

"EMPRESS OF CANADA" INQUIRY

Smokers Who Evaded Fire Patrolmen

MASTER-AT-ARMS ON DIFFICULTY OF FINDING OFFENDERS

From Our Own Correspondent

LIVERPOOL, Saturday

The master-at-arms of the *Empress of Canada* was cross-examined to-day at the Ministry of Transport Inquiry into the loss by fire of the vessel. He was questioned about the enforcement of "no smoking" regulations. He said that men had been seen smoking by patrolmen but the men had evaded patrols. Such incidents had happened often. Later the chief officer of the ship gave evidence. The *Empress of Canada* fire occurred on Jan. 25 last, in No. 1 branch, North Gladstone Dock, Liverpool. Mr. K. S. Carpmal, Q.C., is sitting as Wreck Commissioner with Captain Lewis Parfitt and Messrs. W. J. Nutton, I. J. Gray and F. Dunn as assessors.

[The previous proceedings were reported in LLOYD'S LIST of Dec. 8, 9, 10, 11 and 12.]

Mr. J. B. Hewson and Mr. Gerald Darling are representing the Ministry of Transport. Mr. George Bean is appearing for Bootle Corporation. 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.

WATER NOT TURNED ON

To-day, continuing his evidence, DANIEL JENNINGS, the master-at-arms, said he was under the impression that on the day of the fire the water was on and that the hoses could be used.

MR. BEAN: Did it come as a surprise that it was not?—Yes.

WRECK COMMISSIONER: Did you think it was your duty to know if there was pressure in the hydrants?—I would have liked to know.

Did you try to find out?—No.

Why didn't you find out?—I don't know.

Asked by Mr. Bean about the means of giving the alarm in the case of fire, Jennings said a patrol man had instructions to break the glass of a fire alarm. He had given those instructions every morning.

MR. BEAN: That rings a bell on the bridge and in the engine room. Were the patrols not equipped with a personal means of alarm such as a whistle?—They were not, but they carry whistles now. In the event of fire the fire brigade has to be telephoned and the patrol has to do what they can until the arrival of the brigade.

MR. NAISBY: Have you, as master-at-arms, had any instruction from your superior officers or your company's offices with regard to smoking?—Yes.

Verbal or written?—Both.

Jennings said he received his written instructions from the investigation department office and they were signed by the superintendent. The verbal instructions were the same with regard

to smoking and said that no one was allowed to smoke in the ship except in the places allocated to them. Anyone in the ship could smoke in the stewards' messroom. He and the temporary crew of the ship had a mess of their own for smoking.

Replying to the Wreck Commissioner he said he received his verbal instructions from the superintendent of the investigation department or whoever happened to be on duty that day. In this case he thought it had been Mr. Burgess. He said the crew's messroom had been on the port side of D deck and forward of the stewards' messroom. This had not been put down in the written instructions.

WRECK COMMISSIONER: Have you got those written instructions here?—No. They were burned with the ship.

In reply to Mr. Naisby he said the written instructions were similar each trip and were like standing orders.

MR. NAISBY: Who told you where on this occasion smoking was to be allowed?—I just cannot remember. I think it was on board the ship that the place was allocated.

What about the officers? Had they any special place for smoking?—In the officers' quarters I suppose.

Had you any jurisdiction over the officers?—No. He added that the fire patrols did patrol the officers' quarters.

MR. NAISBY: During the fortnight before the fire was smoking strictly confined to the places allocated or not?—So far as I know it was.

MR. NAISBY: Have you any instructions as to what to do if you saw a member of the crew smoking in a place where smoking was not allowed?—Yes. Take him to the head of his department.

Do you mean literally take him there like a policeman arresting a man in the street?—Yes.

Have you in fact ever so arrested one of the crew of the ship?—Not up to now.

And what about the workmen belonging to the contractors?—The same applies to all of them.

WRECK COMMISSIONER: Has that ever happened?—Not up to now.

MR. NAISBY: You mean you have never reported a member of the crew or a workman or a member of the shore gang for smoking?—I have never found them.

Have you ever had any report from your patrolmen of unauthorised smoking?—They have seen men smoking but the men see us coming because we wear uniform and they get away.

WRECK COMMISSIONER: Does this happen often?—Yes. We can see the light in the distance but the men are away before we get there and they dispose of the evidence.

MR. NAISBY: Does that happen often?—Yes, often.

