

"EMPRESS OF CANADA" INQUIRY

Evidence on Delay in Discovery of Fire

WATCHMAN'S WARNING MISHEARD

From Our Own Correspondent

LIVERPOOL, Tuesday
The Ministry of Transport formal investigation into the loss by fire of the Canadian Pacific liner *Empress of Canada* on Jan. 25 last, in No. 1 branch, North Gladstone Dock, Liverpool, which was opened at the Royal Institution, Colquitt Street, yesterday, was resumed to-day. Mr. K. S. Carmichael, Q.C., is sitting as Wreck Commissioner with Captain Lewis Parfitt and Messrs. W. J. Nutton, I. J. Gray and F. Dunn as assessors. Counsel for the Ministry of Transport said that it might be said that the loss or serious damage was attributable to the fact that the fire was not discovered earlier by those whose business it was to patrol the ship and look for fire.

[The previous proceedings were reported in LLOYD'S LIST of Dec. 8.]

The Ministry of Transport are represented by Mr. J. B. Hewson and Mr. Gerald Darling. Bootle Corporation is represented by Mr. George Bean, Mr. J. V. Naisby, Q.C., and Mr. R. J. H. Collinson are representing Canadian Pacific Steamships, Ltd. Mr. Glyn Burrell and Mr. Norman Sellers are appearing for the Mersey Docks and Harbour Board. Mr. Trevor Davies is appearing for Harland & Wolff, Ltd. Mr. P. F. Broadhead (instructed by Messrs. Ingledew, Brown, Bennison & Garrett, London) is instructed to watch the interests of the members of the Mercantile Marine Service Association and the Navigators and Engineer Officers' Union.

NO EVIDENCE OF SABOTAGE

Opening the proceedings to-day, Mr. Hewson said the question of sabotage had been very seriously considered, more especially by the police, who had investigated and examined several hundreds of men. He was instructed that as the result of the police investigations they had reached no conclusion in the matter and there would appear to be no evidence under that heading.

Mr. Hewson said there had been great difficulty in forming a time table but if the time of about 3 25 p.m. given by Mr. Hill as that when he saw smoke issuing from the starboard side of the vessel was correct, the fire was developing on the starboard side for something like three quarters of an hour before those inside the ship were aware of it. It might be said that the loss or serious damage of the ship was attributable to the fact that the fire was not discovered earlier by those whose business it was to patrol the ship and look for fire.

He drew the attention of the Court to the Working Party's recommendations which had been published calling for efficient patrols who knew how to engage and control a fire in its early stages and which also suggested that physically suitable and reliable men, reasonably trained, should be on patrol. The recommendation was that the person in charge should satisfy himself that patrol men knew their way around the ship. He said that the recommendations stressed the necessity for frequent patrols by efficient patrol men. He added, "while I am not instructed to make any criticism of the fact that patrols were

not more frequent than the minimum recommended by the Working Party the Court may, as a general matter for the future, consider it advisable that patrols of ships of this type should be more frequent. It may be, although one cannot anticipate the evidence, that the Court may look into the matter carefully as to whether the patrol was as efficient as it should have been and whether during patrols the men were patrolling the cross alleyways and visiting the unlocked cabins."

The ship was not fitted with sprinklers. When she was built in 1928 she complied with all the fire precaution requirements then in force and also complied with them at the time of her loss. The sprinkler system had not become obligatory except for ships whose keels were laid after November, 1952. He had referred the previous day to the fact that there was not a sufficient supply of water at the fire mains until the pump was started after the fire was detected. Three hoses had in fact been connected to the shore mains but these were not connected to the ship's mains. One of the hoses went through the open door in the side of the vessel on to B deck and the other two were aft about No. 5 hold and were for supplying fresh water for drinking purposes for the crew and were not for fire fighting.

"YOUR SHIP IS ON FIRE"

The first witness to be called was J. M. HILL, who said he was a watchman in the grain elevator moored on the starboard side of the *Empress of Canada*. He was in his cabin washing down paintwork. He glanced at his watch and noticed that the time was 3 25 p.m. He looked up through one of the open skylights and saw smoke coming from a door in the side of the *Empress of Canada* and also from an open porthole aft of the door. He carried on washing down his paintwork and then went on deck where he saw some men skylarking and playing football and throwing brushes about. One brush fell on to the grain elevator. He shouted up to the men, "Your ship is on fire. What are you messing about at?" He got no reply and they took no notice of him. If they heard him they never paid any attention.

F. B. MOONEY said he had sailed in the *Empress of Canada* for two or three voyages prior to the fire and on the day of the outbreak was working on the boat davits and winches and on the rails of the boat deck as a member of the shore gang washing paintwork. They had a break for tea for about half an hour at 3 p.m. He had not been inside the ship during the afternoon. After tea he went back on to the boat deck and carried on washing down the handrails on the starboard side. About 10 minutes later he saw puffs of smoke and looked over the rails to see where the smoke came from. It was only very light smoke and he drew the attention of the man working with him, named Des-Fountain, to the smoke. They decided that the smoke probably came from welding or riveting operations down below. They did not hear anyone shout from the grain elevator.

