yes.

The Commissioner: There is a considerable difference.

The Solicitor-General: Certainly.

The Commissioner: Then I find that in the male passengers saved I suppose you are including the crew.

The Solicitor-General: No, my Lord. In dealing with the females, the figures I give your Lordship in terms relate to female and male passengers.

The Commissioner: Does not it include the stewardesses?

The Solicitor-General: I can give your Lordship separate figures for those. Of the males of the crew 41 per cent were saved; of the females of the crew 36 per cent were saved.

The Commissioner: There again you see the number of women saved is less than the number of men.

The Solicitor-General: Of course, your Lordship will see that quite a number of the crew and passengers found themselves in the water, and it becomes then a question of the power of resistance to exposure for many hours in the water. One has to climb on over turned boats, and in some cases swim a distance to a box, as one witness described it, and all those considerations have to be carefully borne in mind.

The Commissioner: Have you got those percentages written down?

The Solicitor-General: I have them written down in a more formal fashion. Mr. Branson will write them down and give them to your Lordship.

The Commissioner: As I look at it, they seem to carry out Mr. Thomas's suggestion.

The Solicitor-General: I have made the only comment I want to make upon them.

The Commissioner: Now I shall want to hear some one from the Board of Trade and you, Mr. Aspinall, or your junior to-morrow morning at half-past ten in the room here at the back of the Court upon the question of the navigation of the vessel.

The Solicitor-General: If your Lordship pleases.

Adjourned to to-morrow at 10.30 o'clock.

FOURTH DAY (18 JUNE, 1915).

Name of Witness.	Description.	Examined by	No. of Question.
Captain William Thomas Turner	Master of the "Lusitania."	<i>In Camera</i> Testimony in the Presence of The Right Honourable Lord Mersey, Admiral Sir F.S. Inglefield, K.C.B., Lieutenant Commander H.J. Hearn, Captain David Davies, Captain John Spedding	n/a

DAY 4 IN CAMERA

In the Wreck Commissioner's Court.

CENTRAL HALL, WESTMINSTER.

PROCEEDINGS *in Camera* on the 15th and 18th June 1915,

BEFORE

THE RIGHT HONOURABLE LORD MERSEY,
Wreck Commissioner of the United Kingdom,

WITH

ADMIRAL SIR F. S. INGELFIELD, K.C.B.,
LIEUTENANT COMMANDER H. J. HERN,
CAPTAIN DAVID DAVIES,
CAPTAIN JOHN SPEDDING,
Acting as Assessors,

on a Formal Investigation ordered by the Board
of Trade into the loss of the s.s. "Lusitania."

Friday, 18th June, 1915.

The Attorney-General (THE RIGHT HON. SIR EDWARD CARSON, K.C., M.P.), The Solicitor-General (THE RIGHT HON. SIR F. E. SMITH, K.C., M.P.), MR. P. J. BRANSON, and MR. DUNLOP (instructed by Sir Ellis Cunliffe, Solicitor to the Board of Trade) appeared as Counsel on behalf of the Board of Trade.

MR. BUTLER ASPINALL, K.C., MR. LAING, K.C., and Mr. A. H. Maxwell (instructed by Messrs. Hill, Dickinson and Co., of Liverpool) appeared as Counsel for the Owners, the Cunard Company, and the Captain.

MR. DONALD MACMASTER, K.C., M.P., appeared as Counsel for the Canadian Government.

MR. G. A. SCOTT appeared on behalf of the representatives of the late Mr. Alfred Gwynne Vanderbilt, a passenger.

MR. THOMAS SCANLAN, M.P. (instructed by Mr. H. Z. Deane), appeared on behalf of Mrs. Ellen Conghlan [sic], widow, and the representatives of between sixty and seventy, first, second and third class passengers.

MR. ROSE-INNES, K.C., and MR. WICKHAM appeared on behalf of Mr. Crichton and certain passengers (instructed by Messrs. Thorne and Co.).

MR. A. M. LATTE (instructed by Mr. Thomas Priest) appeared for Mr. H. B. Lasseter [sic] and others.

MR. COTTER appeared on behalf of certain representatives of the crew.

MR. CLEM EDWARDS, M.P., appeared on behalf of the National Union of Sailors and Firemen.

MR. W. L. MARSHALL (General Secretary), appeared on behalf of the Marine Engineers' Association.

The Commissioner: Now, Mr. Aspinall, I have had a great deal of difficulty with the Captain. Read me the form of question put to us about the Captain. It is the last, I think?

Mr. Butler Aspinall: Yes, my Lord.

The Commissioner: The question is: "Was the loss of the 'Lusitania' and or the loss of life caused by the wrongful act or default of the master of the 'Lusitania' or does any blame attach to him for such loss?" And then Question 3 is: "Were any instructions received by the Master of the 'Lusitania' from the Owners or the Admiralty before or during the voyage from New York as to the navigation or management of the vessel on the voyage in question? Did the Master carry out such instructions?" Those are the two questions which trouble me.

Mr. Butler Aspinall: If your Lordship pleases. At the outset of my remarks on behalf of the Captain what I want to emphasise, and I think it is a material matter, is this, that the Captain was, undoubtedly a bad witness, although he may be a very excellent navigator.

The Commissioner: No, he was not a bad witness.

Mr. Butler Aspinall: Well, he was confused, my Lord.

The Commissioner: In my opinion at present he may have been a bad Master during that voyage, but I think he was telling the truth.

Mr. Butler Aspinall: Yes.

The Commissioner: And I think he is a truthful witness. I think he means to tell the truth.

Mr. Butler Aspinall: Yes.

The Commissioner: In that sense he did not make a bad witness.

Mr. Butler Aspinall: No.

The Commissioner: He made a bad witness for you.

Mr. Butler Aspinall: Well, what I was going to say about him was this, that it was very difficult to get a consecutive story from the man, but I was going to submit that he was an honest man.

The Commissioner: I think he is, and I do not think Sir Edward Carson or Sir Frederick Smith have suggested anything to the contrary.

The Solicitor-General: No, my Lord.

The Commissioner: The impression the man has made upon me is - I came here prepared to consider his evidence very carefully, but the impression he has made upon me is that he was quite straight and honest.

Mr. Butler Aspinall: Quite. He had gone through naturally the very greatest strain both physical and mental. He lost his ship; he lost his comrades, or many of them; there was very great loss of life, and he was in the water for a very long period of time.

My Lord, with submission, I think that we have a complete answer to any suggestion of impugning the navigation and the management of the ship during the period of time that she was in this War Zone, and my submission to your Lordship is that in order to determine the question whether or not the Master was to blame, it is very important that one should have a consecutive account of the events which were happening on the 6th and 7th of May.

My Lord, the state of things, as I gather it from the evidence, is this, that on May 6th the vessel was approaching the War Zone, and under those circumstances the life boats are swung out and orders are given that the ports should be closed and that the bulkhead water-tight doors should also be closed, and further, that the look-out should be doubled. Now, that is the conduct of a man who is appreciating the gravity of the situation, namely, that he is in command of a large vessel carrying a large number of passengers, and he has got to apply his mind so far as he can to ensure carrying those people to Liverpool in safety by the action which he takes on the day in question.

Then on this same day he receives two telegrams that were put to him by my learned friend Sir Edward Carson. One was a wireless message received from Valentia, to this effect: "Submarines have been seen

off the South Coast of Ireland. Headlands to be avoided and harbours passed at full speed.” It is to be noticed, if I may emphasise the point - and I have a reason for doing so - that when he is told that submarines have been seen, it is off the South Coast of Ireland - I emphasise the fact that they were off, the South Coast.

My Lord, in addition to that, he also received a further telegram, which is to be found at page 8 of the evidence which was given *in camera*: “Take Liverpool pilot at Bar and avoid headlands. Pass harbours at full-speed; steer mid-channel course. Submarines at Fastnet.”

The Commissioner: That means just outside the Liverpool Bar.

Mr. Butler Aspinall: Yes, my Lord. “Avoid headlands. Pass harbours at full speed; steer mid-channel course. Submarines at Fastnet.” Now that was the state of information that he got on May 6th.

The Commissioner: Where did this second wireless come from?

Mr. Butler Aspinall: Sir Edward Carson did not tell us that. It was a question put at page 7 when Sir Edward Carson was examining the witness. “I suppose it came from Valentia, did it? (A) I presume so.”

The Commissioner: It was a general telegram, apparently; not to the “Lusitania” alone, but to all British vessels. “Take Liverpool pilot at Bar and avoid headlands. Steer mid-channel course. Submarines at Fastnet.”

Mr. Butler Aspinall: Yes.

The Commissioner: Could you tell me how that would be sent out?

Admiral Inglefield: It would be sent out from Crookhaven. It is a Post Office wireless station, but all the wireless stations are taken over by the Admiralty, and no message can be sent out without their permission. I might add that all the wireless stations now under Admiralty orders maintain Greenwich time.

Mr. Butler Aspinall: My Lord, passing away from the 6th and the 7th, what was happening so far as is material on this occasion, is as follows, that somewhere during the 8 to 12 a.m. watch - nearer 8 than 12 - the Captain ordered the speed to be reduced to 18 knots. I will deal with the propriety of his action later.

The Commissioner: About 8 a.m., you say?

Mr. Butler Aspinall: I cannot fix the time with precision, but it is between 8 and 12; it is nearer 8 than 12.

The Commissioner: You are not referring to the 15 knots?

Mr. Butler Aspinall: No. Shortly after that there was fog, and then there was a further reduction of speed to 15 knots, and soundings were taken. Your Lordship will be advised with regard to this, but I am told

that this is the place where fog is met, and that again, I submit, is evidence of careful navigation, the reduction of speed and also taking soundings. It is a matter which the Board of Trade always emphasise very, very much, and very properly, when you are in thick weather in the neighbourhood of land.

The Commissioner: Could you tell me what view you take about the importance of the Admiralty orders? If the Admiralty order is to go fast, is the Captain supposed to qualify that when there comes a fog? Is he supposed to disregard the Admiralty order?

Mr. Butler Aspinall: Well, my Lord, I will deal with it now, but if I might I should much prefer to go on with the sequence of events, if your Lordship will bear with me.

The Commissioner: Do, please.

Mr. Butler Aspinall: Then the fog clears away somewhere before 12, and the vessel then goes on at 18 knots, and during the same 8 to 12 watch, the clocks are put on 50 minutes, and the time of the ship synchronises with the time at Greenwich. At 11.30 comes the important wireless message with regard to submarines being heard of south of Coningbeg. That is the telegram which your Lordship has got, to the effect that submarines were last heard of 20 miles south of Coningbeg. The vessel at that time is on a course of S. 87 E. At 12.10 those on board the ship, not having seen the Fastnet, see what they thought was Brow Head 2 points abaft their port beam. It was a guess; probably a correct guess, but at the best a guess; and, of course, in addition to that, it was a mere judgment at the best of the distance from Brow Head. At 12.40 p.m. they got a bearing of Galley Head, and about this time they hauled in about 30 degrees to the northward, the course being N. 63 E. (I will deal, of course, later with the propriety of that action), the intention being to get a fix at the Old Head of Kinsale, and so enable them to pass close to Coningbeg and thereby keep away from this position 20 miles south of Coningbeg.

At 1 p.m. they get a wireless to the effect that submarines had been sighted off Cape Clear; that is in the neighbourhood of Fastnet; and about 10 a.m., heading to the westward.

The Commissioner: Is that according to your idea of the telegram, Sir Frederick?

The Solicitor-General: No, my Lord, I do not think it is.

Mr. Butler Aspinall: In order to exhaust the telegrams, my Lord, I merely called the attention of the Court to it. Then at 1.40 the course is altered back to S. 87 E., and the Old Head of Kinsale is then in sight and recognised and known to be the Old Head of Kinsale. From 12 to 4, your Lordship may remember, was the watch of Mr. Jones, the Chief Officer. He was relieved at 1.40, and left on the bridge a gentleman of the name of Besteg [sic], who was called yesterday - Hefford and Besteg [sic]. Hefford was the Second Officer; he was drowned.

Admiral Inglefield: The Second Officer would be in charge, not that young officer. Under the Board of Trade Regulations they are bound to have Second Officer. He was drowned, I think?

Mr. Butler Aspinall: Yes. The reason I was calling your Lordship's attention to the fact that Besteg [sic] was there is that he was doing something.

The Commissioner: Besteg [sic] is alive; Hefford not.

Mr. Butler Aspinall: That is so, my Lord. Besteg [sic] began to take a four-point bearing, and he tells us that at 1.50 the Old Head of Kinsale was then 4 points on the port bow, and he then began to take a 4-point bearing, in order to ascertain the distance they were from the land, but I suppose, roughly speaking, it would take them probably something in the neighbourhood of half-an-hour or twenty minutes to complete before they got the Old Head of Kinsale abeam. It was an isosceles triangle. Still, it is a process that cannot be done in a moment. I mean to say, roughly speaking, it would take about half-an-hour. Besteg [sic] was relieved at 2 p.m. whilst he was in the process of this operation. He was relieved by Mr. Stephens, one of the officers who, unfortunately, was also drowned, and before the operation was completed, unfortunately, the vessel was struck. My Lord, I think that is the statement of what I may call all the material facts which were happening on the 6th and on the 7th of May.

My Lord, having dealt with that, now I next go to the Admiralty instructions and the Admiralty recommendations, and deal with them as they were presented by Sir Edward Carson to the witness. At page 3 of the note of the evidence which was given on the second day of the trial in this room, the first instruction that was put to the Captain was this: "All orders by British men-of-war must be complied with immediately"? - (A) Yes. (Q) Now listen to this: 'When on voyage vessels must scatter widely both sides of the track and should avoid all other vessels directly they or their smoke are sighted. Points where trade converges should, when possible, be passed through at night. Territorial waters should be used when possible. Remember that the enemy will never operate in sight of land if he can possibly avoid it.' Did you get that? - (A) Yes."

Admiral Inglefield: That order applies more especially to the early operations of these cruisers.

Mr. Butler Aspinall: Yes. I think one may neglect that. Then the next is: "Every effort is to be made to avoid capture and to cause the enemy to burn coal." That again applies to the early stages. Then at the bottom of page 3: "Did you get this one; this is a telegram on the 30th January to Sir Norman Hill, the solicitor to the Company, from the Admiralty - 'Confidential' (it is dated 13th January, 1915): 'British Shipping should be advised to keep a sharp look-out for submarines and display ensign of neutral country, or show no colours while anywhere in the vicinity of the British Islands. British ensign must, however, be displayed when British or Allied men-of-war should be met. House flags should not be flown'? - (A) I remember getting that." I think I may dismiss that. In the middle of the page there is this question: "Did you get a copy of this, which is dated 10th February - ?"

The Commissioner: This is important.

Mr. Butler Aspinall: Yes. "This paper is for the master's personal information and is not to be copied, and when not actually in use is to be kept in safety in a place where it can be destroyed at a moment's notice. Instructions for Owners and Masters of British Merchant ships issued with reference to the operations of German submarines against British shipping." Did you get that one? (A) I do not remember that one." He

did receive it later on. "Section 3: Vessels approaching or leaving British or French ports between latitude 43 degrees N. and latitude 63 degrees N. and east, of longitude 13 degrees W. a sharp look out should be kept for submarines and vessels navigating in this area should have their boats turned out fully provisioned and ready for lowering. The danger is greatest in the vicinity of the ports and off the prominent headlands on the coast. Important landfalls in this area should be made after dark whenever possible." I believe I am right, in saying that at this time there were only six hours of darkness, and in view of the fact that there is a continuity of land, it is apparently recognized -

The Commissioner: On the 10th February?

Mr. Butler Aspinall: No, my Lord, on the 7th May.

Admiral Inglefield: ON the 7th Mat the sun rose at 4.24 and set at 7.30 roughly in that latitude.

Mr. Butler Aspinall: Yes. Now, my Lord, my submission is that he did not contravene that.

The Commissioner: No, he did 'not.

Mr. Butler Aspinall: Now, first of all, he is instructed that he is to have his boats turned out and fully provisioned. That he did. "The danger" it says "is greatest in the vicinity of the ports and off the prominent headlands on the coast." The Captain recognized that, and was not in any way contravening either the spirit or the letter of this in doing what he did. He was, as I suggested to your Lordship the other day, dealing with the navigation of the ship in this way. In view of the fact that at 11.30 he had a wireless telegram informing him that submarines had been seen 20 miles south of Coningbeg, he having applied his mind to this matter and having consulted the Staff Commander and his First Officer, said: "Now what I propose to do is to keep away from that position, 20 miles south of Coningbeg."

The Commissioner: Let me see the chart. Is this Coningbeg (pointing to the chart)?

Mr. Butler Aspinall: That is Coningbeg *there*, my Lord.

The Commissioner: And *there* is the channel that he had to go through.

Mr. Butler Aspinall: The Tuskar and the Smalls is the actual channel.

The Commissioner: Now he has got word that there are submarines 20 miles to the south.

Mr. Butler Aspinall: Yes, in or about the neighbourhood of Coningbeg. Now, my Lord, in doing what he did, my submission is that there was no reckless disregard of this instruction. He discussed the matter; he had present to his mind that the main thing was to avoid submarines, and he had got general instructions, no doubt of very great value, which probably would give effect to that purpose, namely, avoiding submarines, but he had got specific knowledge that when last seen the submarine danger was out in about the neighbourhood of mid-channel and under those circumstances he said to himself: "What I will do will be, in view of my specific instructions, although I fully recognise the utility of the general instructions, in

the circumstances of this case, in order to avoid that danger, he made up his mind to go close to Coningbeg. My submission is that that was a proper judgment in view of what he had been told.

The Commissioner: This chart has not got his actual course marked upon it.

Mr. Butler Aspinall: Yes it has, my Lord. It is very difficult to see, but it is there.

The Commissioner: Where is it?

(The course was pointed out.)

Mr. Butler Aspinall: I do not think this large chart shows the Tuskar, and that was the utility, I thought, of the smaller one. I thought the utility of this chart was that you get a sight of the whole scene of operations; and before the course was altered at 12.40, information was received that the danger was that there were submarines 20 miles South of Coningbeg, and rightly or wrongly, a determination on the part of the Master, after thinking the matter over, to get his position by a fix, and then make a course which would take him close to the Coningbeg.

The Commissioner: Am I to understand that he intended to change his course again?

Mr. Butler Aspinall: Yes.

The Commissioner: Because this course would take him right up to Coningbeg.

Mr. Butler Aspinall: Yes. What he would do would be this: As soon as he got the result of the 4-point bearing, if he ever did, that would enable him to go into his chart room with an officer and mark off on his chart the exact position. He sees where Coningbeg is, and he puts his ship then on the appropriate course to take her close to Coningbeg. Now in that connection I also want to emphasise this: he had met with fog and may meet with fog again, but once he has got his point of departure fixed, then having put his ship on to the appropriate course, if she is properly steered, then she will arrive at the destination which he wishes to reach.

The Commissioner: How far in point of time was he from Coningbeg?

The Solicitor-General: 80 miles.

Mr. Butler Aspinall: At 18 knots it would be between 4 and 5 hours.

The Commissioner: He knew at that time that submarines were about here (*pointing to the chart*)?

Mr. Butler Aspinall: Yes.

The Commissioner: And that they could shift in the 4 hours very considerably?

Mr. Butler Aspinall: Undoubtedly. I quite appreciate that, but after all warnings had been given in New York that the “Lusitania” had been marked down for destruction and when once this gentleman, the Captain, was informed that submarines were off Coningbeg, I submit that it would be not an unreasonable inference for him to think that was just the spot where these people would be waiting for him.

The Commissioner: Where is the Channel - is *this* it?

Mr. Butler Aspinall: Between the Tuskar and the Smalls.

The Commissioner: Do you suggest that it was wise to make for that Channel at all under the circumstances?

Mr. Butler Aspinall: Yes, my Lord, I do. I suggest that it was wise for two reasons. The big reason was this, that the submarines were operating off the South Coast of Ireland; therefore he gets away from the South coast of Ireland. If he comes through *there*, he in fact gets away and gets on to the East Coast of Ireland, and I submit that under those circumstances it was a reasonable thing for the Master to deal with the state of affairs as he knew them in the way he did. To have done otherwise, well, I do not know what he could well have done. He might have gone back; he knew that he had passed one, and possibly more submarines whence he had come.

The Commissioner: He knew that one of them was going west.

Mr. Butler Aspinall: Yes, one of them was going west. It was probable, through the information which he received, that this was the danger zone most to be feared off the Coast of Ireland, and the sooner he got away from that, the better.

The Commissioner: That is my difficulty. Was it wise to try and get away by approaching Coningbeg?

Mr. Butler Aspinall: I can appreciate your difficulty, my Lord, if I may say so with respect. Of course it may be that it may not have been wise to go on, but if he does go on, I submit that it would be wrong to say that the man was guilty of any negligence.

The Commissioner: If it was wise, I have been advised by the gentlemen who sit with me, to go through this channel at all, it appears to me it was wise to go as far to the North as he could.

