

THE "LISMORE" LOSS.

Counsel and Loading Issue.

INQUIRY CONCLUDED.

From Our Own Correspondent.

DUBLIN, Wednesday.

The inquiry into the loss of the City of Cork Steam Packet steamer *Lismore*, which foundered 16 miles off Hook Head, Co. Wexford, on July 10 last, when all hands except Able Seaman Carley were lost, was resumed this morning in Dublin Castle by Mr. Geo. P. Cussen, district justice, who was assisted by Captain J. H. Webb and Captain Louis Brady, master mariners; Mr. W. J. Mares, naval architect; and Mr. F. G. Miller, marine engineer.

Mr. E. A. Swayne, K.C., and Mr. Costello (instructed by the Chief State Solicitor) appeared for the Department of Industry and Commerce, at whose instance the inquiry was held. Mr. A. K. Overend, K.C. (instructed by Messrs. D. & T. Fitzgerald), represented the owners. Mr. Horgan, solicitor, Cork, represented the owner of a number of cattle which were lost.

At the outset, Mr. OVEREND, on behalf of the owner, deplored the death of so many faithful and trusted servants, who were specially selected by the company for the *Lismore*, and said that the loss of the vessel was nothing in comparison with the loss of lives.

Mr. SWAYNE, on behalf of the Ministry, endorsed the expressions of Mr. Overend.

AN UNSOLVED MYSTERY.

Mr. OVEREND, resuming, said that the loss of the *Lismore* was a terrible catastrophe, and if the Court was able to arrive at any conclusion which would elucidate what was still an unsolved mystery, and in any way help to prevent the recurrence of such a tragedy, the long time which they had spent in the inquiry would have been very well employed. Counsel, reviewing the evidence, contended that it all pointed to the fact that at the commencement of the voyage the list was so slight as to be negligible.

Carley, sole survivor, did not notice any list when he was in his bunk, and if there had been a serious list, he would undoubtedly have noticed it. If the list was as great as it was when he got on deck he would have been thrown out of his bunk. It was only when he got on deck to go on watch that he noticed the heavy list, and he (Counsel) submitted that the list had increased in the quarter of an hour which elapsed from the time he had been called to the time he got on deck.

The whole thing was one of rapid development. He (Counsel) believed that the captain was in no way anxious about the safety of his vessel until a few moments before she went down. If he was anxious he would have had all hands called from below and all the traditions of the mercantile marine showed there was not a single instance of a captain or officer of a vessel letting his men remain below without giving them warning when he believed his ship to be in danger.

SHIFTING OF THE CARGO.

There was not, he submitted, a particle of evidence laid before the Court that the cargo shifted. The vessel may have struck some floating wreckage adhering to a submerged wreck. He did not know. There might have been an accident, and no evidence had been given that there was water in the holds. The greater probability was that the loss of the vessel was caused by the access of water.

A suggestion had been made at the inquiry that there was an improper stowage of cargo, and he submitted that the evidence given was correct in every particular. Captain Clarke, Chief Surveyor to the Board of Trade, told the Court that he would not have detained the vessel on the day she sailed. The vessel was not nearly loaded to her capacity, and was only loaded to six and three-quarter inches less than her Plimsoll mark. Her stability conditions were such that Captain Sayle was fully justified in loading her as he did.

In concluding Counsel suggested that the access of water through the hull was the cause of the loss. Everyone agreed that the vessel was navigated with proper care, and there was no evidence suggesting blame to the owners, the captain or the crew.

Mr. HORGAN submitted that the ship was carelessly loaded. The cargo should not have been carried on the poop or fore-castle deck, and he submitted that had the cargo from Fords been put in the holds of the vessel instead of on the poop and fore-castle decks, the disaster would never have occurred.

PUBLIC INTEREST.

Mr. COSTELLO, replying for the Ministry of Industry and Commerce said that the inquiry was held in the interests of the public, and the department looked upon it as a very important one, because it was the first held under the authority of the Free State. Dealing with the evidence, he pointed out that the vessel had a list when leaving Cork and that she heeled over six hours or so afterwards. He commented on the fact that the cargo was carried on the poop and fore-castle decks, and in emptied spaces, and that cattle had been carried in No. 2 hold, and said that the Court were bound to assume that the cumulative effect of these improprieties showed that there was impropriety in the loading and handling of the vessel. He submitted that the evidence given by Mr. Perry, the stevedore was biased as regards the stowage of the cargo, having regard to the stability condition supplied by the builders. The deduction to be drawn from the evidence was that the vessel, having left Cork with an appreciable list, the list increased when she got outside. The tendency of the cargo was to shift to the listed or port side. This happened as the list increased until the vessel heeled to such a degree that she took in water and went over altogether.

The whole evidence, he contended, showed that there was impropriety in the stowage of the cargo, and because of the vessel's shallow draught the owners should have seen that there was proper stowage. It was, he contended, an absurdity to suggest that the vessel struck either a wreck or derrick. It was regrettable that for half an hour

nothing was done except to blow a whistle, and that the boats were not lowered. He submitted that the man who was responsible—the stevedore—chanced the fact that the weather was favourable and that she was a new boat and he so loaded her in order to bring off a coup. This concluded the inquiry.

The PRESIDENT said that the Court desired to express their acknowledgment to the City of Cork Steam Packet Company, who have given the Court every assistance, whether it was for or against them.



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