WRECK COMMISSIONER: Have you ever done anything about it?—I have tried to find out who the person was.

Have you ever reported this to a superior?—Yes, I always make a note of it.

Have you got your notes now?—No, my notebook was lost in the fire.

Did you send a written report to your superiors?—No, I made entries in my book for my own memory.

WRECK COMMISSIONER: You say you have reported these matters. To whom?—To the duty officer on board.

In reply to Mr. Naisby he said he had never reported these matters to the investigation department.

WRECK COMMISSIONER: Did you put anything in your log book about smoking?—No, because I could not get these people.

You have direct orders, written and verbal, that there is to be no smoking except in authorised places?—Yes.

Did you ever report that you often saw smoking in your ship?—Not in my log book.

Why not?—Because we couldn't get the person responsible for the smoking.

You had orders to stop smoking and you found you could not prevent it. That is right, is it not?—Yes.

Then why did you not tell your superiors that you found it impossible to carry out your orders? Did you ever think of doing anything like that?—No.

MR. NAISBY: Did you ever tell Mr. Burgess when he gave you your instructions, "It's no good giving me orders like that because I can't stop the smoking, however hard I try"?—No.

Do you think he knew it already?—I can't say.

And your notebooks, you say, were lost?—Yes, they were in my cabin.

MR. HEWSON: During your 10 years of roving patrol in the ship how many times have you experienced this?—Perhaps one here and one there. I never saw many.

WRECK COMMISSIONER: You told me before that it often happened. Do you ever get reports from your own patrol men about smoking?—Sometimes.

So we have to add those reports to your own personal experiences?—Yes.

MR. HEWSON: The men are probably looking out for you?—Yes, they can see us coming in uniform.

WRECK COMMISSIONER: What information have you as the person in charge of fire patrols as to the fire service?—Nothing.

THE WATER QUESTION

Do you mean you did not regard it as part of your duty to know if there was water available?—Yes, it is our duty to know if there is water in the ship. We are supposed to know that the water service is complete and the ship ready for action if it is required and we take it for granted that it is.

You take it for granted?—Did you ever find out?—Not that day.

Well, when did you?—Several times when I was walking round the deck.

From the time you were on board from Jan. 10 to 25 did you ever make inquiries as to the position?—No.

Did you ever try the hydrants?—No.

Why didn't you?—I took it for granted the service was full.

Why?—They were nearly always full when I had tried them before.

You say it was part of your duty to find out whether they were ready?—Yes.

And that you did not do it?—No.

Did you ever think of closing the fire door opposite No. 5 hatch in the port alleyway?—No.

Why?—I only came down there twice.

CHIEF OFFICER'S EVIDENCE

MR. F. W. S. ROBERTS, chief officer at the time of the fire, said he had served in the *Empress of Canada* for 18 months prior to the fire, but not on her last voyage. He had rejoined her on Jan. 12. On the day of the fire he was on board about 1.30 to 2 o'clock and he then went ashore. He returned to the ship about 6.30, having been recalled from a house at Birkenhead by telephone because of the fire. He was stopped from going on board by the watchman at the bottom of the gangway. Shortly after he arrived he was approached by the second officer of the *Empress of France* with an officer of the Salvage Corporation of the Mersey Docks and Harbour Board with a stability statement and he was asked whether that was the state of the ship's tanks. He said there had been some alteration to the state of the tanks since the statement had

been made because that was the docking statement. There was an undocking statement which had not been recovered from the ship. After the ship had left dry dock he had pumped out No. 2 tank and filled No. 7. The final decisions regarding the ship's stability were made by Mr. Colbeck, chief harbour master and water bailiff. They had all the information available concerning stability because she had left dry dock only the previous day. When he arrived at the ship she was then listed over 10 deg. to port.

He said there was no mechanical ventilation in operation on the day of the fire. There were normally about 101 or 102 fire extinguishers in the ship, but about 25 per cent. of these had been landed for survey in accordance with the usual practice. They were taken by the plumber from places where there was an ample supply and the second officer noted which had gone. Those taken were never replaced by spares.

Mr. Hewson: Do you know whether there was permanent water on the ship's mains?—The fire pump had to be stopped for the engineers' purposes, but it was immediately available.

WRECK COMMISSIONER: Are there any orders about water being available at once?—It would circulate immediately the pump was started.

The hearing was adjourned until Monday.



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