Mr. Butler Aspinall: So far, that is all I am contending for. Then I have to meet the other matter which your Lordship put: was it wise to go through the channel at all? The man has got into the danger zone, and what is he to do? His wish is, if he can, reasonably safely, do it, to finish his voyage - terminate it.

The Commissioner: And he had any time up to 9 o'clock next morning.

Mr. Butler Aspinall: Yes.

Admiral Inglefield: The time of High Water at Liverpool Bar that morning was 5.44. He could have crossed from 3 to 9. The High Water was 5.44 on the inside.

Mr. Laing: On the 8th.

Admiral Inglefield: I beg your pardon; it was on the 8th.

Mr. Butler Aspinall: The alternative of course would be for him to go on, but what was he to do? Was he to put back again away from the shore? That would be the only reasonable thing to do if he had made up his mind not to go on.

The Commissioner: I think it is suggested by Sir Edward Carson or some one that he might have zigzagged about here (*pointing to the chart*), and that he had plenty of time to do it.

Mr. Butler Aspinall: Now, my Lord, dealing with that, what would that have meant? If off the South Coast of Ireland he remained zigzagging about, it would have meant that whilst he was zigzagging - no doubt a very admirable manoeuvre for the purpose of avoiding a shot from a submarine - he in fact is covering a very large area of ground whilst he is zigzagging.

The Commissioner: No doubt.

Mr. Butler Aspinall: But whilst he is covering that large area of ground, he may have been covering the very area which he wished to avoid. He is covering ground in the danger zone.

The Commissioner: Yes, but he is covering it in a way which minimises danger very much.

Mr. Butler Aspinall: No doubt, it may be that that is so. He is wishful to avoid this danger zone, and he had got to make up his mind what the best thing is to do, and he is confronted with a class of difficulty which is unusual to a mariner. He is not a man of war; he is a man of peace, and is accustomed to navigate his ship, and having applied his mind to it, he comes to the conclusion: let me get away from this danger zone.

The Commissioner: Do you think he applied his mind in that way?

Mr. Butler Aspinall: Well, he says he did. He may have been a courageous sailor, but, after all, one has got to judge of him by who he is and what experience he has had in the past.

The Commissioner: The best thing for him to do, having regard to the telegram which told him that there were submarines 20 miles south of Coningbeg, was to make a move and get clear.

Mr. Butler Aspinall: Yes, get out of the danger zone.

The Commissioner: He would remain in the danger zone.

Mr. Butler Aspinall: Yes, he would have remained in it, but he would not have remained in it for anything like the same length of time.

The Commissioner: Do you mean to say he got out of the danger zone?

Mr. Butler Aspinall: He did not get out of the danger zone, but he got out of the danger zone as to which he had information by wireless, namely, that there were submarines operating off this part of the coast of Ireland. It may be that he would meet with fresh dangers, but, of course, he has got to deal with dangers as they occurred. The dangers as they were occurring, as the wireless had told him, were there were submarines off the south coast.

Admiral Inglefield: Coming up his danger is minimized, because he is in the dark there until he arrives off Liverpool.

The Commissioner: Where would he have been when it became dark supposing he had followed this course?

Admiral Inglefield: It would have put him just in St. George's Channel.

The Commissioner: Can you give me a chart which shows it?

Admiral Inglefield: He would be just there (*pointing to a chart*).

Lieut.-Commander Hearn: I think we made out that at the speed he was going, taking into account the tides, the moment of danger would be minimized.

Admiral Inglefield: Therefore from *this* point his danger would be minimized, in that he would be running in the dark from *here* up to Liverpool Bar. *This* part would be traversed apparently in darkness.

The Commissioner: Very well. You say that he would be about *here*, Commander Hear, at half past seven.

Lieut.-Commander Hearn: About *here* at half past seven.

The Commissioner: And you take it that it was coming on dark then at all events?

Lieut.-Commander Hearn: It would be about sunset then.

Admiral Inglefield: Sunset on that day was at 7.30. May I point out that he would have been under high land *here* and the sun would have been setting over *there*, and he would have been equally more in safety inasmuch as he could not have been observed against the skyline.

The Commissioner: He would be *here*, and then he would have his run to Liverpool in the dark.

Admiral Inglefield: Yes.

The Commissioner: And that is one of the things that he is advised as far as possible to do.

Mr. Butler Aspinall: May I also make this suggestion? The submarines of which he had been told were the ones that were away by Cape Lear, and the others were those which were operating off Coningbeg.

The Commissioner: Coningbeg is there, is it not? (*Pointing to the chart.*)

Mr. Butler Aspinall: Yes. In truth and in fact the submarine that succeeded in getting him was one which had not been reported to him, or he looks for one which had been reported to him, and which was apparently coming from the southward. It was a submarine apparently some way away when seen four points on the starboard bow. Now that shows the danger of the submarines, which were operating off the South Coast of Ireland, speaking quite generally, and I submit that that to a large extent makes good my point that it would have been undesirable that he should have remained in the place where apparently there were quite a large number of submarines, some known to the Admiralty and others unknown to the Admiralty. The more of that ground he was covering and the longer the time he remained in that part of the ocean, the more possible it was for the submarine to get him.

The Commissioner: It is a question of prudence.

Mr. Butler Aspinall: Yes, it is a question of prudence. He has to choose and he must exercise a good judgment. I mean to say, we have the very great advantage of knowing so much now which was unknown to him then; we are sitting upon the matter in cool judgment, with an opportunity of looking at the charts, and the circumstances under which we are dealing with it were not the circumstances under which the Master would have an opportunity of dealing with it.

Now, my Lord, to continue with regard to these notices, on page 6 the Attorney-General puts to the witness the one on 15th April: "Daily Voyage Notice. For the purpose of the Government War Insurance Scheme the Admiralty consider all voyages may be undertaken subject to local conditions, except the following: - German submarines appear to be operating chiefly off prominent headlands and landfalls. Ships should give prominent headlands a wide berth where not otherwise directed in these notes. Ports such as Dover should be passed at utmost speed." Now, the direction there which concerns me is that "Ships should give prominent headlands a wide berth." The word "wide" is an elastic term and as the Master said in answer to Sir Edward Carson: "What is a wide berth?" He, in fact, although he wishful, and properly wishful, to get a fix, a four-point bearing off the Old Head of Kinsale, was much further out from the headland than he would be under normal circumstances. The blue line, your Lordship remembers, marks the ordinary line; so that, in fact, again the Captain was seeking to give effect to the Admiralty instructions, and he rightly or wrongly thought that he was giving a wide berth, and it is also to be remembered that at the time when he hauls in those 30 degrees to the northward - that is at 12.40 - prior to that he has had the information, namely, at 11.30, of the place where the submarines are operating. In consequence of that wireless he has made up his mind to in fact, keep much closer to the northward than he would otherwise do, namely, pass up close to Coningbeg. The key-note to my mind, upon the point I am putting to your Lordship to his conduct is the information which he got from the wireless at 11.30, and the determination in his mind, in consequence, of that information, to go close to

Coningbeg. My submission is that in view of that, this man did not contravene or disregard this Admiralty instruction on the 15th of April.

There is one other message on the 22nd of March: “Warn homeward bound British merchant ships that when making principal landfalls at night they should not approach nearer than is absolutely necessary for safe navigation. Most important that vessels passing up the Irish or English Channel should keep mid-channel course.” I know which is the English Channel, but I have been wondering, and those who assist me in this case have been wondering, what is the Irish Channel. Is it to be considered as the water south of Ireland, or is it to be considered as the Channel on the East Coast of Ireland? On the East Coast of Ireland a glance at the chart shows that there is undoubtedly a channel there, but it is very difficult indeed to say what is the channel and what is the mid-channel when dealing with the South Coast of Ireland. The waters are extremely broad.

The Commissioner: On the South Coast of Ireland there is no channel.

Mr. Butler Aspinall: That is what my suggestion to your lordship is. That is the difficulty. We have been considering the language very, very closely, and we have come to the conclusion that it is probable the Irish Channel, in which you are to keep the mid-channel course, is off the Eastern Coast of Ireland.

The Commissioner: Is that St. George’s Channel? (*pointing to the chart.*)

Mr. Butler Aspinall: Yes. St. George’s Channel or the Irish Channel.

The Commissioner: Is it sometimes called the Irish Channel?

Mr. Butler Aspinall: Yes, sometimes. My point is that there is really not a channel on the South Coast of Ireland at all. There is a channel up there (*pointing on the chart*); whether it is a narrow channel or not is another matter, but there is really no channel *there*. When you get through *this* narrow channel, then my submission is that you are in the Irish Channel, so that if it could be suggested that there was any impropriety in the Master not steering a mid-channel course, my submission is that this particular advice on the instruction on the 22nd of March has no application to this case; but the Admiralty are there desirous of telling mariners that it is most important that vessels passing up and down the Irish Channel or the English Channel should keep a mid-channel course.

My Lord, the next document which was put to the witness was this. It is not an instruction, but of course it is none the less valuable in consequence of that. I understand the way the Captain gets at it is this, and it gives the mariner the result of the experience of the Navy. It tells him this: “War experience has shown that fast steamers can considerably reduce the chance of a successful surprise submarine attack by zigzagging, that is to say, altering the course at short and irregular intervals, say, 10 minutes to half an hour. This course is almost invariably adopted by warships when cruising in an area known to be infested by submarines. The underwater speed of a submarine is very low, and it is exceedingly difficult for her to get into position to deliver an attack unless she can observe and predict the course of the ship attacked. It is believed that the regulations of many steamship lines prescribe that the master shall be on deck whenever course is altered” - and so on.

Now, my Lord, with regard to that, the position that the Captain took up when he was giving his evidence here was that he had misread that, and he thought that it meant you were to zigzag after you had sighted the submarine. He agreed with Sir Edward Carson, looking at it in view of the fact that Sir Edward has called attention to the matter with some closeness, that his early construction was probably wrong. After all the man was not a lawyer.

The Commissioner: I do not think it requires a lawyer to construe that.

Mr. Butler Aspinall: I think I have got a very much better answer than that -

The Commissioner: Than the Captain had?

Mr. Butler Aspinall: Yes. It was for this reason that I, at the outset of my remarks, emphasised the fact that I did not think the Captain in giving evidence always did full justice to his own case. For instance, your Lordship may remember that he mentioned not a word about Coningbeg till after lunch. When I said to him after lunch, "Now pull yourself together and think before you answer, he said: "Oh, yes, Coningbeg; I have forgotten all about it."

The Commissioner: He had not seen the point.

Mr. Butler Aspinall: Oh, yes, he had, my Lord. And where I make my position good with regard to the Captain is this, that the Board of Trade had written a letter to Messrs. Hill Dickinson, asking them to direct the Captain's attention to certain points, and as the result of that, he had drawn up a proof which was put before your Lordship, in which he alluded to the fact of his going so close to Coningbeg. So that long before Sir Edward Carson was taking him through these matters and pointing these things out to him, he had in answer to the letter [sic] from the board of Trade told Messrs. Hill Dickinson, "Oh, yes, I was going close to Coningbeg."

The Commissioner: Just read me the passage.

The Solicitor-General: It is in the Shorthand Note. "On the morning of the 7th May, at about 11.30 a further wireless message was received which reported submarines in the Southern part of the Irish Channel and last heard of 20 miles South of Coningbeg Light Vessel. I then decided to pass close by Coningbeg and at 12.40 p.m. after Galley Head was sighted on the port bow, I altered course gradually to 30 degrees more to the northward to N. 63 E."

The Commissioner: Yes, that is it.

Mr. Butler Aspinall: So that it was an excellent defense, in my submission, which the man had overlooked. We were unhappy about it somewhat, because then came the luncheon interval. I need hardly say that not a word passed between us and the Captain, but we got it here, which was sufficient for our purpose, and there it was.

Now, I was merely making those observations in order to show your Lordship that the Master has not really done the best for himself in his evidence. Now, that leads me to this point with regard to the zigzagging. I said I had got a much better point I think than the Master's statement that he had misread this advice. My point is this: According to the state of the facts which I mentioned to your Lordship this morning, Mr. Besteg [sic], and those associated with him, were at the time in question doing what was perfectly legitimate, I submit, and perfectly proper, engaged in taking a 4-point bearing, and it was during that half an hour that the catastrophe happens. If they had been zigzagging, they could not have carried out the operation of taking the 4-point bearing.

The Commissioner: Is that so?

Admiral Inglefield: Yes. They must run steady on a direct course at a regular speed while the bearing is being taken.

The Commissioner: So that the zigzagging would have defeated that object.

Mr. Butler Aspinall: It would have defeated a legitimate operation in navigation. There is the Old Head of Kinsale some four points on the port bow, and you run on until you get to it, and the result of that is that you get an isosceles triangle. The distance run from the point where you get the object four points on your bow until you get abeam, tells you that that is the distance at right-angles of the object which you are off on the land or on the sea, so that if during that period of time they were zigzagging, it would have been quite impossible.

The Commissioner: Then the way you put your argument is this, that it was a proper thing for him to be taking this fix off Kinsale, and he could not do it if he was going to zigzag, and therefore zigzagging as not a proper manoeuvre in the circumstance.

Mr. Butler Aspinall: That is my point, my Lord, upon that. Mr. Laing points out that it is not an order that the man was disobeying, but, of course, for all that, it is valuable advice.

The Commissioner: Well, I do not think there is much difference between "advice" and "order."

Mr. Butler Aspinall: No, my Lord. Mr. Laing mentioned it, but I must confess I do not appreciate the value of it.

Then, my Lord, on page 8 of the Master's evidence there is an instruction or advice on May 6th: "Take Liverpool pilot at Bar, and avoid headlands. Pass harbours at full speed: steer mid-channel course. Submarines at Fastnet." Well, that was in the nature of a telegram and not in the nature of an instruction, but there again he is informed that the wish of the Admiralty is that, where it is practicable and where it is reasonable and unless the special circumstances of the case forbid, you are to steer a mid-channel course. That is a point I have already dealt with and it is not necessary to deal with it again.

Then, my Lord, we come to the telegrams that the Attorney-General put to the witness, and that, I think I am right in saying, exhausts the directions or instructions that were given to ship masters with regard to

the best means of avoiding the submarine menace. My Lord, it really comes to this, I think: three possible grounds of condemnation, namely, that he was not steering a mid-channel course, but he came too near the shore. I have dealt with that, I submit. He was entitled to do what he did. Secondly, that it might have been wrong for him to be zigzagging. I have dealt with that. And thirdly and lastly, that it was improper of him when he had an available speed of 21 knots to be going at 18 knots. Now, with regard to that, the position that he took up was this: I wanted to arrive in the neighborhood of Liverpool at such time as I should not have to be waiting there. Your Lordship may remember that when Mr. Booth was giving evidence he said that was one of the matters that he and Mr. Mears, the registered manager, discussed with the Captains and impressed upon them. Mr. Booth said that it was notorious that submarines had been operating in Liverpool Bay, and in consequence of their having that information they had impressed upon Captains: Do not arrive at such a time of the tide that you have to wait outside the Bar; and, my Lord, it was for that reason that he saw fit to reduce his speed. Now, if your Lordship is with me as to the impropriety of consuming the time by zigzagging out *here*, then I submit it is logical for me to say that I am entitled to your Lordship's judgment -

The Commissioner: How long does it take to get what you call a fix?

Mr. Butler Aspinall: It all depends upon the distance you have got to run in order to carry out your 4-point bearing.

The Commissioner: I am thinking about this zigzagging. When did he begin the operation?

Mr. Butler Aspinall: He began the operation at 1.40.

The Commissioner: He told me that it was not complete at the time when the torpedo struck the ship.

Mr. Butler Aspinall: I think it was 1.50, not 1.40, which is better for me. He began at 1.40, and he had not finished it at the time when the torpedo struck the ship. I think I am right in saying that it was 1.50 in fact, and not 1.40, and the Admiral tells your Lordship that it is highly probable that it would take half an hour.

The Commissioner: And the torpedoing was at what time?

Mr. Butler Aspinall: At 2.10, and she sank at about 2.26.

The Commissioner: Then there was just about the time to complete it.

Mr. Butler Aspinall: No doubt it was just on the point of completion. There was some evidence that she was further off.

The Solicitor-General: The master said 8 to 10 himself.

Mr. Butler Aspinall: Yes. They thought 15, and there was evidence that at the time Mr. Thomas was saved, and no doubt to some extent he changed that evidence, he asked the tug master where he was, and the tug master said, "Oh, at least 15 or 16 miles, because we are outside our fishing limits," and she had

been running into the land at the time Mr. Thomas asked the question, but I do not wish to labour that point, as to what was the precise cause.

The Solicitor-General: Do not the S.O.S. calls show it as 10 miles?

Mr. Butler Aspinall: I do not think it is very material to the question whether it was 10 or 15 miles. Your Lordship in the early part of my address, I think, put the question to me: Is it legitimate to override the Board of Trade regulations by an Admiralty instruction? It is suggested to me that your Lordship had that in your mind. I mean to say, first of all, for the safe navigation of the ship she must be navigated so that she does not get on rocks or the shore; secondly, give effect, if you can, to the Admiralty instructions so as to avoid the submarine menace. What a careful man out to do, I submit, is, as far as he can, give effect to both, but there may be special circumstances where it is impossible to give effect to both. Now, if you get your ship ashore in foggy weather, there is certain to be trouble, and in the circumstances of this case what the Captain was doing, and I submit was rightly doing, whilst he knew and appreciated that he had got submarines to deal with, he also appreciated the fact that he must navigate his ship in such a way that he would ascertain his position which he could do by getting his 4-point bearing, and then, having got that, he would be able to make his departure from that point in such a way that he could get through this channel in order to steer an appropriate course. So he has got both matters to consider: the Board of Trade Regulations which deal with the ordinary navigation of the ship, and also the avoidance of the submarine menace.

The Commissioner: What Board of Trade Regulations affect this matter?

Mr. Butler Aspinall: Well, there are the general Board of Trade Regulations, that you are to make your landfall and that you are to ascertain your position, and if you cannot make a good landfall when you know you are somewhere in the neighborhood of the Coast of Ireland, you are to take soundings which will more or less inform you of where you are; at any rate, warn you as to your position and distance from the land by reason of the nature of the bottom and by reason of the depth of the soundings which you get.

The Commissioner: Your contention, as I understand, is this, that in each case the Captain must use his judgment to see which is the overriding advice or direction.

Mr. Butler Aspinall: Yes; and in the same way whilst these instructions from the Admiralty are, of course, of great value, the Master always has to say to himself this: Here I have got the general instructions that I am to keep in mid-channel, but if in addition to that the Admiralty inform me by wireless that by going into mid-channel I shall meet with dangers which they are wishful I should avoid, you leave out on one side the special instruction, and on the other side he applies his mind to the special circumstances of the case. Your Lordship asked a question on the occasion when the evidence of the Master was being taken in this room with regard to the operations of the submarine in the neighborhood of Liverpool and off the Liverpool Bar. I have got a list, and I have also got a covering letter from Sir Norman Hill, if I may be allowed to hand it to your Lordship.

The Commissioner: Which you received this morning?

Mr. Butler Aspinall: No; the letter from Sir Norman Hill came, I think, two days ago. Shall I read the letter?

The Commissioner: Certainly.

Mr. Butler Aspinall: He writes it directly to me: "At the request of the Cunard Steamship Company, Limited, who are members of this Association" - that is the London and Liverpool War Risks Association, Limited - "I write to state that from the 30th January up to the present date we have regarded Liverpool Bay as a very dangerous area, and we have issued most stringent instructions to Master of all vessels entered in this Association to avoid anchoring or reducing speed whilst making the entrances to the Mersey. On the 30th January, two vessels, 'Linda Blanche' and the 'Kilcoan' were attacked by submarines in Liverpool Bay, and on the same day a third vessel, the 'Ben Cruachan' was attacked by a submarine off Morecambe Bay light vessel. On the 20th February the 'Cambank' was sunk six miles to the eastward of Pont Lynas by a submarine. In consequence we arranged with the Mersey Docks and Harbour Board to shift the Pilotage Stations to off the Calf of Man, and for some time we instructed by wireless and otherwise the masters of all vessels to take their pilots at that station. The only Pilotage Station is now at the Bar. On the 9th March the 'Princess Victoria' was sunk in Liverpool Bay by a submarine. From that date there have been no vessels attacked in Liverpool Bay, but we have received constant warnings of the presence of submarines in the Bay, and even close to the Bar, although the Bay is constantly patrolled. Within the last few days a submarine has been sighted more than once off the Great Orme's Head. The information embodied in this letter has been communicated to the members of this Association for the guidance of their master, but it would be against my instructions to make this information public."

My Lord, I submit, for the reasons I have indicated to your Lordship, that the right answer, as far as the Captain is concerned, is to say that he is not to blame. It is not necessary to say so, but I might say that sometimes the Wreck Commissioner has seen fit to say that even if the Captain has failed, the worst is an error of judgment. My submission is that there is neither error of judgment nor blame.