After they had resumed work he did not see any more smoke but about half to three-quarters of an hour later he was told by the boatswain's mate to muster outside the dispensary as there was a fire. When he arrived there he saw black smoke pouring out of the working alleyway. Some of the crew were getting smoke helmets ready. A man named Webster had put on a smoke helmet and was trying to make his way

into the working alleyway. He went forward and joined a forward fire party. One of the men there had on a smoke helmet and he went down the alleyway but only as far as the printers' shop. He returned saying that a sheet of flame was shooting across and that he could not get any further. The boatswain's mate then told them all to go ashore. When they went ashore the fire brigade was already at the ship although he had not remembered hearing any fire alarm.

SURPRISED TO HEAR OF FIRE

Replying to questions by Mr. Naisby, MOONEY said there had been about a dozen men working on the boat deck washing down paint. When he was told to muster at the dispensary the smoke which he had seen earlier had ceased altogether to come up over the rail and he was surprised to hear that there was a fire in the ship.

In reply to further questions by Mr. Hewson, MOONEY said that there may have been some skylarking going on for a few minutes after the tea break. He had not heard that a brush had been lost over the side and did not know whether any water had gone over the side. The skylarking, which lasted three or four minutes, had finished only a couple of minutes before the order came for them to muster outside the dispensary.

J. C. DES-FOUNTAIN, who said he had been at sea since 1917, told the Court that he had served for several voyages in the *Empress of Canada* as quartermaster. He had been with Mooney and had seen the puffs of smoke coming over the ship's rail. He thought they had come from a porthole below.

Continuing his evidence, Des-Fountain said when he was told there was a fire on board he obtained a hose and as he knew there was a boatswain's chair handy it was his intention to lower himself in it with the hose over the side of the ship and spray the water through the porthole, but when he came to turn the water on he found there was no water coming through the hose.

JOHN SHAW, boatswain's mate, said he received warning of a fire on board from Mr. Baxter, a patrol man, at approximately 4 20. He said he also tried to turn on the fire hydrant referred to by Des-Fountain, but no water came through. There was no noise to indicate that any water was coming along the hose.

VERY LIGHT WIND

He said in reply to Mr. Naisby that the wind on the day of the fire was very light. The men went for their break at 3 and returned at 3 25 to 3 30 p.m. He was told the fire was amidships by the dispensary and he ordered his gang to muster there. He went to the top of the gangway and when he arrived there Webster was getting a smoke helmet fitted on to him. In the meantime they heard someone shouting. "I got a scarf tied round my mouth and nose and signalled to Webster to come in with me," witness said. "When we went in at about 4 15 Webster motioned towards his throat and I took it that the smoke was getting into his throat so we came out again." Witness said that he saw no signs of flame and heard no sign of any cracking nor of wood burning.

Replying to Mr. BEAN, SHAW said that when he finally left the ship by the gangway the fire brigade were already on board. He did not see any police on board.

T. P. KELLY said he had been employed as an able seaman for the Canadian Pacific Company for about four years and had served in the

Empress of Canada on her last voyage. On the Sunday afternoon of the fire he was washing paintwork at the top deck starboard side after end. The first that he knew of the fire was when the boatswain's mate called them down. He had not seen any sign of smoke nor heard any talk of a fire before then.

Replying to the Wreck Commissioner he said Mooney had not mentioned any smoke to him. He had looked over the side on one occasion at about 10 to four.

The WRECK COMMISSIONER: Why did you look over?—There was a bit of skylarking going on and a Turk's head was kicked over the side and some water went as well on to the grain elevator so naturally I looked down. I did not see any smoke then.

KELLY said that nobody had said anything about smoke coming up. When he looked over the side he saw a man on the elevator come up out of his cabin and look up to the ship. "He shouted something. I did not gather what it was he was shouting," Kelly said. "I thought he was shouting because of the Turk's head and the water going over the side." A quarter of an hour or 20 minutes approximately after the Turk's head went over he was told by Mr. Shaw to muster at the dispensary because there was a fire. They all immediately went down there. There was smoke coming through a door at the after end of the working alleyway. There was a lot of shouting. Webster was donning a smoke helmet and he (Kelly) took charge of the bellows. When Webster went into the smoke there was a tug on the pipe and so he followed him still pumping the bellows.

Mr. Hewson: Did you go into the smoke?—Yes.

Well, if you were standing in the smoke pumping the bellows you would be pumping smoke into the helmet would you not?—Probably.

KELLY added that he saw flames only once inside the doorway by the gangway on the port side of B deck, just inside the passenger accommodation.

The hearing was adjourned until to-morrow.



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