The Commissioner: Is there any reason to be found in this evidence for charging the owners with negligence of any kind, because that is one of the questions put to me? Let me see what they say: "Does any blame attached to the owners of the 'Lusitania'?"

Mr. Butler Aspinall: I think Mr. Clem Edwards made some suggestion in view of the fact that we were using 19 boilers instead of 25, that that constituted negligence, but I submit that there is no substance in that.

The Commissioner: No, I do not think there is anything in that, subject to what the Solicitor general has to say to me.

The Solicitor General: Your Lordship will of course understand that the function of the Board of Trade here is not to conduct any prosecution of any kind, but merely to assist the Court to arrive at a knowledge of the facts in as far as possible a complete perspective. Of course, had this inquiry been conducted in public, your Lordship would have had the assistance of counsel, who would presumably have been

concerned, or would have thought themselves concerned, to establish as against either the owners of the master some degree of responsibility. I draw that inference from the observations actually made by some of the learned counsel who addressed your Lordship yesterday. Having regard to the circumstance that public considerations have made it impossible to conduct this inquiry in public, your Lordship has no such assistance. All the considerations that can be urged on behalf of the Master have been urged by Mr. Aspinall, and I propose under the circumstances I have indicated to state, not of course as presenting any view on behalf of the Board of Trade, because it is not their duty to form or state an opinion, but I propose to lay before your Lordship some considerations, which might or might not lead to an opposite conclusion to that on behalf of which Mr. Aspinall has contended.

Now, my Lord, there is one point on which it is suggested to me that, in fairness to the Captain, I ought to offer a short explanation. Your Lordship has in mind a cable of the 6th of May which was addressed by the Admiralty to all British merchant vessels homeward bound. It begins in the extract I have: "Keep a course in mid-channel and so not make Capes. There are submarines off Fastnet. Keep at full speed passing any Harbours. Two Light Vessels off Folkestone; pass between them. Keep within two miles off shore while between Folkestone and South Foreland. Meet pilot at Liverpool Bar." Has your Lordship got that?

The Commissioner: No I have not got it.

The Solicitor General: It is one of the 6th May.

The Commissioner: There are two on the 6th of May. One, "Submarines off the South Coast," and another, "Take pilot at Liverpool Bar."

The Solicitor General: Yes, my Lord, that is the one. It is at the top of page 8 of my learned friend's cross-examination. Now, my Lord, the only reason why I call attention to that is that although this represents, and represents with substantial accuracy, the sense of the decoded message, whenever messages are so decoded for any collateral purpose by the Admiralty, they are always transposed so that in case any ingenuous person were to discover the message as decoded and the original, he could obtain the secret of the code, which of course is vital that no person should obtain. Therefore a transposition is always made, and it has been suggested to me that the transposition has had the result of putting in undue prominence in the message the instruction to keep a course in mid-channel. Now, my Lord, the exact literal rendering of the message when decoded is as follows: "Between South Foreland and Folkestone keep within two miles of shore and pass between two light vessels. Take Liverpool pilot at Bar. Avoid headlands. Pass harbours at full speed. Steer mid-channel course. Submarines off Fastnet." Now, my Lord, that is the precise message as it was delivered, and that was the reason for it.

Now, my Lord, I think the most useful order in which I can deal with these various matters, and I propose to deal with them quite briefly, is, I think, to take chronologically the instructions which were issued to the Master, and then, having considered those instructions and the extent to which he either followed them or deviated from them, to ask your Lordship what answer ought to be given to the two questions which affect the Master, which in form are two, although I think it might be possible to take the view that substantially they are a single question - "Whether any blame attaches to the Master for the loss," a very

comprehensive question which appears to cover the other, and, secondly, the more particular question, whether instructions were given to the Master by the Admiralty, and whether he was in default in not carrying those instructions out. We know, of course, that instructions were given, and the question is whether the Captain was in default in not carrying those instructions out.

My Lord, I do not propose to deal now with the instructions which were given so far back in April; for instance, the Confidential Daily Voyage Notice of the 15th of April, "German submarines appear to be operating chiefly off prominent headlands and landfalls. Ships should give prominent headlands a wide berth," except as shewing what an experienced navigator who received this notice so long ago as the 15^h of April ought to have had in his mind as the view of the Admiralty, based, of course, as he must have known, upon very wide experience and great consideration. On the 15th of April that was the notice. Then on the next day there was issued the Confidential memorandum which Captain Turner has now admitted he completely misunderstood: "War experience has shown that fast steamers can considerably reduce the chance of a successful surprise submarine attack by zigzagging, that is to say, altering course at short and irregular intervals, say ten minutes to half an hour. This course is almost invariably adopted by warships when cruising in an area known to be infested by submarines. The under-water speed of a submarine is very low, and it is exceedingly difficult for her to get into position to deliver an attack unless she can observe and predict the course of the ship attacked." Now, my Lord, Captain Turner, when asked about this, said he understood this to be an instruction or a suggestion which was not to be acted upon until the moment that the merchant vessel had actually seen a submarine. The only possible comment, of course, upon that statement is that there is nothing in the language of the instruction which supports such a construction, and there are plain words contained in it which show that that was not its meaning; indeed, Captain Turner, who, I respectfully agree with your Lordship, gave his evidence throughout with great candour, when he was asked on this point, and his attention was directed to the language of this general advice, admitted at once in a very proper manner that he had not sufficiently considered its terms, and it was now plain that the adoption of the zigzagging tactics was not in any way limited to occasions on which the submarine had become visible to the merchant vessel which was to adopt those tactics.

The Commissioner: Are not there directions somewhere that if a submarine is sighted the course to adopt is to get it astern and to keep it astern?

The Solicitor General: I do not recall that, my Lord, but there may be.

Commander Anderson: The instructions are to bring it ahead.

The Commissioner: To bring what ahead?

Commander Anderson: The submarine.

The Commissioner: What are the orders?

Commander Anderson: It is in the order of February 10th, Section B.

The Commissioner: I have always understood that if a submarine is coming, the object is

to get her directly astern. What I mean, Sir Frederick, is this, that the interpretation which the Captain was putting upon this order to zigzag, or recommendation to zigzag, was inconsistent with some other order.

The Solicitor General: Yes. It is Section 2A which your Lordship has. Is not that the one?

Admiral Inglefield: B and C refer to it. You will see: "When a submarine is ahead or astern" - so and so.

The Commissioner: Very well. Pass on.

The Solicitor General: If your Lordship pleases. We come then to the material dates of the voyage in the early days of April, and here, my Lord, I must make one submission that may perhaps be worth keeping in mind. Mr. Aspinall in his address to your Lordship seemed to me perhaps somewhat unduly to limit himself to a consideration of what actually took place from the time the Captain, in order, as he says, to get a fix, approached the land on the day in question. Surely, my Lord, one must begin one's enquiry a little earlier. Here was a case in which the "Lusitania" was sailing under wholly unprecedented circumstances from New York. It was a case in which we know that warnings of some kind had been issued, and of which it is sufficient to say that no one on board was unaware that the voyage was one in respect of which it was to be apprehended that there might be an attack by submarines. Therefore the period of vigilance and of consideration and coordination of every step taken for the purpose of bringing the ship safely into harbour was that of course of the whole voyage, and not any particular moment when the vessel was already near the coast of Ireland.

Now, my Lord, bearing that consideration in mind, we come to the 6th of May, when the message received by the "Lusitania" from the Admiralty at Queenstown was "Submarines are active off the South Coast of Ireland" and, as your Lordship had been told, a few minutes later the "Lusitania" asked for and received a repetition of the message. On the 7th of May, a period when of course their attention had been in the most pointed way directed to the fact that the general submarine menace had materialized at the particular point - on the 7th of May they received a message, "Submarine area should be avoided by keeping well off the land." Now, I would invite your Lordship to consider very, very carefully in relation to this particular instruction whether this was one which the Master carried out in its true meaning, and whether, if he failed to carry it out, the second question, which deals with the position of the Master here, must not be answered in a certain way. I make the general observation I have to make upon this point now. The instructions are that the submarine area is to be avoided by keeping well off the land.

The Commissioner: Which telegrams are you referring to?

The Solicitor General: The one of the 7th of May, my Lord.

The Commissioner: To whom?

The Solicitor General: To all British merchant vessels.

The Commissioner: Where is it referred to in the evidence?

The Solicitor General: I will give your Lordship the reference.

The Commissioner: Are you reading from the admiralty memorandum?

The Solicitor General: Yes, my Lord.

The Commissioner: Would you tell me where it is?

The Solicitor General: If your Lordship will look, "it has been ascertained that the following wireless message passed" (it is towards the end of the page) "on the 6th of May, the 7th of May and the 7th May."

The Commissioner: Are you reading from the Memorandum headed "Lusitania"?

The Solicitor General: Yes, headed "Lusitania," my Lord.

The Commissioner: Where is it?

The Solicitor General: It is very curious, my Lord. I cannot explain it at all. Your Lordship's copy is not the same as mine oddly enough. I have a different document to the one your Lordship has.

The Commissioner: What is the document that you have got?

The Solicitor General: Mine, my Lord, is an Admiralty Memorandum, prepared by the officials of the Board of Admiralty and headed "Lusitania."

The Commissioner: Could you find me any reference to it in the evidence, Mr. Aspinall?

Mr. Butler Aspinall: No, my Lord, it is not in the evidence. It is new.

The Solicitor General: I have been working on it throughout the case.

The Commissioner: This second wireless message dated the 7th of May and addressed to all British merchant vessels, "Submarine area should be avoided by keeping well off the land." Is not in the document that I have at all, and I have two or three telegrams on the 6th of May, two of which you do not seem to have.

The Solicitor General: I think they are over the page on your Lordship's copy; they are out of order, I think.

The Commissioner: Possibly they are. It seems to me to be a different document; yet oddly enough it is dated the same day.

The Solicitor General: Yes.

The Commissioner: What is the meaning of it, Sir Ellis; do you know?

Sir Ellis Cunliffe: I think the explanation, my Lord, is that the first date or the first print with the italics is an exact translation verbatim of the code, and the later one in the event of it being thought that this might be heard in open Court.

The Commissioner: Will you tell me which is the one which is an exact translation, the one which Sir Frederick has or this one?

Sir Ellis Cunliffe: That one is the exact translation.

The Commissioner: Then that is the document that you were to have used in open court if this part of the inquiry had taken place in open court.

Sir Ellis Cunliffe: Yes, my Lord.

The Solicitor General: I must confess I do not want the statement. I think it would be very unfair for me when it has been put to the Master and had not been produced in evidence to found any further comment upon it.

The Commissioner: Except that we certainly want to get at the truth. Do you know anything about it, Mr. Aspinall?

Mr. Butler Aspinall: No, my Lord, I do not. I am told by Mr. Furness that he received what purported to be an exhaustive list of the telegrams, and that is what we have been working on.

The Commissioner: You see I had neither the one nor the other, but Admiral Inglefield has been good enough to get me a copy of the one, and that is the one that you have, I think, Mr. Aspinall, and the one that Sir Frederick Smith has is one I have never seen.

The Solicitor General: Well, my Lord, it is of less importance because the point is really covered by the cable, the wireless of 6th of May, which I have already dealt with in order to call attention to its exact phrasing.

The Commissioner: Yes. It appears to me that that is so. Therefore, I do not think you need trouble about it.

The Solicitor General: I do not propose to, my Lord, if that is your view.

Now, my Lord, the observations that I have to make as to the course which the Captain in fact adopted I think can be made in relation to this wireless message of the 6th of May. He has been instructed by this time in the clearest manner that he must give headlands a wide berth, more than once. He knows that to be

the Admiralty view. He is now instructed to keep a mid-channel course, so that on a dangerous voyage and one known to him to be dangerous, he is informed that the Admiralty instructions are, (a) to avoid headlands, and (b) to keep a mid-channel course.

Now, my Lord, certain observations were made upon these instructions and upon the position of the Master in relation to those instructions by Mr. Aspinall. My Lord, I do not think it necessary to argue at any length what the position of the Master would be if he received instructions from the Admiralty which were in conflict with instructions issuing from another Government Department. It must, I suppose, as your Lordship indicated, be clear that the Captain must use his experience and discretion in the position in which he is placed in judging which instruction is an overriding obligation, and in reaching such a conclusion he will properly give due weight, not an excessive weight, but due weight to the fact that the Admiralty instructions are issued in direct relation to a particular crisis which *ex hypothesi* has arisen, and that the other instructions are of a more general character.

Now, my Lord, it is possible to deal with the effect of the receipt of these instructions to the Master in a variety of ways, but I think it is better to adopt, and fairer to adopt, the explanation or explanations which he himself puts forward. In the first place, he said in answer to the Attorney General, "Speaking as a seaman, I was in mid-channel." Well, my Lord, you are advised upon these points by very competent professional gentlemen, and I do not propose to expend any time in arguing whether this was mid-channel or not. The only observation I would make upon it is that it certainly was not mid-channel in any language of geographical precision. A doubt is indicated by my learned friend, Mr. Aspinall, as to whether at this point there is any tract of water to which the description mid-channel can properly be applied at all. I certainly do not intend to waste any time upon such a controversy. I make this observation only, that it should be considered whether it is reasonable to ask from those who are giving instructions of this kind by wireless and economising words of explanation from the nature of the case - that they should be expected to say to a Captain of a vessel when they are giving these instructions, we cannot use the expression "mid-channel" because there is not anything which can be precisely called a channel there, but we mean you to keep far away from the shore in the kind of manner that we should direct you to do by using the expression "mid-channel" if there were a channel. Surely it is to be considered whether the true view is not that every sailor would know perfectly well the meaning of the instruction, was to keep a mid-channel course, and if he chooses to disregard that instruction he cannot be reasonably heard to say "Oh, well, I could not keep a mid-channel course there, although a few miles afterwards I could have done because there is really, if you look at the map, not a proper channel there at all.

The Commissioner: Or any channel?

The Solicitor General: Or any channel. It is to be considered, I submit, my Lord, whether this is not the plain meaning of it, that he was to keep a deep water course at a very considerable distance from the land just as if there had technically been a channel there he would have done if he had kept on a mid-channel course. The Court will consider whether that is not the meaning.

Now, my Lord, you must of course consider together the instruction to keep a mid-channel course and the very specific caution to avoid headlands. Now, what does the Master say about his failure, if it was a failure, to avoid headlands in the vicinity of the Head of Kinsale? He says, and if it is true it is a good

answer, "It was necessary for me as a seaman to approach as nearly as I did approach the Old Head of Kinsale in order to" - to use his own expression - that he should get his fix or should get a 4-point bearing. Now, here again your Lordship is advised of course by highly trained gentlemen, and I, for that reason, do not propose to argue this point at any length, but I merely indicate the considerations on which it is possible your Lordship might seek some guidance. On the first place, I desire to indicate a doubt as to whether on a clear day with the sun shining, on a familiar voyage in daylight made by an experienced seaman used to that very voyage, there was the slightest necessity to get a fix at all. That suggestion I make, of course, for consideration and after having taken advice, I suggest that it would have been perfectly possible under all the circumstances which I have indicated by a sextant observation to decide with complete safety the position of the vessel. That is the first observation. Then I make a second: that it was perfectly possible on the statement of the Master himself without coming to get his fix or a 4-point bearing, to have checked his position by taking cross-bearings. Your Lordship has, I think, the Master's statement sent by his solicitors, or by the solicitors of the company, Messrs. Hill, Dickinson and Company; I think it was sent by them to the Board of Trade; and, my Lord, this is how the Master puts it in that document which my learned friend, for other purposes, has referred to. He says: "With respect to the courses steered: From Latitude 40 degrees 10 N. and Longitude 49 W. the 'Lusitania' was navigated on a great circle towards Fastnet and when approaching Ireland made a course to pass 20 miles off Fastnet. Ireland was sighted at about 12.10 p.m. on the 7th May when Brow Head bore about two points abaft the beam. The 'Lusitania' was then about 26 miles distant from Brow Head." Your Lordship notes that at 12.10 Brow Head bore at two points abaft the beam. That is important in view of the consideration I am going to urge upon your Lordship in a moment. "Fastnet was not visible, the weather being clear. The course then and for some time previously steered was S. 87 Magnetic, so that Fastnet when abeam was about 20 miles distant. The weather which had earlier in the day been misty, cleared between 11 o'clock and noon. The ship's speed was 18 knots. There was a light breeze and a smooth sea. The course S. 87 E. was steered because is [sic] was a safe and proper course when inward bound off the Irish coast, particularly in view of the Admiralty instructions. This course of S. 87 E. was maintained" - this is important - "until 12.40 p.m. when Galley Head was sighted a long distance off on the port bow." Well, my Lord, I calculate that Galley Head was some 25 miles away when it was sighted, having regard to the bearings given by the Master. Now, my Lord, if it was possible for him, as it was, to see Galley Head, he was 30 miles from Brow Head at that time; he was 22½ miles away from Baltimore Bay; 25 miles from Galley Head; 22 miles from Cape Clear, and he was well within sight of Tow Head, at a distance of about 21 miles.

Now, my Lord, under those circumstances, the time being 12.40 then, 20 minutes to one, the view which I should like your Lordship to consider with the professional gentlemen who sit with your Lordship is this: whether there was the slightest difficulty, or that I am wrong in suggesting that a sextant observation would have been adequate to determine his position with complete safety; or, if I am wrong in saying that, whether at any rate, at this time there was not the most ample means of ascertaining his precise position by taking cross-bearings.

The Commissioner: You mean at 12.40?

The Solicitor General: Yes, at 12.40.

The Commissioner: How far was he from the land then?

The Solicitor General: From Brow Head he was 30 miles; from Cape Clear he was 22 miles; from Baltimore Bay he was 22½ miles; from Galley Head he was 25 miles, and from Tow Head he was about 22 or 23 miles.

The Commissioner: Was he not too far away?

The Solicitor General: No, my Lord, he was in sight of Galley Head, and he said in his statement that he could see Galley Head.

The Commissioner: He said to me that the weather was very clear, and that you cannot depend upon the eyesight when the weather is so very clear.

The Solicitor General: What he says in his letter is (and he gives the course which was maintained, as your Lordship remembers, till 12.40) that Galley Head was sighted at 12.40, in the letter I am reading. Now Galley Head was 25 miles away, taking his own markings and working them out.

The Commissioner: But what I mean is this. Could he by eyesight judge that it was 25 miles away?

The Solicitor General: For the purpose of making his observations he would not require to know it. All that you want is, in order to check your position by cross-bearings, to get certain places that you can identify. I believe that is so. And if you can get certain places which you can so identify, then you check your position by taking cross-bearings; it does not matter how far you are.

Admiral Inglefield: That is only approximate, at that great distance.

The Solicitor General: I cannot, of course, and I shall not attempt to enter into any controversy upon the point. I am much obliged to the Admiral. The suggestion I would make is that you can measure and obtain these distances on the chart when you have got the facts in respect of which the measurements are applicable. If I am told that you cannot obtain a reliable bearing by either of the means I have suggested, I should rejoice very much if the Court was able to take that view.

Now, my Lord, those are the two observations which I have to make upon that point, and I come now to deal with a further point, and it is the point which is made by my learned friend, Mr. Aspinall, and which was taken by the Master in the letter which his solicitors wrote to the Board of Trade with reference to the message that the submarine was a [sic] Coningbeg. Now, my Lord, the whole point there, it seems to me, can be dealt with with [sic] very briefly: it is a very short point. It is said by Mr. Aspinall, and said by the Master in his examination by Mr. Aspinall, that as he was informed that this submarine was 20 miles to the south of Coningbeg, receiving this information on the 7th, that that is a complete justification for him adhering roughly to the course he was on, but by so doing he was disregarding the other and more general Admiralty instructions. I suppose the way he would put his case would be to say that all general instructions have to yield to the particular warning as to the position of this submarine south of Coningbeg.

Now, my Lord, my observation upon that is that it requires very careful consideration whether he did not adopt the most dangerous course of the alternative courses that were open to him. He has been told that he is to obtain a landfall as far as possible in the dark. He gets his landfall in daylight, and then, because he hears that 80 knots away, some four or five hours steaming, a submarine has been seen, he keeps on his existing course in a degree of perilous proximity to the shore and under circumstances which would bring him to the particular point of danger in broad daylight.

Now, my Lord, when it is asked, what other course it is suggested he ought to have adopted, I reply that it must be considered whether Mr. Aspinall has made any satisfactory, or indeed any reply, to the suggestion which has already been made as to what the Captain ought to have done. One must always remember that this was a case in which time was absolutely unimportant. All the Captain had to do, if it humanly could be done, was to carry the "Lusitania" into the Mersey, and if a week or two had been wasted it would of course have been an utterly unimportant consideration.

Now, my Lord, what must be considered that he ought to have done is this. When he received the message about the submarine off Coningbeg, ought he not to have examined the matter in the following spirit? I am warned that four or five hours' journey away a submarine is waiting at Coningbeg. It is either still there or it is not still there. If it is not still there, I ought instantly to go out to sea in order to carry out the letter and the spirit of the Admiralty instructions about a mid-channel voyage. If, on the other hand, it is still there, am I justified in going past or reasonably near the place where it is in daylight affording it may be a conspicuous target? Then would not a reasonable man have asked himself this further question? Is there anything else that I can do which will fill in the hours until darkness with relative security and enable me to pass this dangerous point if the submarine is still there with the minimum of risk? My Lord, first of all, what did he do, and, secondly, what might he have done? What he did do within 9 or 10 miles of the headland was to travel at a speed of 18 knots instead of 21, intending to adhere to the course which he has indicated. What he might have done is an issue to be considered. What he might have done was simply to carry out the Admiralty regulation by getting away at all costs from the land, either by zigzagging or otherwise, without adopting Mr. Aspinall's suggestion that he might have turned back which would have been foolish in view of the news with respect to the submarine traveling west, that he might with a great degree of safety have consumed the time until he could make a rush through the channel, which we are all agreed he must pass through at some time or other, the Tuskar and the Smalls, when it was dark. My Lord, if he had done this and if an accident had happened, and surely this is the way to consider it, my Lord, on what possible grounds could his conduct have been criticized if he had adopted this course? What could have been said in the way of reflection upon his care, prudence or confidence had he adopted the course which I am suggesting? By doing so, he would have complied with the letter and with the spirit of the Admiralty regulations, and all the time he would have avoided many of the risks which he most evidently ran, and I do not, as at present advised, see one risk that he would have run which the course he adopted enabled him to escape.

The Commissioner: You cannot tell that.

The Solicitor General: No. I say I do not see one, but of course what one has to do is to put oneself in the position in which he was with the knowledge which he had before him, and I suggest it may be considered whether the language I have used goes too far.

The Commissioner: All the knowledge he had I supposed about submarines was the telegram to tell him that there were two submarines 20 miles south of Coningbeg?

The Solicitor General: Yes, and, secondly, that it was an infested area, and in the view of the Admiralty the coast line was particularly dangerous.

Now, my Lord, unless there is any other point upon which your Lordship thinks I can help you, I think that exhausts all the points I wish to make. I ought, perhaps, just to say this with reference to the Admiral's observation upon the point I was making with reference to cross-bearings. It is, of course, a balance of considerations, and it may be that your Lordship will think it worth while to enquire whether either a sextant observation or a bearing, depending upon a choice of various identified points on the littoral, even if not meticulously accurate, would not under the special circumstances of this voyage have provided the Master with a degree of precision adequate for all practical purposes and preferable to the risks which he ran in order to obtain an ideally desirable bearing. My Lord, I hope I have made that clear.

The Commissioner: Yes. You stated to us quite accurately when you began that the only object of the Board of Trade is to get to the truth. We are not in the position of Magistrates, and the only question I want to ask is this. Is there anything which occurs to you which can be said in favour of the Captain in the course that he followed?

The Solicitor General: Well, my Lord, if I were putting it in favor of the Captain, I think I should lay very great stress on the extraordinary difficulties in which he found himself and upon the responsibilities of the voyage, and I think I should further remember that all the instructions which he received (I think my memory serves me rightly there) were general instructions with the exception of the instruction with regard to the submarine which was 80 miles away at Coningbeg.

Now, my Lord, if I may humbly say so, in deciding this matter I should certainly, I think, consider at any rate very carefully what course one could really extract from him, because that is really what it comes to, having regard to the fact that he had these general warnings about headlands and that he had this specific warning about a submarine to the south of Coningbeg. Is his failure to do what I suggest he might have done, to go out to sea, a ground upon which a Captain is entitled to do what undoubtedly would have the greatest possible consequences? I cannot put it higher than that.

Mr. Butler Aspinall: My Lord, might I say one word with regard to the failure, on the part of the Captain, to go out to sea. Off the South Coast of Ireland there were undoubtedly submarines. The suggestion is that the danger might have been avoided if the Captain had gone out to sea. It would have meant that this great vessel in daylight was capable of being seen by those on the submarine which was cruising about in the place where the submarines were operating, and I submit, in view of the fact that apparently there were several submarines, that for her to be putting out to sea, a big object as she was, it is highly probable it would have been inviting attack.

With regard to the other two points which the Solicitor General made; namely, the sextant point and the cross-bearing point, it is to be noticed that Sir Edward Carson did not put those points to the witness.

The Commissioner: What is the area over which a submarine can sight these ships - what is the radius?

Admiral Inglefield: I should say if it is calm weather, and he had come out of the water, his eye would be as much as 14 feet off the level of the sea, and the "Lusitania" funnels would be nearly 120 feet up, he could see the smoke from her funnels from 15 to 20 miles on a calm day.

The Commissioner: I want to know what area he can see through the periscope.

Admiral Inglefield: About 5 miles.

The Commissioner: Do you mean a radius of 5 miles?

Admiral Inglefield: Yes.

The Commissioner: With his eye he can see the smoke, you say?

The Commissioner: Can you say what the 14 feet represents?

Admiral Inglefield: The top of his conning tower would be about 8 or 9 feet, and his eye would be another 6 feet, and on a clear day, with those big funnels, taking the height of the ship, it would be 150 feet to the top from the water line, and he could see the three streams of smoke coming out of the funnels. There is one thing I should like to ascertain: to find out if on the forenoon of the 7th he ascertained his position in any way by observation to the south - the usual observation taken at sea.

The Commissioner: Can any one tell me whether in the forenoon of the 7th the Captain took an observation, or whether he did not?

Mr. Butler Aspinall: We will go and ascertain that, my Lord.

Captain William Thomas Turner recalled.

Admiral Inglefield: At any time on the forenoon of the 7th did you or your officers take any observation of the sun for fixing your position, either by latitude or longitude? - No.

Captain Davies: I should like to ask why you did not take the observation? - Because the officers were more particularly looking out for submarines and periscopes.

But you could have got them? - Yes, you could have got them, decidedly. The weather was quite clear.

The Commissioner: Anyway, you did not? - No, I did not, it is quite true.

The Commissioner: Now, Mr. Solicitor, there is a gentleman outside who is very anxious, apparently, to add something to the evidence. I am not going to take the responsibility of sending him away. You have been told, I daresay, what he proposes to say.

The Solicitor General: yes. What he proposes to say relates to the sounding of the siren during the fog, and I will ask Captain Turner about that, if you will allow me. (*To the Witness*): When you stopped because of the fog, did you sound your fog horn? - Yes, certainly.

All the time? - All the time, automatically, every minute.

Did it occur to you that that might be very dangerous, having regard to the submarines? - No.

Would it not have been audible for a long way? - No doubt.

How far were you away from the shore where you were, roughly? - I should think pretty well over 20 miles from shore at that time, or more - 40 miles.

(The Witness withdrew.)

The Solicitor General: That is the point the witness wishes to make, and we have now got it from the Captain.

The Commissioner: If you are satisfied, that is enough.

The Solicitor General: I did not want it, but there is no dispute about it.

The Commissioner: Now I should like to ask a question. I shall have to deal with this point, and having regard to the form of the question - I suppose the form has been carefully considered - it is very possible for us to give a very short answer. "Were any instructions received by the Master of the 'Lusitania' from the owners of the Admiralty before or during the voyage from New York as to the navigation or management of the vessel on the voyage in question?" You will observe, Mr. Solicitor, that that does not ask, "and what instructions." Therefore that question can be answered by Yes or No. Then, "Did the Master carry out such instructions?" Well, that question can be answered Yes or No, and I should like to know whether you think it wise that we should attempt to answer in detail. I will tell you what is running through my head. If we blame the Master, there is an appeal from our decision, and that appeal cannot properly be heard - at least, I think not - if we give a judgment which gives no reasons; I am talking about this particular voyage, or course; and I am not sure that it is desirable to give reasons, I mean in the public interest. I can conceive that the appeal might be heard *in camera*, and that the reasons that we give might never be heard of by the public, but the larger the audience to which these observations are made, the greater the risk, and I should like to know from you whether, as representing the Board of Trade, who propound these questions and put these questions before us, what kind of answers you really wish to convey. I fancy - I do not know because I saw a previous draft of the questions, and then I saw this draft

of the questions, and this draft of the questions departed from the previous draft in this way, that the previous draft asked what were the instructions, and this draft does not, and as this was the final draft, I came to the conclusion that those advising the Board of Trade had purposely abstained from asking what the instructions were.

The Solicitor General: That was so, my Lord.

The Commissioner: Very well. Then, of course, if I understand that that is so, I should probably not attempt to refer to the instructions and should confine myself to a simple answer, yes or no.

The Solicitor General: Yes.

The Commissioner: Then comes the next question which I think is answered by the way you have answered the first question because if we are to go into details in answering the question, "Did the Master carry out such instructions?" it would be almost impossible to avoid saying what the instructions were.

The Solicitor General: Is your Lordship quite right in saying (I have not considered the point before) that an appeal would be in any way hampered by the fact that these questions had not been answered with greater fulness [sic] than your Lordship contemplates?

The Commissioner: All I can say is that if the matter comes on appeal before a tribunal, according to my notion, it is very desirable that the tribunal should know what the reasons were which guided the tribunal below.

The Solicitor General: Of course, I agree respectfully with your Lordship, but I think there would be no difficulty. At least, I should assume that there would be inherent powers in the Court of hearing it *in camera* there.

The Commissioner: I assume so. I never heard of such a thing as taking an Inquiry of this kind *in camera* until this case.

The Solicitor General: It arose in the case of that spy whom the Attorney General prosecuted at the Old Bailey.

The Commissioner: I know it was taken *in camera* in that case. I have no doubt that it would be possible to hear the appeal *in camera*. I do not see any difficulty about it.

The Solicitor General: It is possible that the difficulty which your Lordship indicates, that the Court will not have any full detailed reasons for these answers, might be met by asking you in more detail what your reasons were, if that point arose.

The Commissioner: It might be, and I could tell them by word of mouth.

The Solicitor General: Yes.

The Commissioner: Very well. Then I think that would be the most convenient course. Now I shall not close this Inquiry in case we should want any further evidence or in case we should want any further assistance from Counsel. I simply now adjourn it *sine die*.

(Adjourned sine die.)

FIFTH DAY (1 JULY, 1915).

Name of Witness.	Description.	Examined by	No. of Question.
Mr. Joseph Marichal	Lecturer on Romance Languages at Queen's University, Kingston, Ontario.	The Solicitor-General Mr. Cotter Mr. Donald Macmaster Mr. Butler Aspinall	2018-2051 2052-2100 2101-2119 2120-2154
Mr. Albert Laslett [recalled]	Board of Trade Engineer and Ship Surveyor at Liverpool.	Mr. Branson Mr. Cotter	2155-2195 2196-2238
Mr. --- Robertson [recalled]	Carpenter on the "Lusitania."	The Commissioner	2239-2280
Mr. Albert Laslett [recalled]	Board of Trade Engineer and Ship Surveyor at Liverpool.	The Commissioner Mr. Cotter	2281-2290 2291-2294
Captain William Thomas Turner [recalled]	Master of the "Lusitania."	The Commissioner Mr. Clem Edwards	2295-2303 2304-2312

The Attorney-General (THE RIGHT HON. SIR EDWARD CARSON, K.C., M.P.), The Solicitor-General (THE RIGHT HON. SIR F. E. SMITH, K.C., M.P.), MR. P. J. BRANSON, and MR. DUNLOP (instructed by Sir Ellis Cunliffe, Solicitor to the Board of Trade) appeared as Counsel on behalf of the Board of Trade.

MR. BUTLER ASPINALL, K.C., MR. LAING, K.C., and Mr. A. H. Maxwell (instructed by Messrs. Hill, Dickinson and Co., of Liverpool) appeared as Counsel for the Owners, the Cunard Company, and the Captain.

MR. DONALD MACMASTER, K.C., M.P., appeared as Counsel for the Canadian Government.

MR. G. A. SCOTT appeared on behalf of the representatives of the late Mr. Alfred Gwynne Vanderbilt, a passenger.

MR. THOMAS SCANLAN, M.P. (instructed by Mr. H. Z. Deane), appeared on behalf of Mrs. Ellen Conghlan [sic], widow, and the representatives of between sixty and seventy, first, second and third class passengers.

MR. ROSE-INNES, K.C., and MR. WICKHAM appeared on behalf of Mr. Crichton and certain passengers (instructed by Messrs. Thorne and Co.).

MR. THOMAS PRIEST, appeared for Mr. H. B. Lasseter [sic] and others

MR. COTTER appeared on behalf of certain representatives of the crew.

MR. CLEM EDWARDS, M.P., appeared on behalf of the National Union of Sailors and Firemen.

MR. W. L. MARSHALL (General Secretary), appeared on behalf of the Marine Engineers' Association.

The Solicitor-General: Your Lordship, as I understand, has indicated that on certain points further information is desired?

The Commissioner: Yes.

The Solicitor-General: I think either the Board of Trade or those who represent the Cunard Company are in a position to give your Lordship information upon most, if not all, of the points involved. If it is convenient to your Lordship, I propose, first of all - as I gather it is desired that Mr. Marichal shall be allowed to make a statement - to ask your Lordship's permission for him to do it at once.

The Commissioner: Very well.

Mr. Joseph Marichal, Sworn.

Examined by the Solicitor-General.

2018. You, I think, were Lecturer in Romance Languages at Queen's University, Kingston, Ontario? - That is right.

2019. And I think you were returning to this country for a holiday on the "Lusitania"? - That is right.

2020. And you were desirous of making a statement to the Court at the last hearing? - Yes.

2021. What do you want to say about this matter? - I want to draw special attention to those statements I have made and which have been made by other witnesses, and, in addition, I want to make another statement which is not in the statement I gave to the Board of Trade but which is necessary in view of the statements made by Mr. Booth. It has been said that the want of coal for obtaining the speed of the "Lusitania" was for economy's sake; yet no one has mentioned that the fares for second-class passengers at this time of the year were of a minimum of 70 dollars, yet although the Company seem to have been harder hit they were reduced to 50 dollars, that is to say, by almost one-third.

2022. *The Commissioner:* Is that all about that? - So far, yes. My opinion is that it would have been better to attack the pockets of the passengers than their lives.

2023. Your statement is not before the Court. You had better say anything else you want to say, whether it is included in your statement or not? - Quite right. I mean to say everything as long as my Lord allows me to do so. The second point which has been made clear is this. The second explosion might have been due primarily to the explosion of a torpedo, but not to a torpedo alone. The nature of the explosion was similar to the rattling of a machine gun for a short period.

2024. Do you suggest that a Maxim gun was discharged on the ship? - No, my Lord; I suggest that the explosion of the torpedo caused the subsequent explosion of some ammunition, and I have special experience of explosives.

2025. What is your experience of explosives? - I have served as an officer in France.

2026. In what regiment? - In the 8th Regiment of Infantry.

2027. How long were you in it? - Five years.

2028. What war were you in? - I have not been in any war, but I have been in peace experiments which are necessary for the purposes of war.

2029. When were you in this regiment? - I was incapacitated for service in 1903 on a pension of 850 francs a year.

2030. Am I to understand that you are a French subject? - Yes, my Lord.

2031. Were you born in Switzerland? - No.

2032. Were you ever in Switzerland? - Once - travelling in Switzerland, yes. I have been travelling practically all over Europe during my holidays.

2033. *The Solicitor-General:* Where did the sound of the explosion which you attribute to ammunition seem to come from - from what part of the ship? - From underneath; the whole floor was shaken. The whole of the silver plate fell down, which it did not do on the first explosion, and the ship at once took a very decided list, and that was the reason why I returned to my cabin.

2034. You have not answered my question: - From what part of the ship - forward, aft, or amidships, did the sound come? - We were in the dining-room, and the only idea we could form was that the whole floor was shaken.

2035. Do you mean underneath the dining-room? - The whole floor of the dining-room was shaken by the explosion. I could not form any idea as to the part where the explosion took place.

2036. That was the second class dining-room, was it? - That was the second class dining-room aft.

The Solicitor-General: I think your Lordship might usefully look at the plan. Those are the second class dining-rooms (pointing on the plan.).

2037. *The Commissioner: (To the Witness.)* Have you anything else to tell us? - I want to speak about the treatment meted out to us on landing by the Company's officials, which was disgraceful. I will give details. I have given details in my statement to the Board of Trade.

The Solicitor-General: Please tell the Court anything you want to say.

The Commissioner: It has nothing to do with the Inquiry, but still make your statement? - In this way. I understand this Inquiry to be concerned with the loss of life. I have lost a child and my wife is an invalid as the result of this treatment, so I think it is relevant to the Inquiry.

2038. Then tell us about that? - We landed at Queenstown about half past 8 or a quarter to 9. We had left the dining-room without any clothes - without any overcoats - nothing but a blouse for my wife, no hats for the children, and only slippers. We had been in a boat which was leaking for four hours, we were practically wet, cold, and hungry, yet we had to wait for two hours in the Company's offices for having the privilege at about 10 o'clock of telling our names, where we came from, whether we had passports or not, and finally being directed to a hotel. The next morning at 7 o'clock I went to the Company's offices to ask for information as to the first train to leave Queenstown. With much difficulty I gained admittance.

2039. At what time was it? - Seven o'clock in the morning. I was told that the offices did not open until 9 o'clock under any circumstances; so we had to wait until 9 o'clock.

2040. But could not they tell you at the hotel about trains? - Not very well.

2041. Did you ask them? - I asked for a time-table, but I could not make out the times very well from the local time-table.

2042. Did you ask anybody to tell you when the train went - Where?

2043. At the hotel: Did you ask anyone, when you could not understand the time-table, to tell you? - No, for this reason, that we had left the dining-room practically penniless and it was necessary for the Company to supply our tickets as well as telling us the time, and I thought they would hire a special train for us. That was the reason I did not trouble further about it at the hotel. At 9 o'clock we were told that there was a special train at 3 o'clock in the afternoon, and all that we had to do was to be present at the station at that time. Thereupon I asked the representative of the Company to provide us with some pieces of clothing which were very much needed. My children had only slippers, which were very wet, my wife had only a blouse, and we were all in a pretty predicament with regard to clothes. I asked if I could be given a few shillings for the journey. With the three children, one of them being only two years old, I expected I should want some money. I was told I could not get any money, that they would not even lend me £1.

2044. Who was it told you that? - The manager at the office.

2045. What was his name? - I do not know his name, but I can identify him right enough.

2046. Is he here? - I do not see him, but I should easily recognize him. I could remember the man as long as I live. No, he is not here, my Lord, I do not see him. In connection with clothes, we were told to go to a certain shop, where they would give us what we asked for, I went to the shop and they would not give me anything; they said they had to have a written order from the Company. Back I went to the Company's office but the manager was not to be seen then; but still I jumped over the counter and managed to see him. He would not commit himself in writing, he simply said I could get a certain amount of goods. I got

a few things of, which I have given a list in my statement; but when it came to getting a coat for my wife (perhaps I was wrong in leaving that till last) I was told I had exhausted the amount of credit given to me, and no amount of exertion in the shop could get me any more; so that my wife had to travel with only a wet silk blouse all night, which was very cold.

2047. That was the night of the 8th May? - Yes, the following night.

2048. It was the night of the 8th and the morning of the 9th? - Yes. At half-past 2 we went to the station to be in good time for the 3 o'clock special train, but there were 300 other people like us and there was only one wicket for the tickets, so we had to take a queue and at 3 o'clock, when the train started, there were about 100 people in front of us. It was very hot; there was a glass roof to the station and one woman fainted. My wife had to carry the baby all the time and I had to take charge of the other two. About half past 4 or 5 o'clock we managed to get to the wicket. We were asked again our name, our nationality, where we came from, where we were going to, and finally I got five tickets, but of course it was too late for the 3 o'clock special, so we had to wait for the next train which was half past 8 or 9 o'clock in the evening. We could not get any more accommodation in the hotel. They told us we ought to have gone by the train, so we had to wait in the station. At half-past eight, hungry and tired, we managed to get some seats in a third class compartment which was soon full, and by that time my wife was so exhausted that the sight of her caused the Irish guard to take pity on us and move us to a first class compartment free of charge. We had a little more room, but still there were other passengers and my wife in order to sleep had to lie down on the floor of the carriage. We reached Dublin about 4 in the morning after a cold and tiring night. There was no one to meet us; no orders given for conveyances to carry us from one station to the other, and we had to tramp the whole way with the three children, and it is a long way to go at 4 o'clock in the morning and hungry. We managed to tramp the whole way and while I put my wife and the children in the waiting room of the other station I went out to try and get some money by hook or crook. I happily met a French gentleman outside the station and on telling him how matters stood he gave me the necessary money for eating. We went to the Grosvenor Hotel just outside the station. It was about 5 in the morning then. We had a single room with two beds from 5 to about 8 in the morning; one egg each, five cups of tea, bread and butter for the sum of 14s. 6d.; and they knew we were survivors of the "Lusitania."

2049. Is this a charge against the Cunard Company or against the hotel keeper? - I made a charge casually against the hotel, but the main charge is against the Company for not seeing to us after the wreck. After that we took a train for the boat and we were treated at last to a cup of coffee and a sandwich while being shunted at Holyhead. That is all we had for one day and a half after the wreck. We reached Birmingham at 7 o'clock the following evening, two days and two nights without any help from the Cunard Company in the condition in which we were.

2050. Were you two days and two nights getting from Holyhead to Birmingham? - Including waiting in Queenstown.

2051. You mean two days and two nights coming from Queenstown? - Yes, from Queenstown to Birmingham, and we were still penniless in Birmingham and for all the Company knew we might have been starved to death long before they troubled about us even in Birmingham, but thanks to the kindness of the Lord Mayor of Birmingham our first needs were attended to until we could communicate with our

friends. I wish to speak in the name of all the other passengers, but specially in the name of five passengers at least. I wish to express my disgust at the Company taking us by false pretences in New York. They still advertised the record speed of the boat was 4 days, 19 hours, and I came from Canada to New York for the special purpose of taking a fast boat in preference to an American boat. They also gave us a captain and cook who were not competent and material which was not fit to eat. I do not know anything about nautical ability, I daresay the captain had all the knowledge required, but as far as war strategy is concerned he has proved himself a hopeless failure, and I can give your Lordship material to back my opinion. We had only five rowlocks in the boat. We had plenty of oars but no rowlocks. We had a mast but no sail. We had a boat which was leaking, and we had to take a pail and my wife's shoes to empty the water from the boat. There is another point to which I want to call your Lordship's attention. We escaped in lifeboat No. 21. I took that boat because it was the only one within my sight where there were members of the crew to lower it. The next boat to us upset the passengers into the water. That was on the starboard side. We were 63 in our boat, and after rowing for about 5 or 10 minutes we sighted another lifeboat some distance away. We thought it was a fisherman's boat, because it was pretty far from us, but we could not catch it, so we came to the conclusion that it was another lifeboat going away from the "Lusitania," and later on when we were rescued by a fishing smack our suppositions were certain, because we caught up the boat and found in it about 18 or 20 members of the crew, mostly stewards or firemen, and no women. We were so indignant that I, with others, shouted "Where are the women in your boat?" They had taken every opportunity to sail away as quickly as they could without troubling to gather more people, and there were plenty to gather. The number in that boat was 19.

Mr. Cotter: My Lord, with your permission I should like to ask this witness some questions, because I happened to be in Queenstown at the time he is talking about and some of his statements I do not want to go unchallenged.

The Commissioner: By all means.

Examined by Mr. Cotter.

2052. Where were you when the ship was struck by the torpedo? - In the second-class dining-room. I can show you the very seat if you have a map of it.

2053. It is in the after part of the ship, is it not? - That is right.

2054. And it would be over the turbines of the ship? - I do not know that. I could not tell you. I do not know where the turbines were.

2055. The ship was driven by turbines - I know that.

2056. You state that you thought that some ammunition caused a second explosion? - In my opinion, yes.

2057. Have you ever been in the vicinity of a steam pipe when it has burst? - Yes. I know what a steam pipe explosion is and a boiler explosion is.

2058. The effect of a steam pipe exploding at high pressure would give a rattling sound, would it not? - Yes, but not anything of the magnitude of that one.

2059. Where did you go to after the ship was struck? - I took hold of one child under each arm, my wife took the baby, and we wade with all speed for the lifeboat because I knew what was coming, and that is why I am here now.

2060. How did you know what was coming? - By the nature of the explosion. I was surprised we lasted for 18 minutes.

2061. Did you go up the main companionway from the second cabin; had the ship listed at the time? - Very badly after the second explosion.

2062. She had a list which would make it difficult to get up the staircase? - Yes.

2063. Did you hear any orders given? - Yes. An order had been given both in the dining-room and on deck which I forgot to mention. I heard a shout "Come for the mails" - the letters. The stewards were called to take care of the mails.

2064. "Come for the mails" - the letters? - Yes, in the dining-room and on the deck, and that was confirmed in our lifeboat by one of the firemen.

2065. Somebody called out "Come for the mails"? - Some stewards called out in the dining-room - yes - "Attend to the mails." That is what I heard with my own ears and my wife can corroborate it.

2066. Are you quite sure they did not say "Attend to the females"? - Not quite.

2067. *The Commissioner*: But are you sure? - Quite sure.

2068. *Mr. Cotter*: I put it to you as a rational being, would anybody ask for someone to come and carry letters when the ship had been struck by a torpedo? - I thought it funny at the time.

2069. Do you think it funny now? - Yes.

2070. Do you not think it is ridiculous? - On the part of the one who said it, yes.

2071. *The Commissioner*: I notice you do not speak English with a very strong English accent, and what I am thinking of is this: was it possible for you to misunderstand what was said? - No, my Lord. I understand English very well. I have been for 12 years in an English speaking country.

2072. *Mr. Cotter*: I put it that it is quite possible you made a mistake on this occasion? - The mistake would not be likely, and my wife heard the same.

2073. Is your wife here? - No, but she can be brought if you like although she is an invalid.

2074. Is your wife French? - No, she is English; born of English parents.

2075. When you got up to the boat deck did you see any of the crew there? - Only three. Two were standing at the middle boat, one at each rope, and that is the reason why I chose that boat.

2076. On which side? - On the starboard side.

2077. No. 21 would be at the after end of the ship, would it not - above the second-cabin smoke room? - Approximately, yes. You asked me how many members of the crew I saw; I said three - two at the boat and the third rushed past my wife with a life- belt on, and on being asked by my wife to assist her, he gave her a push and gave her a black arm.

2078. Were there any women and children in the boat you got into? - It was full. I can tell you exactly how many there were. There were 63, including some we picked up from the water. There were 54 there when we got in.

2079. Were there any women and children on the deck? - At the very beginning, yes, but the upset of one of the lifeboats seemed to frighten them away.

2080. Did you leave any women and children on the deck when your boat left? - No.

2081. Had you any difficulty in getting into your boat with your wife and children? - The boat was rather far from the ship and I had fear that the baby who was thrown might not be caught, but it was caught, thank God.

2082. That was caused by the ship having such a list? - Yes, and by the lifeboat not being fastened to the ship.

2083. When you got to the water you said there was a boat ahead of you somewhere? - Yes, and we wanted to get into that boat.

2084. You wanted to get into that boat? - Yes. Do you want the reason? I had put my wife and the baby into the middle lifeboat and I thought the the [sic] three children would be too much for her because she was not well. I wanted to go with the other two children in the other boat and I was going to it when it upset and all the occupants were thrown into the water.

2085. Where were they upset - on the davits? - On the davits. The rope was rotten.

2086. How do you know the rope was rotten? - Because it broke.

2087. But there are other reasons why a rope should break? - Well, ours did not break.

2088. Have you heard the evidence here that one boat was lowered with 80 people in it? - I have read the whole of the evidence, yes. The fact that one rope is good does not affect the quality of the other.

2089. I think you are a gentleman with a grievance? - Certainly, a strong grievance against the Company.

2090. You stated that when you got to Queenstown you were not treated very courteously by the Company. I hold no brief for the Cunard Company in this matter, but I happened to be on the spot. Is not Queenstown a very small place? - I did not see much of it. I could not form an exactly accurate estimate of it. I only saw the Rob Roy Hotel, the Company's Office and the station.

2091. For 600 or 700 people to be rushed into such a place, would it not make things awkward? - There would be an objection to that.

2092. I ask you the question: If 600 or 700 people were rushed into a small place like Queenstown - We were not 600 or 700 people. We were in the first boat, and there were hardly 100 people, and there would be no difficulty in getting accommodation.

The Commissioner: I suppose there were other people came up afterwards?

2093. *Mr. Cotter:* Were there not 600 or 700 people saved? - Not that.

2094. But you were not the only people saved? - There was only 100 at that time.

2095. Would it surprise you to know that the officials of the Cunard Company were working all night for two nights without leaving the office? - Not for the comfort of the passengers.

2096. Would it surprise you to know that they were at the office for two nights? - Not a bit, if you say so.

2097. Because you said the office was not open till 9 o'clock? - It was not open to passengers.

2098. I suggest to you it was open to anybody any moment day and night? - I say it is not correct.

2099. And you also complained about going to the train? - Yes.

2100. I suggest to you that you could have gone into the train an hour before if you had liked? - No, we were told we had to have a ticket for getting into the train.

The Commissioner: I do not think the story of about the train has anything to do with it.

Mr. Cotter: But I want to clear the air, my Lord because this gentleman has made a general statement about the crew, the company, and everybody else and he seems to have a grievance. I do not know what effect it may have on the Inquiry, but I do not want it to get into the press that what he says are facts, I am asking the question because I was in Queenstown at the time and had something to do with the trains which brought the survivors away.

Examined by Mr. Donald Macmaster.

2101. You came from Canada, I understand? - Yes.

2102. Were there many Canadian passengers on this boat? - I believe so.

2103. I understand there were 353 Canadian passengers? - I have no exact information, but I know there were many Canadians.

2104. I understand you are speaking for yourself as to these grievances; you are not speaking for the mass of passengers? - I am speaking for five passengers only.

2105. I call your attention to that, because I represent here the Canadian Government, who have all interest in the Canadian passengers, and my instructions are that the passengers were fairly well looked after after the accident occurred. I want to call your attention to that? - Well, that was not my experience.

2106. You were in an infantry regiment in France? - Yes.

2107. You had nothing to do with explosives? - Yes, I had in camps, and so on.

2108. But you have no knowledge of anything of an explosive character being on board this boat? - Nothing, except from hearing.

2109. Are you aware that it was established before my Lord here that there was evidence of a second torpedo? - It was the second torpedo which caused the terrific explosion I have spoken of.

2110. Will you tell me what part of France you came from? - The eastern part of France.

2111. On the border - Alsace? - No, near Switzerland.

2112. Was it in Alsace or Lorraine? - No; that is not French, unfortunately.

2113. No, not at that time. It was on the borders of Switzerland? - Not far - one hour's railway journey.

2114. *The Commissioner*: What is the nearest town to where you come from? - Vezun.

2115. What was the nearest town in Alsace? - Belvoir.

2116. *Mr. Macmaster*: That is where the great fortress is, is it not? - Yes.

2117. Did you send anything to the press with regard to your misfortunes? - No, I should not do that while the matter was the subject of inquiry.

2118. I mean, up to this time you have done nothing of the kind? - Not yet.

2119. *The Commissioner:* You intend to, I rather gather? - It depends on the result of the Inquiry, my Lord.

Examined by Mr. Butler Aspinall.

2120. Were you here on the last day when this Inquiry was being held? - Yes.

2121. And if my recollection serves me rightly his Lordship said "Does anybody now want to come into the box and give a statement," and thereupon a gentleman did come and give a statement. Now you were here? - No, I was not all day. You mean the last day?

2122. Yes, I thought you said you were? - I was here the last day of the Inquiry, but that was on a Friday, and his Lordship did not ask the question.

2123. *The Commissioner:* That was on the Friday, the last day we sat in Camera? - I was right. I am always right when I make a statement.

2124. *Mr. Butler Aspinall:* Were you here on the Thursday? - No, I can tell you why if you wish me to.

2125. No. I really do not want to know. Is it since we last sat that you have told the Board of Trade you were desirous of being called? - No. I did before-hand send a wire saying that I was anxious to appear long before the end of the previous Inquiry, and I got a letter in reply stating that my evidence had been considered along with that of other passengers, and they considered it would be necessary to call me; and relying on that I kept quiet in Birmingham, because I could not afford fares to London. I thought I would wait until I was called by a wire or a letter. Neither wire nor letter came, The only thing I heard was through the newspapers that the Inquiry had been concluded; so I was not going to let the matter rest at that.

2126. *The Commissioner:* You were in London, I understand, on the last day of the sitting? - On the Friday.

2127. That was the last day of the sitting? - I tried to send a communication to your Lordship on that day, but I was too late.

2128. *Mr. Butler Aspinall:* As you have said, you kept quiet at first. You said you were in Birmingham, and you kept quiet? - Yes.

2129. Am I right in saying that you are making a claim upon the Company? - I am making a claim either against the Company or against Germany, whoever it is who will have to pay what I have lost.

2130. *The Commissioner*: But which is it. I should like to know? - Whoever is found guilty by your Lordship.

2131. Have you sent in a claim to the Company? - Yes, but the Company deny liability.

2132. Have you sent in a claim to Germany? - No, but I have sent one to the French Foreign Office.

2133. That is another matter. You have sent a claim to the Company? - Yes.

2134. *Mr. Butler Aspinall*: Did you tell Mr. Booth this: that unless he made some immediate allowance on account, you would have “the unpleasant duty to claim publicly, and, in doing so, to produce evidence which will certainly not be to the credit either of your Company or of the Admiralty”? - Yes, and I have done so now.

2135. Did you intend to keep your mouth closed if Mr. Booth had made you an immediate allowance? - Oh, no.

2136. It reads like that, does it not? - Oh, no.

The Commissioner: Now, be careful. You say you are always accurate, and I suppose you are always truthful. Listen to that again.

2137. *Mr. Butler Aspinall*: This is a letter from you to Mr. Booth in an envelope marked “Private and urgent.” “The French Foreign Office will formulate a definite claim before long, but I must ask you to make some immediate allowance on account or else I shall have the unpleasant duty to claim publicly, and, in doing so, to produce evidence which will certainly not be to the credit either of your Company or of the Admiralty.” You wrote that, did you not? - Quite so.

2138. What did you mean by it? - It was meant for this reason: That if I was not called by the Board of Trade, then, if my claim was not paid, I should come forward of my own accord and push it through.

2139. *The Commissioner*: No. What that letter says is this: Pay me some money or I will do this and that. That is the point you know. - It is misunderstood, my Lord.

2189a. But read it again and let us see if we do misunderstand it.

Mr. Butler Aspinall: “The French Foreign Office will formulate a definite claim before long, but I must ask you to make some immediate allowance on account, or else I shall have the unpleasant duty to claim publicly, and, in doing so, to produce evidence which will certainly not be to the credit either of your Company or of the Admiralty.”

2140. *The Commissioner*: Now, you told me just now, that you were a good English scholar. What does that “or else” mean? - It meant that I should have to have an action against the Company.

2141. Does it not mean this, that if you do not get money you will say something against the Company? - No, my Lord, it means I would take an action against the company, apart from this Inquiry.

2142. Am I to understand that if you had got the money you would have done this all the same? - I should have spoken in the Inquiry.

2143. Just as you have spoken to-day? - Exactly.

2144. I am very sorry to say, but I do say it, that I do not believe you? - I am sorry, my Lord, for you. It is the first time I have been told such a thing in my life.

2145. I am very sorry it is told you, but I do not believe you. If you tell me that that language does not mean that you wanted money in order to keep your mouth closed, I say I do not believe you? - That is your misfortune; but it did not mean that. I meant that I should take action against the company immediately, and should produce more evidence. I have some more evidence.

2146. *Mr. Butler Aspinall*: May I call this to your notice, that not only do you say you will “produce evidence which will certainly not be to your credit,” but you also say “or of the Admiralty”? - Yes.

2147. Did you think when you wrote this letter that you could give useful evidence to my Lord at this Inquiry? - In connection with that?

2148. In connection with the disaster? - I knew I could give the evidence I have given.

2149. Useful evidence which would throw a light on the disaster? - I think it is useful evidence.

2150. But, nevertheless, am I not right in saying that if Mr. Booth had made you some immediate allowance on account, you would have kept your mouth shut? - I should not have started -

2151. *The Commissioner*: Answer the question. - I should not have kept my mouth shut in this Inquiry. I hope that is plain.

2151a. *Mr. Butler Aspinall*: Your language is plain, is it not. Do you think you have failed? - No.

2152. Nor do I. - If you give a dog a black name you drown him. You have tried to do so with all the other witnesses. It is shameful the way you have treated witnesses here.

2153. Do you suggest that I have not treated you properly? Do not be cross with me. - I say it is shameful the way the witnesses have been treated here.

2154. Are you certain that you have got the number of the boat right in which you say you were saved? - What I can say, and what I have said in my statement is, that of the two boats, the one in which we were saved and the boat of cowards, the numbers were 19 and 21; but I cannot say more. I may have made a mistake which is which, but 19 and 21 were the numbers of our boat and the boat of the cowards.

(The Witness withdrew.)

Mr. Albert Laslett, recalled.

Further examined by Mr. Branson.

The Solicitor-General: This is on the fixings and fastenings of the boats and the closing of the bulkhead doors.

2155. *Mr. Branson (to the Witness.):* I think you produce a blue print showing the way in which these boats were carried on board the "Lusitania"? - Yes.

The Commissioner: Which boats are you talking about when you say "these boats"? -

Mr. Branson: I mean the deck lifeboats and the pontoon lifeboats.

Witness: Yes, particularly the chamber boats.

2156. Can you tell us the number of the boats. Was it 1 to 20 which had chamber boats underneath them?
- From 1 to 8, and from 15 to 20

2157. Are those the numbers to which this plan applies? - Yes.

2158. Will you explain to his Lordship, by reference to the blue print or plan, how the boats were arranged the last time you saw the ship?

2159. *The Commissioner:* Is the blue plan the same as the sketch you have handed to me? - Yes, it is a photograph of that. The upper boat was carried on a single inside chock, the gear resting upon the lower portion of that chock, and the chock itself was carried on a T bar, shown in the sketch as supported by two stanchions. The lower boat was laid upon a chock secured to an athwartship piece, a fiat skid, on the deck; and the inboard stanchion was secured on the lower skid piece - bolted to it.

2160. *Mr. Branson:* The lower skid piece, I gather, was not bolted to the deck? - The lower skid piece was not bolted to the deck.

2161. Did the lower skid piece lie on the deck with its outer end against the gunwale bar of the ship? - It did. That prevented the skid from moving outboard.

2162. How was the skid prevented from moving inboard? - It was prevented coming inboard by taking a turn of a lashing through the ring-bolt provided for the gripes, which is shewn alongside, and round the stanchion. That was arranged in lieu of the bolts.

2163. *The Commissioner*: Just explain that again. - The skid could not move outboard.

2164. I understand that; but about inboard? - It could not move inboard if a turn of lashing was taken through the ring-bolt shewn in the side elevation, and round the inboard stanchion.

2165. Where is the ringbolt? - Within a few inches of the skid.

2166. But is it attached to the bolt, or is it attached to something else? - The ringbolt is bolted to the deck with bolts going through.

Mr. Branson: If your Lordship looks at the left hand diagram you see a bolt apparently going through the deck.

The Commissioner: I see it goes right through the deck.

Witness: Yes, it is bolted right through the deck, with a washer underneath.

Mr. Branson: Then its position relative to the stanchion is shewn in the right hand sketch. Your Lordship sees the other view of the ringbolt.

2167. *The Commissioner*: Did these ropes exist? - They did at the time of survey.

2168. And in the ordinary course would they be so placed as to prevent the skid from moving inboard? - Yes.

2169. They would? - They would.

2170. *Mr. Branson*: You have been talking of the skid. Do you mean the chock? - The chock is the upper piece. The skid is on the deck itself and the chock is the portion which fits the bolt.

2171. The chock and the skid are both together? - Yes.

2172. *The Commissioner*: Do you see the main lifeboat on the sketch? - Yes, my Lord.

2173. It is above the collapsible boat? - Yes.

2174. Do you see the piece of wood, I suppose it is, which has got marked at the end of it "drop-nose pin"? - That is a T-bar, a piece of steel bar with the section of a T.

2175. Would that have to be removed before a collapsible boat could be moved? - It should by withdrawing those two drop-nose pins marked D and E, and then lifting off from the two stanchion beads.

2176. Then those two drop-nose pins have to be withdrawn? - Yes.

2177. And then when the drop-nose pins are withdrawn has the steel T-bar to be lifted away? - Yes, two men can lift it quite easily. One could, as a matter of fact.

2178. How long do you say it takes to take out the two pins and remove the bar? - One to two minutes at the outside.

2179. Then when that is done is the collapsible boat free? - With the exception of the inside gripes. In this case there were lashings from the eye bolt or ring bolt at the side of the boat.

2180. Those are the lashings you have been talking about? - No, those are vertical lashings. The lashing I referred to at first was to keep the skid and chocks and the boat on them from moving inboard if the vessel rolled.

2181. What are the other lashings? - To keep the boat down in the chocks in heavy weather.

2182. Where are those lashings? - From the ring bolts shown on the gunwale right hand side of the lower bolt to the deck, which is the same ring bolt I referred to before.

2183. How long would it take to clear a bolt of that lashing? - In case of emergency it could be cut.

2184. But if you did not cut it? - Probably a minute, or two minutes at the outside.

2185. How long do you say it would take altogether to free a collapsible boat? - Not more, I think than four minutes. It would, of course, also depend on the number of men employed; but two men on each set of chocks could do it comfortably in four minutes.

2186. *Mr. Branson:* As I understand it, this plan show the chocking at one end or other of the boat, and there would be a similar set of chocks at the other end of the boat? - Yes.

The Commissioner: Can you tell me, Mr. Branson, whether there is any evidence that these collapsible boats were loosened?

Mr. Branson: I think there is some evidence that some person busied themselves about loosening as many as they could.

The Commissioner: That is to say, there are expressions used in the evidence?

Mr. Branson: Yes.

The Commissioner: I have seen them, but can you refer me to them?

Mr. Branson: I think there is some evidence on pages 42 and 43, when Mr. Robertson, the carpenter, was being examined. It begins at Question 1503, where he deals with the position before the occurrence.

The Commissioner: Let me read it. "Perhaps you can tell me at any time before the ship was struck the portable skids were removed." That is the portable skid you have been talking about?

Mr. Branson: Yes.

The Commissioner: "(A.) No. (Q.) I mean the skids that keep the semi-collapsible lifeboats in their place? - (A.) No, that is only a minute's work; it is not necessary. (Q.) I am asking you, were they removed as a fact? - (A.) No. (Q.) If they had been removed could not the semi-collapsible lifeboats have easily fallen themselves automatically into the sea? - (A.) Even if the skids were not not [sic] removed, they would still fall into the sea." That is so, is it?

Mr. Branson: (To the Witness.) Is that correct? - Providing these lashings were not in place.

The Commissioner: That is what occurred to me. If the lashings were loosened, then what the witness says is right.

Witness: Yes.

2187. Then the evidence I want and the evidence I have in my mind is to the effect that they were loosened? - The lashings may not have been on.

Mr. Branson: They speak of gripes.

The Commissioner: Are gripes and lashings the same thing?

Witness: In this case they happened to be so, for the lowering of the boats.

The Commissioner: Do you find anything else about it?

Mr. Branson: Yes, at Question 1536, my Lord.

The Commissioner: Let me read it: "Were any of them" (I suppose that means the collapsible boats) "tied down?" - Yes, they were tied down with gripes. (Q.) Should those have been removed? - (A.) No, because if the ship rolled the boats would be all over the deck." That is right enough; that is when the boats are not wanted. "What I suggest is, right or wrong, that when you came within the danger zone, what I may call the war zone, would it not have been proper to loose those collapsible boats, so that in the event of the ship being struck they could be easily floated? - (A.) I do not think so; because you might do as much damage to the passengers by loosening the boats as otherwise. (Q.) At all events they were not loose? - (A.) No, that is the aft boats."

Mr. Branson: Then the carpenter begins to talk about the aft boats 22a to 22e. Can you tell the Court how these boats were fixed?

Witness: The first one 22a, was beneath an open boat. The general arrangement was something similar to this plan here, but the whole of the arrangement was further inboard, with the result that double stanchions were built, fitted line on the inboard side of the lower boat and one on the outboard side. They were collapsible and could be released in exactly the same way. The other four boats were carried in pairs of trolleys, and all that was necessary to free those was to release the gripes, which could have been done in a minute.

2188. Supposing the gripes had been released, could the boats have moved in a seaway, or anything of the sort? - I do not think so unless it was very violent.

2189. *The Commissioner:* Then, you do not agree with this witness? - I do agree with him in the main, my Lord.

The Commissioner: I thought this witness said it would not be wise to remove the gripes, because the boats might injure the passengers.

Witness: I think he was referring there to the boats we were discussing first, the chamber boats.

2190. *Mr. Branson:* If he meant his answer to apply to all the boats except Nos. 22b to 22e, you would agree with him? - Yes.

2191. But you do not agree if he intended to apply it to boats 22b to 22e? - No.

2192. *The Commissioner:* Where is 22e in the little sketch I have of the lifeboats? - 22e is the bottom boat of the pair right aft on the port side.

2193. It is marked here 22b.

Mr. Branson: Will your Lordship let the witness see the sketch? (*The same was handed to the witness.*)

Witness: This is a misprint, my Lord.

The Commissioner: Then will you alter it and make it right. I have not got yet, Mr. Branson, what I want. Perhaps the reason why is, that it does not exist; but I have an idea in my head that somebody said that the lashings of these collapsible boats were loosened, not before the calamity but after.

Mr. Branson: I think there is some such evidence, but I have no note of it. My learned friend refers me to Question 1652, where the carpenter was asked, "Were you yourself attempting to loose some of these collapsible boats," and his answer is "Yes, I loosened them all on the port side."

The Commissioner: That is what I have been thinking about. Is there any evidence that they were loosened on the starboard side?

Mr. Butler Aspinall: Yes, my Lord. The next question is some evidence, but not much.

Mr. Branson: The question is “Before you were washed into the sea yourself? - (A.) I loosened them all on the port side and then went for my lifebelt, and when I came up I noticed one of the boats, 21e, on the starboard side, still fast.”

The Commissioner: That is the evidence I wanted.

Mr. Branson: “I loosened that, and I was busy at that when I was washed into the sea, or slipped into the sea.”

The Commissioner: Now, I want to know what was the use of loosening the collapsible boats on the port side?

Mr. Branson: The use, I suggest, is that these boats are really in the nature of life rafts so that, however they get in the water, they are there for people who are thrown into the water to climb on to.

The Commissioner: You mean by that, that unlike the ordinary lifeboat, they will not damage themselves in getting down the port side and into the water?

Mr. Branson: I should not be prepared to say that. If they were loose on deck when the ship sank they would float off - that is my suggestion.

The Commissioner: That is enough.

2194. *Mr. Branson:* That is my suggestion, my Lord. (*To the Witness.*) Supposing these collapsible boats were left on deck with the skids on, would they be as efficient for saving life after the ship had gone down as if the skids had been removed? - Not quite. They would have the weight of the ironwork and stanchions upon them.

2195. Would it be necessary for the people who struggled on to them out of the water to clear the skids off them before they could get the covers off and use the boats? - Yes, it would.

The Commissioner: What is the evidence that the skids were removed?

Mr. Branson: The evidence is that up to the time of the occurrence the skids were not removed.

The Commissioner: I know that, but after the occurrence?

Mr. Branson: After the occurrence I think it is very vague. The best evidence I call refer your Lordship to is that of the carpenter. He is here, and can be recalled if your Lordship wants it more in detail.

The Commissioner: I think he had better be recalled then.

Mr. Branson: He shall be recalled. I think this witness can give some general evidence as to which bulkhead doors would properly be left open for the working of the ship.

The Commissioner: I do not think that is material because, as I understand the evidence at present, orders were given before the torpedo struck the ship, and some considerable time before, that all the bulkhead doors except those necessary for working the ship should be closed, and I believe at present that that order was carried out. Do you want anything more?

Mr. Branson: No, I do not think we do, but I was not quite sure what was in your Lordship's mind about the bulkhead doors, so I mention the fact that Mr. Laslett could give evidence if you desire it, but in view of what your Lordship has said I do not think it will assist us.

Examined by Mr. Cotter.

2196. Do you remember after the "Titanic" Inquiry rafts being put on board the "Lusitania"? - I do.

2197. How many were put on board? - Speaking from memory, I think it was 34.

2198. Where were they fixed? - They were stowed on the top of the centre line house on the promenade deck and on the top of the smoke-room on the second cabin deck and a few at the after end, I think, of the second cabin deck itself.

2199. Where [sic] they placed in such a position that they could have been immediately released in case of disaster? - Yes, they were to the best of our ability.

2200. When were they removed? - They have been gradually replaced by boats. I do not think there has been any general removal. They disappeared finally, I think, at the beginning of this year.

2201. Who ordered them to be removed? - Nobody that I know of.

2202. Was it the Company or the Board of Trade I mean? - Not the Board of Trade.

2203. Do you believe that these rafts are useful in case of disaster? - Certainly, if they get clear. Anything that floats is useful in a time like that.

2204. Would you prefer rafts on board a ship like the "Lusitania" in case of an accident of this description to collapsible boats? - I would not.

2205. You would prefer the collapsible boats? - Certainly.

2206. Can you tell us on what deck the main dining saloon was? - On two decks?

2207. I mean the main dining saloon? - "D" deck, I think - "C" and "D" decks.

2208. Can you tell his Lordship how many boats there are along that deck? - I could not.

2209. Approximately? - I really could not say; probably a dozen.

2210. I mean along the whole ship's side? - I really could not say, I have never even estimated them.

2211. Did you know the "Lusitania" well as far as the inside was concerned. Is it not a fact that forward are the third class dining rooms and bedrooms? - Yes.

2212. And when you get to the first funnel you get the first class staterooms? - Yes, I think so.

2213. Further on the main dining room? - Yes. I think there are rooms in between.

2214. Then the pantry? - Yes.

2215. The galley? - Yes.

2216. Then the second class accommodation? - Yes.

2217. I suggest to you that right along that deck there would be close upon 100 ports? - There would be probably 70 or 80 on each side I should think.

2218. And if those ports were opened and the ship took a list to starboard, water coming on those ports would have a big effect in keeping her over on that side? - Yes, undoubtedly.

Mr. Cotter: My Lord, there has been no evidence called about these ports.

The Commissioner: My recollection is that there is evidence that the ports were closed.

Mr. Cotter: In one or two places.

The Commissioner: I do not know about in one or two places. There is the evidence of some man who was in the water who says he tried to catch hold of an open port, but I am very strongly of the opinion that he did not.

Mr. Cotter: Yes, there is evidence that some of the second ports were closed, but I have some witnesses.

The Commissioner: Have you your mind upon the evidence about the ports?

Mr. Cotter: I have, my Lord.

The Commissioner: then I wish you would refer me to it if you can.

Mr. Cotter: But what I am trying to get at is that those ports were open and when she was struck they were not closed.

The Commissioner: My impression at present is that all the ports that were of any consequence were ordered to be closed soon after the ship got into the danger zone.

Mr. Cotter: Unfortunately, I have evidence the other way, which has not been called by the Board of Trade.

The Commissioner: But can you refer me to the evidence.

Mr. Cotter: The evidence is not here, my Lord.

The Commissioner: I mean in print.

The Solicitor-General: On page 26, Question 907, there is some partial evidence given by the first officer, Mr. Jones.

The Commissioner: What was that? - (A.) I said if any ports were open to try and close them immediately.

The Solicitor-General: Yes, those are the orders he gave before he went to the boat deck and as he left the saloon.

The Commissioner: Yes. "Did you yourself see whether any ports were open or not?" - (A.) I did not see any open, all that I saw were shut." Then at Question 993, and it is a question which you put, Mr. Cotter: "Do you know if there were any ports open in the dining room when you were in the dining room? - (A.) No, I did not see any. All the ports which I observed with my own eyes were shut, but as a precaution I gave this order - not that I knew the ports were open." That means this: "I did not believe any ports were open, but by way of precaution I gave the order after the striking of the torpedo that all of them should be shut."

Mr. Cotter: There is no evidence that the order was carried out.

The Commissioner: No, but I assume - you cannot have the complete chain, I know - unless there is some evidence to the contrary, when an order is given by a person in authority to a person who ought to obey it, that it is carried out.

Mr. Cotter: But if four witnesses had been called who could have been called by the Board of Trade it would have cleared this up. There was a man who was in the third class part of the ship, a man in a first class stateroom, a man in the dining room, and a man in the galley, who would have cleared it up.

The Commissioner: Are you talking now about members of the crew?

Mr. Cotter: Yes, whose duty it would have been to close those ports.

The Commissioner: That I know nothing about.

Mr. Cotter: I am suggesting now that the majority of those ports were open when she was struck.

The Commissioner: That is not my view at present. I may be wrong.

Mr. Cotter: I suggest that if 60 ports were open, and those ports are 15 to 18 inches in diameter -

The Commissioner: I quite understand that if those ports were open and the ship took a list to the side on which they were open, it would be a vital thing indeed.

Mr. Cotter: And it is the fact that ports are open, especially in warm weather.

The Commissioner: My notion is that the great bulk of the water came in through the hole made by the torpedo. The list, you will remember, was instantaneous; that is to say in about ten seconds.

Mr. Cotter: But my suggestion is that when the list did take place, the water going into those ports made it worse, and if they had been closed, she might have got back on an even keel.

Mr. Clem Edwards: I am rather reluctant, after what your Lordship has said was in your Lordship's mind about the effect of the evidence on the bulkhead doors, to ask this witness any questions; but the evidence, I submit, is not clear that the bulkhead doors were in fact closed.

The Commissioner: I rather agree with you; but the effect of it upon my mind is to satisfy me that they were closed.

Mr. Clem Edwards: It only stands in this way, my Lord, that the captain evidently thought it was necessary after the calamity to give certain instructions. The evidence goes no further than that on the morning of the day of the calamity when the captain understood that he had reached the danger zone he gave instructions for the watertight doors to be closed. He assumed that they were closed in one part of his evidence, but after the torpedo struck the ship he gave further instructions to see that the watertight doors were closed, and he gave those instructions to Captain Anderson. He does not know whether those instructions were or were not carried out.

The Commissioner: You know if the watertight doors were already closed, the orders to close them were unnecessary.

Mr. Clem Edwards: Quite, my Lord.

The Commissioner: Let us read the evidence.

Mr. Clem Edwards: May I put my other point, and then I will refer your Lordship to the evidence. The carpenter, in reply to questions -

The Commissioner: But will not you take the captain before you take the carpenter. His evidence is on page 7 question 152: "When did you issue any orders with regard to bulkhead doors? - (A.) I issued those earlier in the morning. (Q.) I mean after the ship was struck? - (A.) All the bulkhead doors were closed. (Q.) Did you order them to be closed? - (A.) Yes. (Q.) Do you know whether they were closed as a matter of fact? - (A.) It was reported to me that they were. (Q.) By whom were they closed? - (A.) By those connected with each department, steward's department." Now that is the captain's evidence.

Mr. Clem Edwards: Now will your Lordship look at the captain's evidence when he was recalled in reply to questions put by myself on page 45, at question 1656.

The Commissioner: "Did you give any instructions at all to see that the watertight doors were all closed? - (A.) I gave that order in the morning, and it was reported to me that the order had been carried out."

Mr. Clem Edwards: Then "After the torpedo had struck the ship did you give any order at all with regard to the watertight doors?"

The Commissioner: "(A.) The watertight doors and storelight doors were closed from the bridge immediately by second officer Heppert." Those were the doors which were open of necessity to work the ship."

Mr. Clem Edwards: "(Q.) That was after the torpedo had struck? - (A.) When the torpedo was coming. He had strict orders to do that, from me, if he saw anything of the kind coming. (Q.) Do all the watertight doors close automatically from the bridge? - (A.) No, only in the engine room. (Q.) How are the other watertight doors closed? - (A.) By hand. (Q.) Did you give any instructions that those which are closed by hand should be closed, after the torpedo had struck the ship? - (A.) No, I did not."

The Commissioner: But go on, please.

Mr. Clem Edwards: "Orders were given in the morning to close all bulkhead doors as far as possible."

The Commissioner: Yes, that is what I was saying.

Mr. Clem Edwards: Then, "If watertight doors can be closed by hand, ,watertight doors can be opened by hand, can they not? - (A.) Naturally, if they are not jammed. (Q.) And they were ordered to be closed in the morning, on the off-chance that something might happen? - (A.) That is right. (Q.) Do not you think, as the responsible officer of the ship, that when something had happened there ought to have been definite instructions to go and see that all the watertight doors were closed? - (A.) Orders had been given before that, if anything did happen, to see that they were closed. (Q.) But you do not know whether the officer carried them out? - (A.) I do not know, but I presume they were, from what Mr. Jones says."

The Commissioner: And so do I.

Mr. Clem Edwards: That may be, my Lord. I am only on the effect of the evidence. If your Lordship is satisfied -

The Commissioner: And the more you read the evidence the more satisfied I am that those doors were closed.

Mr. Clem Edwards: There is no positive evidence, my Lord, that they were closed.

The Commissioner: My attention is drawn to question 1032, in the evidence of Mr. Jones, the first officer: "(Q.) Before you left the ship do you know whether anything had been done about the watertight doors? - (A.) I do. (Q.) What do you know about that? - (A.) When I reached the boat deck I met the carpenter's yeoman, who had just come up from below, and I asked him whether all the doors were shut down below, and he answered that everything was shut below. Those were the exact words we used to each other."

Mr. Clem Edwards: If your Lordship is satisfied on that evidence, I shall not pursue the matter further; but I should like to ask this witness two or three questions.

The Commissioner: Certainly.

2219. *Mr. Clem Edwards:* (*To the Witness.*) You are perfectly familiar with the construction of the "Lusitania"? - I am.

2220. How many watertight compartments could there be filled and she keep afloat? - I could not say absolutely. That was a question which was threshed out before the vessel was constructed, and it did not concern me during the annual surveys.

2221. Is there any official of the Board of Trade who would be able to state that? - I presume there would be.

2222. Who would be the official? - Some of the head officials of the Department would no doubt be able to answer that question.

2223. Can you give a name to them? - I am afraid it is not my province to mark out the work.

2224. I know; but you would know who, in the ordinary course, would be the official of the Board of Trade who would be familiar with the position and could answer the question? - We have a Naval Architects Department, and no doubt that would be the Department to deal with that.

2225. It would not concern you as the local surveyor in Liverpool? - It would not.

2226. Did you see either of the initial trips - the trial trips, of the "Lusitania"? - No.

2227. Do you know what time it would take for the "Lusitania" to turn half circle or quarter circle? - I have read the account, but I have really forgotten; I could not say.

2228. But as a surveyor that does not come within your province? - No.

2229. Is it not due to you, as surveyor, to see that there is a certificate granted? - I make a declaration.

2230. That is in the formal certificate. Is there no provision made for detailing the trials - answering to her helm, and so on? - Oh, no.

2231. You simply give a general certificate? - I give a detailed certificate, but that point is not dealt with. That is dealt with when the vessel is first built.

2232. Would there be any official of the Board of Trade who could tell what time it would take her to turn quarter circle? - I doubt it.

2233. That is one of the things that are tested, is it not, on the trial trip? - Yes.

2234. Is there not a Board of Trade record kept of that trial trip? - I daresay; I could not say. I was not present at the trip, so I cannot say what information they obtained.

2235. Have you ever been on a trial trip? - Yes.

2236. On that trial trip have you never had a record of the time it takes for a boat to turn quarter circle? - We have not taken those figures. If we considered the movements satisfactory we should not trouble about it.

2237. You would not make the exact record? - No.

2238. *The Commissioner:* You would not make the trial, I understand? - They do make turning trials to see how the vessel steers, but we do not take the times.

Mr. Branson: There are two other references to portholes which I may give your Lordship. One is on page 32, Question 1196, where Mr. Freeman, who was a second class passenger, went down as low as E deck. He says: "When I went to E deck it was in darkness, owing to the electric light put out, apart from a little light, which came in from the portholes on the port side of the vessel. The starboard side was entirely in darkness. I did not realise at the time that the vessel was under water, but these portholes normally are just above the water-line. (Q.) Were they shut or open? - (A..) They must have been shut because there was no water to be seen running in anywhere."

The Commissioner: That means that on the starboard side when he went in the ports were below the water, but the water was not coming in.

Mr. Cotter: That refers to deck E. I was talking about deck D. Deck E is practically on the water-line.

The Commissioner: Deck D is above deck E.

Mr. Cotter: Yes, and that is the one I am speaking about.

The Commissioner: On deck E the ports were all shut and no water was coming in.

Mr. Branson: Then there is one other reference, my Lord, at page 38, Questions 1337 to 1339.

The Commissioner: “Do you remember on the 7th May any orders being given as to closing the bulkhead door? - (A.) Yes. On the morning of 7th May the staff captain met me on the main companion way, C deck, and said they wished the bulkhead doors to be closed, and also the ports, and he said he would go down and see it done himself. (Q.) Was that Captain Anderson? - (A.) Yes, Staff Captain Anderson.”

Mr. Branson: Then “As far as you know were they closed at the time of the ship being struck? - (A.) I believe they were.”

The Commissioner: Then at Question 1351 there is a question by Mr. Edwards. “Did I understand you to say that the watertight doors were closed before the torpedo struck the ship? - (A.) I said Captain Anderson gave orders and went down himself, and I understand he expressed himself afterwards as being perfectly satisfied that everything was tight on the E deck..”

Mr. Clem Edwards: That was in the morning, my Lord.

The Commissioner: Yes, in the morning, before the torpedoing.

Mr. Branson: Then there is a piece of evidence by a passenger on page 29, Question 1062, to which I ought to call your Lordship's attention.

The Commissioner: “After you went back will you tell me all that you saw then. First of all did you notice anything about the port holes? - (A.) Yes. Our cabin being on the same deck as the dining room, on passing out on the second occasion, I saw water streaming into the dining room. I thought to myself it was through the port-holes, as it was a sort of jet of water coming down, not in any large quantity, but as if it was pouring through a hole.” I should scarcely describe water coming through a port-hole as a jet. I have read this and I think this lady was wrong in supposing that that water came from the port-holes.

Mr. Branson: I respectfully agree, but I call attention to it.

The Commissioner: Then there is another bit of evidence of a man who said he clutched at a port-hole.

Mr. Branson: Yes, that is on page 51, Question 1844. The passenger says he saw an open port-hole about 2 feet above him and clutched it, but could not hold on.

Mr. Cotter: The Board of Trade have statements of witnesses to this effect, but they were never called, and I was expecting they would be called.

The Commissioner: I cannot control the Board of Trade, you know, as to what evidence they call. It is their duty to see that the Court is properly furnished with the evidence and I must rely on their Counsel to do it.

Mr. Cotter: I am raising the point now, my Lord, that the witnesses have told the Board of Trade what I say.

The Commissioner: I cannot help it, is there anything else?

Mr. Branson: We have the carpenter here. Your Lordship wanted to ask him about whether the skids were removed or not.

The Commissioner: I wanted to ask him as to whether these collapsible boats were in such a condition before the ship went down, that when the ship went down they would float in the water?

Mr. Branson: Then we will re-call him, my Lord.

Mr. Robertson re-called.

2289. *The Commissioner:* I do not want you to tell us what you hope was the case, or what you fancy was the case. I want you, as far as you can, to tell us what according to your observation really was the cause. Now, can you tell me this: Did you see these collapsible boats sufficiently to enable you to say that when the ship sank they would float? - I did, my Lord.

2240. *Mr. Dunlop:* Which boats are you referring to - the port boats or both the port and the starboard boats? - I refer to any boat in the ship.

2241. First of all, taking port boats, in your evidence, you told us that after the ship was torpedoed and you went on deck, you loosened all the collapsible boats on the port side? - That is so.

2242. What did you do in order to release these boats on the port side. What did you remove? - I removed the gripes. Had we been able to use the falls for the ordinary boats, then after we got back the falls we could have got number 22a into the water and then got numbers 22d und 22c back under the davits for lowering again.

2248. Did you loose everything in the port side boats that would prevent those boats from floating when the vessel sank? - I removed everything.

2244. What did you do with the starboard boats? - After I came up from getting my lifebelt I noticed that number 21d and 21e were still fast. I removed the gripes from those boats.

2245. Were they in a condition in which they could float? - That side was all clear. Both sides of the ship were clear at the after end.

2246. Were the canvas coverings of these boats removed? - The canvas covers were not removed but that would not prevent the boats floating. The canvas covers would burst as soon as the boats entered the water. They were just hanging over the boats.

2247. Do you say nothing more could have been done to these boats than you did do? - Nothing.

2248. In order to enable them to float when the ship sank? - That is so.

2249. Were any of them carried down with the ship, do you know? - I do not think so. I think all the boats turned up on the after end of the ship.

2250. All the collapsible boats? - I think so.

The Commissioner: Do you know what has become of all these boats. Have any then been picked up.

Mr. Dunlop: No, my Lord, I do not.

The Commissioner: Do you know, Mr. Aspinall, whether any of these boats have been picked up?

Mr. Butler Aspinall: I know six lifeboats were picked up, und some of the collapsible boats, but I do not know the number.

2251. *The Commissioner (To the witness.):* You remember the collapsible boats on the after end of the ship? - Yes, My Lord.

2252. There were eight there, I think, four on each side? - Five on each side.

2253. I am talking about the collapsible boats which had no large lifeboats above them? - Yes, that is so.

2254. There were eight of those? - Yes.

2255. Four on each side? - Four on each side.

2256. Two and two, and two and two? - That is so.

2257. What arrangements were there for dropping those boats into the water. Were there any davits? - Yes.

2258. Where? - We had to bring the boats along on the rail on the deck.

2259. In order to lower those collapsible boats into the water you had to push them along a rail until they got under the davits which supported the regular lifeboats. That was the way in which it was intended to be done? - That is so.

(The witness withdrew.)

The Commissioner: Is Mr. Laslett here?

Mr. Dunlop: Yes, my Lord.

The Commissioner: Just let him come back for a moment; but before I ask him a question, where is Mr. Robertson?

Mr. Robertson, recalled.

2260. *The Commissioner:* Robertson, were you the man who unloosed the gripes of these collapsible boats? - Yes, my Lord.

2261. Did you do it yourself? - Yes.

2262. Did you do it at each boat? - With assistance. I unloosened the gripes. Two of the stewards were cutting the lashings from the canvas covers. I unloosened the gripes myself.

2263. Did you personally see, with respect to each boat, that it was so loosened that it would float? - I did.

Mr. Clem Edwards: Will your Lordship look at the answer to this witness to Question 1624, on page 45?

The Commissioner: Yes. "From the time you knew that a torpedo had struck the ship till the time you got to your boat station, how long was it? - (A.) About three minutes, as near as I can judge. (Q.) Did you during those three minutes see the captain, or either of the officers? - (A.) No." What is the point of it?

Mr. Clem Edwards: The point is this. If from the time the torpedo struck the ship when he was down below until he gets to his boat station a period of three minutes elapsed and in the meantime this witness says he had removed the gripes from the boats on the boat deck -

The Commissioner: Does he say "in the meantime"? I do not think he means that at all.

Witness: As I explained, I was working at removing the gripes until I got launched off the ship.

The Commissioner: I think he means, Mr. Edwards, that he did it afterwards. Is not that so?

2264. *Mr. Clem Edwards:* (*To the Witness*) How long did it take you to remove the gripes? - It took, from the time I got up there, that was three minutes, and allowing the ship to sink in 20 minutes, 17 minutes that I was working there.

2265. And you went to your boat station first, did you? - Yes.

2266. And you left your boat station to see to the gripes, did you? - That is my boat station.

2267. When you speak of a boat station, you do not mean at a particular boat? - I do.

2268. Then if I understand you, you removed the gripes from all the boats? - That is so.

2269. If your boat station is a station at a particular boat, and you make immediately for your boat station what I want to know is this, was it before or after you got to your boat station that you removed the gripes from the other boats? - I do not quite follow you.

The Commissioner: The question is plain enough.

2270. *Mr. Clem Edwards:* I will put the question again. According to your statement your boat station is a station at a particular boat, and you say that immediately the torpedo struck the ship when you were below, you went for your boat station, that is a station at a particular boat. You also say that you removed the gripes from all the boats. Now what I want to ask you is this. Did you remove the gripes from all the boat on your way from below to your boat station, or did you leave your boat station and afterwards remove the gripes of the other boats? - I made my way to my boat station. I removed the gripes on the port side, that was my station, from 22 to 22e. I then went down for my lifebelt. I came back on deck again, and as I came up on deck I noticed that 21d and 21e were still fastened and I removed the gripes from those two boats and left the starboard side quite free. That made the whole of that deck free, and the boats would float as soon as the ship sank.

2271. Then when did you remove the gripes from the other boats? - Do you mean on the starboard side?

2272. You have told the Court you removed the gripes from all the boats? - When I came up to my boat station (my boat station is No. 22 to 22e) I removed the gripes and my boats were all free on my side of the ship - the boats I had charge of.

2273. *The Commissioner:* From 22 to 22e is six boats, is it not? - That is so.

2274. *Mr. Clem Edwards:* Then it was those six boats from which you removed the gripes? - Yes.

2275. Who removed the gripes from the other boats? - On the starboard side?

2276. Yes. - Very likely the steward, or the man in charge there. I could not say.

2277. Anyhow, the gripes you removed were the gripes of six boats near your boat station? - Yes, and two on the other side, making eight boats altogether.

2278. Let us be quite clear about it. Were the gripes on the other side, besides the eight removed? - Yes.

2279. Who removed them? - Perhaps the man in charge.

2280. But did you see they were removed? - I did, when I was removing 21d and 21e.

(The Witness withdrew.)

The Commissioner: Now, I want to ask Mr. Laslett another question.

Mr. Albert Laslett, recalled.

2281. *The Commissioner:* I think it happened in this case, or there is some evidence that it did, or, if not, it happened in the case of the "Falaba," that the stern post of a lifeboat had been wrenched away when the lifeboat has not dropped evenly. Do you know that? - Yes. I did not know it had been stated in this case.

2282. Perhaps I have some confusion in my head about it; but you have heard of it? - Yes.

2283. The effect of wrenching away the stern post would be to cast the boat adrift, would it not? - It would.

2284. To loosen the whole boat and make it useless as a lifeboat? - It would.

2285. I want to ask you this question. How are these boats lowered at that end where the stern post is - what is the attachment to the stern post that tears the stern post out of its position? - It is not really attached to the stern post at all. A bar goes through the keel and it is screwed into a plate on the underneath side of the keel and then clinched over. But what causes the stern post to come out is that when one end drops the pull on the hook and bar through the bottom is sideways and pulls the little portion of deck that exists at each end towards the stern post and bursts the planking and gunwale away.

2286. Can you suggest to me any means by which an accident of that kind can be prevented? - By altering the structure.

2287. In what respect? - All the arrangements that I have any experience of are open to some disability, but one of the arrangements which will not cause that particular damage to happen is, having the boat supported by a chain sling in a fore and aft direction. It is all arrangement in use on many boats.

2288. But could not you obviate it by preventing that strain in some way that you say comes upon the stern post? - Yes, by supporting the hook from the keel it could be done, in a fore and aft direction.

2289. Can you tell me why that is not done? - I think boat builders consider that the deck which is fitted at each end a short piece of deck is sufficient to support the hooks sideways; but the shock is usually a very severe one, and a sudden one probably carries all that away.

2290. Then the arrangement does not prevent the sudden wrench of the falling boat from pulling the boat to pieces? - No, it would be very difficult to prevent that.

Further examined by Mr. Cotter.

2291. You have heard the evidence about the boats swinging out from the ship's side a distance of six feet? - Yes.

2292. Which would make it difficult for women and children to get into them? - It would.

2293. Can you suggest anything to the Court which would prevent such a thing taking place?

The Commissioner: That is on the side on which the list is?

Mr. Cotter: Yes.

Witness: It is not a matter that I have considered, and I should not care to offer an opinion without due consideration, because, of course, we must remember that nothing must be allowed to interfere with the getting out of the boats, and I think that any arrangement, which would have to be, of course, a collapsible arrangement, for providing access to the boats, would interfere with the getting out of the boats. There would have to be some special arrangement, probably brought up from underneath.

2294. You cannot suggest anything? - Not at the moment.

(The Witness withdrew.)

The Commissioner: Is there any further evidence?

Mr. Branson: There are two matters which I thought Captain Turner could speak to. One was the question as to whether there were any troops on board; and the other, the position of the cargo?

The Commissioner: I asked Sir Edward Carson whether the evidence covered that point, and he assured me it did, and I took his word for it. Is there the least pretense for saying that there were any troops on board?

Mr. Branson: None, that I know of; but Captain Turner is here, and one question will settle it.

The Commissioner: Very well; but we cannot have all these re-opened, you know.

Captain William Thomas Turner re-called.

2295. *The Commissioner:* Were there any Canadian troops on board? - None whatever.

2296. Were there any troops on board? - None whatever.

Mr. Branson: Then there is one thing more, and that is the position in which the cargo was stowed. The manifest has been put in, and I have here the cargo plan.

The Commissioner: I have been looking at this manifest, and I confess it is rather unintelligible to me. Is there anything in it which indicates where the particular goods described in it are stowed?

Mr. Branson: No, but there is a cargo plan which I can put in which will tell your Lordship exactly.

The Commissioner: Will you bring it here and show me.

(The learned Counsel explained the plan to The Commissioner.)

Mr. Butler Aspinall: Might I say in connection with what I think Mr. Branson has been telling your Lordship, this. He has been using a plan supplied by us. Your Lordship will notice there are two bulkheads between the place where the cargo was stowed and the section of the ship which was pierced by the torpedoes - a substantial distance fore and aft, and in that distance two bulkheads.

The Commissioner: Assuming the torpedo struck the ship as I think they say between the third and fourth funnels, if that is accurate, how far would the torpedo be away from the cargo spaces where the cartridges were? I am told the evidence was that the torpedo struck the ship between the second and third funnels.

Mr. Butler Aspinall: Some people said the second and third and some between the third and fourth.

The Commissioner: At all events it was in the after part of the ship.

Mr. Butler Aspinall: Yes.

The Commissioner: About how far do you suppose the torpedo would be from the cargo space in which the cartridges were.

Mr. Butler Aspinall: Someone is getting it out according to scale. I am told by the representative of the Board of Trade it is about 50 yards and there are two bulkheads in that 50 yards.

The Commissioner: Thank you. Is there anything else?

2297. *Mr. Macmaster:* I should like to ask the captain a question. *(To the Witness.)* How far from the point where the disaster occurred is Fishguard? - I could not exactly say that without the chart.

2298. Cannot you tell me how many hours' sail? - It would be about 6 hours.

2299. Granting that the accident took place at 2 o'clock in the afternoon or thereabouts, in about 6 hours by fair sailing you would have arrived at Fishguard, providing it was your destination? - Yes, that is right.

2300. Was it not usual for the “Lusitania” and the “Mauretania” to go to Fishguard first and land passengers there? - It had been previous to the war.

2301. But had it been discontinued? - It was discontinued on account of the war, and we closed port also.

2302. You were on the previous journey the “Lusitania” made homeward? - I was.

2303. And you did not on that occasion go to Fishguard? - We did not.

Mr. Rose-Innes: May I call your Lordship's attention to what took place on the first day, on page 7, as I want to give your Lordship assistance as far as I can. You will see immediately after Question 123 on the top of the left-hand column, I said this to the Court: “The other questions I desire to put” -

The Commissioner: I remember it quite well.

Mr. Rose-Innes: I was not present, of course, at what took place in camera, and I cannot tell whether the questions I desired to put have been put by the Attorney-General. I had framed two or three questions to put to the captain. I do not want to do any injustice to the captain himself, but I want to know whether he had a conversation with a lady passenger with regard to taking on board a pilot before he reached the Irish coast, and his answer to that question,

The Commissioner: You see I do not know what the question was, and I do not know what the answer was and you do.

Mr. Rose-Innes: No, I do not, my Lord; I was not present.

The Commissioner: I know you were not, but I suppose you have been told about the question.

Mr. Rose-Innes: Not a word, my Lord. I am in a state of perfect innocence, for once.

The Commissioner: Well, you know what a desire for knowledge once led to: It led to an awful disaster from which we have never recovered. I think you had better leave it alone.

Mr. Rose-Innes: There are two things. There is the interests of my clients, and if your Lordship says I had better leave it alone -

The Commissioner: I think so. I do not know what it is, and not knowing what it is I am in a position to say I think that you had better leave it alone.

Mr. Rose-Innes: One appreciates your Lordship's advice on all occasions.

Examined by Mr. Clem Edwards.

2304. Going at 18 knots an hour, how long would it take the ship to describe a quarter circle? - I could not exactly say, but going 25 knots she would go the circle in about eight minutes.

2305. A complete circle? - Yes.

2306. Supposing at 25 knots an hour she was pointing due north, how long would it take her to get her pointing half-way between east and north? - That is an eighth of a circle?

2307. Yes? - If she takes eight minutes to go the circle what would she do the eighth of a circle in?

2308. She would not do the circle in less than eight minutes at 25 knots? - No. I do not think so.

2309. And you do not know what she would take to do the quarter circle at 18 knots? - I do not.

2310. *The Commissioner:* Does she do the first quarter circle as quickly as the second? - No.

2311. Does she do the second as quickly as she does the third? - I do not think so.

2312. Then of course the speed is varying? - Of course the speed reduces all the time.

The Commissioner: And I am told they never turn on a circle. Now are there any more questions?

Mr. Branson: I have Commander Scott here, from the Navy, my Lord.

The Commissioner: You may put him in if you like, but I am satisfied on that point.

Mr. Branson: If your Lordship is satisfied, there is no need to put him in.

The Commissioner: The Court does not desire to hear him.

Mr. Dunlop: The distance your Lordship asked about, between where the torpedo struck the ship and the cargo space has been measured, and it is 150 feet.

The Commissioner: That is 50 yards. Is there anyone else in the room who desires to give evidence? (*No answer.*) Apparently not.

Adjourned.

REPORT

SHIPPING CASUALTIES. (LOSS OF THE STEAMSHIP “LUSITANIA.”)

REPORT of a Formal Investigation into the circumstances attending the foundering on the 7th of May, 1915, of the British Steamship “Lusitania,” of Liverpool, after being torpedoed off the Old Head of Kinsale, Ireland.

Presented to both Houses of Parliament by Command of His Majesty.

Report on the Loss of the “Lusitania” (s.s.)

THE MERCHANT SHIPPING ACT,
1894 to 1906.

REPORT OF THE COURT.

The Court, having carefully enquired into the circumstances of the above mentioned disaster, finds, that the loss of the said ship and lives was due to damage caused to the said ship by torpedoes fired by a submarine of German nationality whereby the ship sank.

In the opinion of the Court the act was done not merely with the intention of sinking the ship, but also with the intention of destroying the lives of the people on board.

Dated this seventeenth day of July, 1915.

MERSEY,

Wreck Commissioner.

We concur in the above Report,

F.S. Inglefield,

H.J. Hearn,

David Davies,

John Spedding

Assessors.

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ANNEX TO THE REPORT.

INTRODUCTION.

On the 18th of May, 1915, the Board of Trade required that a Formal Investigation of the circumstances attending the loss of the "Lusitania" should be held, and the Court accordingly commenced to sit on the 15th of June.

There were six sittings, some of which were in camera. Thirty-six witnesses were examined, and a number of documents were produced.

THE SHIP.

The "Lusitania" was a Turbine steamship built by John Brown & Co., of Clydebank, in 1907, for the Cunard Steamship Company. She was built under Admiralty Survey and in accordance with Admiralty requirements, and was classes 100 A.1 at Lloyd's. Her length was 755 feet, her beam 88 feet, and her depth 60 feet 4 in. Her tonnage was 30,395 gross and 12,611 net. Her engines were of 68,000 h.p. and her speed 24 ½ to 25 knots. She had 23 double-ended and two single-ended boilers situated in four boiler-rooms.

The ship was divided transversely by eleven principal bulkheads into twelve sections.

The two forward bulkheads were collision bulkheads without doors. The remaining bulkheads had watertight doors cut in them which were closed by hand. On places where it was necessary to have the doors open for working the ship they could be closed by hydraulic pressure from the bridge. A longitudinal bulkhead separated the side coal bunkers from the boiler-room and engine-rooms on each side of the ship.

The "Lusitania" was a passenger as well as emigrant ship as defined by the Merchant Shipping Acts. She fulfilled all the requirements of the law in this connection and had obtained all necessary certificates.

She had accommodation on board for 3,000 persons (including the crew).

THE LIFE-BOATS AND LIFE-SAVING APPLIANCES.

The ship was provided with boat accommodation for 2,605 persons. The number of persons on board on the voyage in question was 1,959.

The number of boats was 48. Twenty-two of these were ordinary life-boats hanging from davits-eleven on each side of the boat deck. These had a total carrying capacity of 1,323. The remainder (26) were

collapsible boats, with a total carrying capacity of 1,282. Eighteen of the collapsible boats were stowed under eighteen of the life-boats. The remaining eight were stowed four on each side abaft the life-boats.

In addition the ship was provided with 2,325 life-jackets (125 of which were for children) and 35 life-buoys. All these were conveniently distributed on board.

The boats, the life-jackets and the lifebuoys were inspected at Liverpool on the 17th of March, 1915, by the resident Board of Trade Surveyor, and again on the 15th of April, 1915, by the Board of Trade Emigration Officer. Both these gentlemen were called before me and satisfied me that the condition of the different appliances was in every way satisfactory.

The boats were also examined by the ship's carpenter at New York on the commencement of the homeward voyage on the 1st of May and found to be in good order.

THE CAPTAIN, THE OFFICERS AND THE CREW.

The Captain of the ship, Mr. William Thomas Turner, had been in the service of the Cunard Company since 1883. He had occupied the position of Commander since 1903, and had held an Extra Master's Certificate since 1907. He was called before me and gave his testimony truthfully and well. The "Lusitania" carried an additional Captain named Anderson, whose duty it was to assist in the care and navigation of the ship. He was unfortunately drowned when the ship went down, and I can only judge of his capacity, by the accounts given to me of the work he did. Several of the officers gave their evidence before me and gave it well. I am quite satisfied that the two Captains and the officers were competent men, and that they did their duty. Captain Turner remained on the bridge till he was swept into the sea and Captain Anderson was working on the deck until he went overboard and was drowned.

It appears that since the commencement of the war the Cunard Company has lost all its Royal Naval Reserve and Fleet Reserve men, and the managers have had to take on the best men they could get and to train them as well as might be in the time at their disposal. In connection with this training prizes have been given by the Company to induce the crews to make themselves proficient in handling the boats, and the efforts in this direction seem to have been successful in the case of the "Lusitania's" crew. Mr. Arthur Jones, the First Officer, described the crew on this voyage as well able to handle the boats, and testified to their carrying out the orders given to them in a capable manner. One of the crew, Leslie N. Morton, who at the time the ship was torpedoed was an extra look-out on the starboard side of the forecastle head, deserves a special word of commendation. He had been shipped in New York. He was only 18 years of age, but he seems to have exhibited great courage, self-possession and resource. He was the first to observe the approach of the two torpedoes, and before they touched the ship he had reported them to the bridge by means of the megaphone, calling out "Torpedoes coming on the starboard side." When the torpedoes struck the ship, Morton was knocked off his feet, but, recovering himself quickly, he went at once to the boats on the starboard side and assisted in filling and lowering several of them. Having done all that could be done on board, he had, as he expresses it, "to swim for it." In the water he managed to get hold of a floating collapsible life-boat and, with the assistance of another member of the crew named Parry, he ripped the canvas cover off it, boarded it, and succeeded in drawing into it fifty or sixty

passengers. He and Parry rowed the life-boat some miles to a fishing smack, and, having put the rescued passengers on board the smack, they re-entered the life-boat and succeeded in rescuing twenty or thirty more people. This boy, with his mate Parry, was instrumental in saving nearly one hundred lives. He has cause for being proud of the work he did. Morton had a good opportunity of judging how the crew performed their duties in the short time which elapsed between the explosion of the torpedoes and the foundering of the ship. He saw the crew helping the women and children into the boats; he saw them distributing life-belts to passengers. He heard the officers giving orders and he observed that the crew were obeying the orders properly.

Some of the passengers were called, and they confirm this evidence. They speak in terms of the highest praise of the exertions made by the crew.

No doubt there were mishaps in handling the ropes of the boats and in other such matters, but there was, in my opinion, no incompetence or neglect, and I am satisfied that the crew behaved well throughout, and worked with skill and judgment. Many more than half their number lost their lives.

The total crew consisted of 702, made up of 77 in the Deck Department, 314 in the Engineering Department, 306 in the Stewards' Department and of 5 musicians. Of these, 677 were males and 25 were females. Of the males, 397 were lost, and of the females, 16, making the total number lost 413. Of the males 280 were saved, and of the females, 9 making the total number saved, 289.

I find that the conduct of the masters, the officers and crew was satisfactory. They did their best in difficult and perilous circumstances and their best was good.

THE PASSENGERS.

The number of passengers on board the "Lusitania" when she sailed was 1,257, consisting of 290 saloon, 600 second-cabin, and 367 third-cabin passengers.

Of these, 944 were British and Canadian, 159 were Americans, and the remainder were of seventeen other nationalities. Of the British and Canadian 584 perished. Of the American 124 perished, and of the remainder 77 perished. The total number lost was 785, and the total number saved was 472.

The 1,257 passengers were made up of 688 adult males, 440 adult females, 51 male children, 39 female children, and 39 infants. Of the 688 adult males, 421 were lost and 267 saved. Of the 400 adult females, 270 were lost and 170 were saved. Of the 51 male children, 33 were lost and 18 were saved. Of the 39 female children, 26 were lost and 13 were saved. Of the 39 infants, 35 were lost and four were saved. Many of the women and children among those lost died from exhaustion after immersion in the water.

I can speak very well of the conduct of the passengers after the striking of the ship. There was little or no panic at first, although later on, when the steerage passengers came on to the boat deck in what one witness described as "a swarm," there appears to have been something approaching a panic.

Some of the passengers attempted to assist in launching of the boats and, in my opinion, did more harm than good. It is, however, quite impossible to impute any blame to them. They were all working for the best.

THE CARGO.

The cargo was a general cargo of the ordinary kind, but part of it consisted of a number of cases of cartridges (about 5,000). This ammunition was entered in the manifest. It was stowed well forward in the ship on the orlop and lower decks and about 50 yards away from where the torpedoes struck the ship. There was no other explosive on board.

THE SHIP UNARMED.

It has been said by the German Government that the "Lusitania" was equipped with masked guns, that she was supplied with trained gunners, with special ammunition, that she was transporting Canadian troops, and that she was violating the laws of the United States. These statements are untrue; they are nothing but baseless inventions, and they serve only to condemn the persons who make use of them. The steamer carried no masked guns nor trained gunners, or special ammunition, nor was she transporting troops, or violating any laws of the United States.

THE VOYAGE.

THE DEPARTURE FROM NEW YORK.

The "Lusitania" left New York at noon on the 1st of May, 1915. I am told that before she sailed notices were published in New York by the German authorities that the ship would be attacked by German submarines, and people were warned not to take passage in her. I mention this matter not as affecting the present enquiry but because I believe it is relied upon as excusing in some way the subsequent killing of the passengers and crew on board the ship. In my view, so far from affording any excuse the threats serve only to aggravate the crime by making it plain that the intention to commit it was deliberately formed and the crime itself planned before the ship sailed.

Unfortunately the threats were not regarded as serious by the people intended to be affected by them. They apparently thought it impossible that such an atrocity as the destruction of their lives could be in the contemplation of the German Government. But they were mistaken, and the ship sailed.

THE SHIP'S SPEED.

It appears that a question had arisen in the office of the Cunard Company shortly after the war broke out as to whether the transatlantic traffic would be sufficient to justify the Company in running their two big and expensive ships - the "Lusitania" and the "Mauretania." The conclusion arrived at was that one of the two (the "Lusitania") could be run once a month if the boiler power were reduced by one-fourth. The saving in coal and labour resulting from this reduction would, it was thought, enable the Company to avoid loss though not to make a profit. Accordingly six of the "Lusitania's" boilers were closed and the ship began to run in these conditions in November, 1914. She had made five round voyages in this way before the voyage in question in this enquiry. The effect of closing of the six boilers was to reduce the attainable speed from 24 ½ to 21 knots. But this reduction still left the "Lusitania" a considerably faster ship than any other steamer plying cross the Atlantic. In my opinion this reduction of the steamer's speed was of no significance and was proper in the circumstances.

THE TORPEDOING OF THE SHIP.

By the 7th of May the "Lusitania" had entered what is called the "Danger Zone," that is to say, she had reached the waters in which enemy submarines might be expected. The Captain had therefore taken precautions. He had ordered all the life-boats under davits to be swung out. He had ordered all bulkhead doors to be closed except such as were required to be kept open in order to work the ship. These orders had been carried out. The portholes were also closed. The lookout on the ship was doubled - two men being sent to the crow's nest and two to the eyes of the ship. Two officers were on the bridge and a quartermaster was on either side with instructions to look out for submarines. Orders were also sent to the engine-room between noon and two p.m. of the 7th to keep the steam pressure very high in case of emergency and to give the vessel all possible speed if the telephone from the bridge should ring.

Up to 8 a.m. on the morning of the 7th the speed on the voyage had been maintained at 21 knots. At 8 a.m. the speed was reduced to 18 knots. The object of this reduction was to secure the ship's arrival outside the bar at Liverpool at about 4 o'clock on the morning of the 8th, when the tide would serve to enable her to cross the bar into the Mersey at early dawn. Shortly after this alteration of the speed a fog came on and the speed was further reduced for a time to 15 knots. A little before noon the fog lifted and the speed was restored to 18 knots, from which it was never subsequently changed. At this time land was sighted about two points abaft the beam, which the Captain took to be Brow Head; he could not, however, identify it with sufficient certainty to enable him to fix the position of his ship upon the chart. He therefore kept his ship on her course, which was S. 87 E. and about parallel with the land until 12:40 when, in order to make a better landfall he altered his course to N. 67 E. This brought him closer to the land, and he sighted the Old Head of Kinsale. He then (at 1:40 p.m.) altered his course back to S. 87° E., and having steadied his ship on that course began (at 1:50) to take a four-point bearing. This operation, which I am advised would occupy 30 or 40 minutes, was in process at the time when the ship was torpedoed, as hereafter described. At 2 p.m. the passengers were finishing their mid-day meal.

At 2:10 p.m., when ten to fifteen miles off the Old Head of Kinsale, the weather being then clear and the sea smooth, the Captain, who was on the port side of the lower bridge, heard the call, "There is a torpedo coming, sir," given by the second officer. He looked to starboard and then saw a streak of foam in the wake of a torpedo travelling towards his ship. Immediately afterwards the "Lusitania" was struck on the

starboard side somewhere between the third and fourth funnels. The blow broke number 5 life-boat to splinters. A second torpedo was fired immediately afterwards, which also struck the ship on the starboard side. The two torpedoes struck the ship almost simultaneously.

Both these torpedoes were discharged by a German submarine from a distance variously estimated at from between two and five hundred yards. No warning of any kind was given. It is also in evidence that shortly afterwards a torpedo from another submarine was fired on the port side of the "Lusitania." This torpedo did not strike the ship, and the circumstance is only mentioned for the purpose of showing that perhaps more than one submarine was taking part in the attack.

The "Lusitania" on being struck took a heavy list to starboard and in less than twenty minutes she sank in deep water. Eleven hundred and ninety-eight men, women, and children were drowned.

Sir Edward Carson, when opening the case, described the course adopted by the German Government in directing this attack as "contrary to International Law and the usages of war," and as constituting, according to the law of all civilized countries, "a deliberate attempt to murder the passengers on board the ship." This statement is, in my opinion, true, and it is made in language not a whit too strong for the occasion. The defenceless creatures on board, made up of harmless men and women, and of helpless children, were done to death by the crew of the German submarine acting under the directions of the officials of the German Government. On the questions submitted to me by the Board of Trade I am asked, "What was the cause of the loss of life?" The answer is plain. The effective cause of the loss of life was the attack made against the ship by those on board the submarine. It was a murderous attack because made with a deliberate and wholly unjustifiable intention of killing the people on board. German authorities on the laws of war at sea themselves establish beyond all doubt that though in some cases the destruction of an enemy trader may be permissible there is always an obligation first to secure the safety of the lives of those on board. The guilt of the persons concerned in the present case is confirmed by the vain excuses which have been put forward on their behalf by the German Government as before mentioned.

One witness, who described himself as a French subject from the vicinity of Switzerland, and who was in the second-class dining-room in the after part of the ship at the time of the explosion, stated that the nature of the explosion was "similar to the rattling of a maxim gun for a short period," suggested that this noise disclosed the "secret" existence of some ammunition. The sound, he said, came from underneath the whole floor. I did not believe this gentleman. His demeanour was very unsatisfactory. There was no confirmation of his story, and it appeared that he had threatened the Cunard Company that if they did not make him some immediate allowance on account of a claim which he was putting forward for compensation, he would have the unpleasant duty of making his claim in public, and, in doing so, of producing "evidence which will not be to the credit either of your Company or of the Admiralty." The company had not complied with his request.

It may be worth while noting that Leith, the Marconi operator, was also in the second-class dining-saloon at the time of the explosion. He speaks of but one explosion. In my opinion there was no explosion of any part of the cargo.

ORDERS GIVEN AND WORK DONE AFTER THE TORPEDOING.

The Captain was on the bridge at the time his ship was struck, and he remained there giving orders until the ship foundered. His first order was to lower all boats to the rail. This order was obeyed as far as it possibly could be. He then called out, "Women and children first." The order was then given to hard-a-starboard the helm with a view to heading towards the land, and orders were telegraphed to the engine-room. The orders given to the engine-room are difficult to follow and there is obvious confusion about them. It is not, however, important to consider them, for the engines were put out of commission almost at once by the inrush of water and ceased working, and the lights on the engine-room were blown out.

Leith, the Marconi operator, immediately sent out an S.O.S. signal, and, later on, another message, "Come at once, big list, 10 miles south Head Old Kinsale." These messages were repeated continuously and were acknowledged. At first, the messages were sent out by the power supplied from the ship's dynamo; but in three or four minutes this power gave out, and the messages were sent out by means of the emergency apparatus in the wireless cabin.

All the collapsible boats were loosened from their lashings and freed so that they could float when the ship sank.

THE LAUNCHING OF THE LIFE-BOATS.

Complaints were made by some of the witnesses about the manner in which the boats were launched and about their leaky condition when in the water. I do not question the good faith of these witnesses, but I think their complaints were ill-founded.

Three difficulties presented themselves in connection with the launching of the boats. First, the time was very short: only twenty minutes elapsed between the first alarm and the sinking of the ship. Secondly, the ship was under way the whole time: the engines were put out of commission almost at once, so that the way could not be taken off. Thirdly, the ship instantly took a great list to starboard, which made it impossible to launch the port side boats properly and rendered it very difficult for the passengers to get into the starboard boats. The port side boats were thrown inboard and the starboard boats inconveniently far outboard.

In addition to these difficulties there were the well-meant but probably disastrous attempts of the frightened passengers to assist in launching operations. Attempts were made by the passengers to push some of the boats on the port side off the ship and to get them to the water. Some of these boats caught on the rail, and capsized. One or two did, however, reach the water, but I am satisfied that they were seriously damaged in the operation. They were lowered a distance of 60 feet or more with people in them, and must have been fouling the side of the ship the whole time. On one case the stern post was wrenched away. The result was that these boats leaked when they reached the water. Captain Anderson was superintending the launching operations, and, in my opinion, did the best that could be done in the circumstances. Many boats were lowered on the starboard side, and there is no satisfactory evidence that any of them leaked.

There were doubtless some accidents in the handling of the ropes, but it is impossible to impute negligence or incompetence in connection with them.

The conclusion at which I arrive is that the boats were in good order at the moment of the explosion and that the launching was carried out as well as the short time, the moving ship and the serious list would allow.

Both the Captain and Mr. Jones, the First Officer, in their evidence state that everything was done that was possible to get the boats out and to save lives, and this I believe to be true.

THE NAVIGATION OF THE SHIP.

At the request of the Attorney-General part of the evidence in the Enquiry was taken in camera. This course was adopted in the public interest. The evidence in question dealt, firstly, with certain advice given by the Admiralty to navigators generally with reference to precautions to be taken for the purpose of avoiding submarine attacks; and secondly, with information furnished by the Admiralty to Captain Turner individually of submarine dangers likely to be encountered by him in the voyage of the "Lusitania." It would defeat the object which the Attorney-General had in view if I were to discuss these matters in detail in my report; and I do not propose to do so. But it made abundantly plain to me that the Admiralty had devoted the most anxious care and thought to the questions arising out of the submarine peril, and that they had diligently collected all available information likely to affect the voyage of the "Lusitania" in this connection. I do not know who the officials were to whom these duties were entrusted, but they deserve the highest praise for the way in which they did their work.

Captain Turner was fully advised as to the means which in the view of the Admiralty were best calculated to avert the perils he was likely to encounter, and in considering the question whether he is to blame for the catastrophe in which his voyage ended I have to bear this circumstance in mind. It is certain that in some respects Captain Turner did not follow the advice given to him. It may be (though I seriously doubt it) that had he done so his ship would have reached Liverpool in safety. But the question remains, was his conduct the conduct of a negligent or incompetent man. On this question I have sought the guidance of my assessors, who have rendered me invaluable assistance, and the conclusion at which I have arrived is that blame ought not to be imputed to the Captain. The advice given to him, although meant for his most serious and careful consideration, was not intended to deprive him of the right to exercise his skilled judgment in the difficult questions that might arise from time to time in the navigation of his ship. His omission to follow the advice in all respects cannot fairly be attributed either to negligence or incompetence.

He exercised his judgment for the best. It was the judgment of a skilled and experienced man, and although others might have acted differently and perhaps more successfully, he ought not, in my opinion, to be blamed.

The whole blame for the cruel destruction of life in this catastrophe must rest solely with those who plotted and with those who committed the crime.

FINDING OF THE COURT.

I now set out the questions formulated by the Board of Trade, together with the findings of the Court in answer thereto.

1. When the "Lusitania" left New York on 1st May, 1915 -

- (a) What was the total number of passengers on board, and how many of them were women and children?
- (b) Were there any troops on board?
- (c) What was the total number of her crew and their respective ratings?
- (d) What cargo had she on board and where was it stowed?

Answer:

- (a) See p. 5 of Annex.
- (b) No.
- (c) See p. 5 of Annex.
- (d) See p. 6 of Annex.

2. Did the "Lusitania" before leaving New York comply with the requirements of the merchant Shipping Acts, 1894 and 1906, and the Rules and regulations made thereunder?

Answer:

Yes.

3. Were any instructions received by the Master of the "Lusitania" from the owners or the Admiralty before or during the voyage from New York as to the navigation or management of the vessel on the voyage in question? Did the Master carry out such instruction?

Answer:

Yes.

4. Were any messages sent or received by the "Lusitania" with reference to enemy submarines during the voyage?

Answer:

Yes.

5. What was the state of the weather and sea on the 7th May, 1915? Was the position, course, or speed of the "Lusitania" on that day on any way affected by the weather?

Answer:

- (a) Fine and calm.
- (b) See page 7 of Annex.

6. Were any submarines sighted from the “Lusitania” on or before the 7th May, 1915? If so, when and where was any submarine sighted, and what was the position, course, and speed of the “Lusitania” at such time?

Answer:

None before the attack.

7. Was the “Lusitania” attacked by a submarine on the 7th May, 1915? If so, can the submarine be identified? Did the submarine display any, and if so, what flag? Was it a German submarine?

Answer:

Yes.

It was not identified.

It displayed no flag.

It was a German submarine.

8. When and how and in what circumstances was the attack made by the submarine on the “Lusitania”?

Answer:

See p. 7 of Annex.

9. Before and at the time the “Lusitania” was attacked -

(a) What was her position, course, and speed?

(b) Was such position, course, and speed proper in the circumstances?

(c) Was the master in charge of her?

(d) Had a proper look-out been set, and was it being kept?

(e) What flag was the “Lusitania” flying?

Answer:

(a) See p. 7 of Annex.

(b) See p. 9 of Annex.

(c) Yes.

(d) Yes.

(e) None.

10. Before the submarine made the attack -

(a) Was any, and if so, what warning given to the “Lusitania” by the submarine of her presence or intention to attack, or was any, and if so, what signal was given or communication made by the submarine to the “Lusitania”?

(b) Was any, and if so, what request made by the submarine to the “Lusitania” to stop?

(c) Was any, and if so, what opportunity given to any persons on board the “Lusitania” to leave her?

Answer:

- (a) No.
- (b) No.
- (c) No.

11. Was any, and if so, what action taken by those on board the “Lusitania” before she was attacked -
- (1) To escape from the submarine?
 - (2) To resist visit or search?
 - (3) To avoid capture?
 - (4) Or otherwise in reference to the submarine?

Answer:

No such action was taken.

12. Was the “Lusitania” armed? If so, how was she armed?

Answer:

No.

13. Was the “Lusitania” struck by one or more torpedoes? Where was she struck? What interval was there between the time the “Lusitania” sighted the submarine and the time she was struck?

Answer:

By two practically simultaneously.
The ship did not sight the submarine.

14. What was the effect on the “Lusitania” of being struck by the torpedo or torpedoes? Did any cargo or other thing on board the “Lusitania” explode or ignite or increase the damage caused by the torpedo? Did the “Lusitania” take any and what list? If so, what caused the list? How long after the “Lusitania” was struck did she sink, and what caused her to sink?

Answer:

See p. 7 of Annex.
No cargo or other thing exploded or ignited.
Yes, a heavy list to starboard.
The inrush of water.
About 20 minutes: the inrush of water through holes made by the torpedoes.

15. What measures were taken on the “Lusitania” after she was struck to save her or the lives of those on board her? Were such measures reasonable and proper or otherwise? Was proper discipline maintained on board the “Lusitania” after she was struck?

Answer:

See pp. 8, 9 of Annex.

Reasonable and proper.
Yes, see pp. 5, 6 of Annex.

16. How many persons on board the "Lusitania" were saved, and by what means, and how many were lost? What was the number of passengers, distinguishing between men and women and adult and children, who were saved? What was the number of crew, discriminating their ratings and sexes, who were saved?

Answer:

See pp. 5 and 6 of Annex.

17. Was any loss of life due to any neglect by the master of the "Lusitania" to take proper precautions or give proper orders with regard to swinging out of boats, or getting them ready for use, clearing away the portable skids from the pontoon-decked lifeboats, releasing the gripes of such boats, closing of watertight bulkheads or portholes, or otherwise before or after the "Lusitania" was attacked?

Answer:

No.

18. Were any other vessels in sight at the time the "Lusitania" was attacked or before she sank? If so, what vessels were they and what were their relative positions to the "Lusitania"? Did any render any, and if so, what assistance to the "Lusitania" or any of her passengers or crew?

Answer:

No other vessels were in sight.

19. What was the cause of the loss of the "Lusitania"? What caused the loss of life?

Answer:

The loss of the "Lusitania" and the loss of life was caused by the sinking of the ship by torpedoes from a submarine.

20. Was the loss of the "Lusitania" and/or the loss of life caused by the wrongful act or default of the master of the "Lusitania" or does any blame attach to him for such loss?

Answer:

No.

21. Does any blame attach to the owners of the steamship "Lusitania"?

Answer:

No.