

make such suggestions or to place before the Board of Trade and public at large information which would lead to such suggestions as might tend to avert similar disasters in future. The inquiry whether any officer on board the vessel was to blame, and whether his certificate should be suspended or taken away, was now considered but of secondary importance compared with the importance of thoroughly investigating the causes of the loss, and the means by which similar losses may in future be avoided, or rendered less frequent or less disastrous. These being the objects of this inquiry, it appears that the facts of the case at once raised two questions: What was the cause of the fire, and what was the cause of its spreading with such fatal rapidity and violence? How has it happened that, although the ship did not sink until thirty-six hours after the fire broke out, so few lives were saved? In connection with the former question, the important fact would be proved, that the cargo comprised a great quantity of goods of an inflammable and combustible nature, such as spirits, tar, pitch, oil, and turpentine. The 29th section of the Passengers Act, 18 and 19 Vic., cap. 119, directed that,—

“No passenger ship shall clear out or proceed to sea if there shall be on board as cargo horses, cattle, gunpowder, vitriol, lucifer matches, guano, or green hides, nor if there shall be on board any other article or number of articles, whether as cargo or ballast, which, by reason of the nature or quantity or mode of stowage thereof, shall either singly or collectively be deemed by the Emigration Officer at the port of clearance likely to endanger the healths or lives of the passengers, or the safety of the ship.”

The object of the section was to give the Emigration Officer power to prevent the departure of a vessel improperly laden, but it did not discharge those who had loaded the vessel from liability if they loaded a dangerous cargo, or stowed one in an improper manner. It would, he apprehended, be an important duty for them to consider whether the shipowners or their agents were negligent in allowing such a cargo to be shipped at all in a wooden emigrant ship, with 430 passengers on board, or in stowing the cargo in the manner in which it was stowed. It would also, perhaps, be thought worthy of consideration whether further precautions than those adopted in this case should not be taken by the Emigration Officers, in order to ascertain the quality of the cargo shipped on board emigrant vessels, and the manner in which it was stowed. It would be an essential consideration for them whether or not there was negligence or imprudence in reference to the management of the boats, and also generally whether the circumstances of the case did not suggest important recommendations as to what could and ought to be done with a view of lessening the danger likely to result from the breaking out of a fire on board wooden ships full of emigrants.

Francis William Miller, a clerk in the office of the Principal Searcher of the Custom House, London, produced his abstract from the Customs' shipping bills to prove the nature of the cargo. The abstract showed the presence on board of 1,732 gallons of linseed oil, of oils of other sorts, paperhangings, bags, fruits, stationery, of measurement goods like furniture, wearing apparel, lace, cotton slops, oilman's stores, and a very large quantity of spirits—276 gallons of brandy, 1,405 gallons of British spirits, mixed spirits, wine, and 26 gallons of proof spirits. Then there was on board (but not in cargo, Mr. Wood Hill contended for the owners) a gross of boxes of lucifer matches, and twenty gallons of paraffine.

Charles Henry McDonald (sworn as Henry McDonald) repeated his statement already published.

The regulations were put in, and Mr. Watkin Williams took this opportunity of referring to other documents which were attached to the charter-party. There was, he said, the Queen's Order in Council relating to emigrant ships. These were regulations which fixed the time of rising and of retiring to rest. Fires were to be lighted at eight o'clock, and by the cook only, and extinguished by him at seven, unless otherwise required for the master or for the use of the sick. The master was to fix the order in which the fire-side might be used by families. There were regulations about lights, and forbidding smoking between decks. No passenger was to take on board any spirits or gunpowder. There were instructions for the superintendents of emigrant ships, surgeon, and for the captains.

Mr. McDonald then, in answer to questions, said that all the entries referred to were posted in the ship, and the regulations mentioned were observed. A miscellaneous cargo was taken in. The number of emigrants was below the statutory number (as defined in “The Passengers Act Amendment Act, 1855,” 18 and 19 Vict., cap. 119, section 14). The New Zealand Government have also regulations of their own.

Examined by Mr. Wood Hill, he said the stowage of the cargo was superintended by a stevedore, who was specially employed, and whose duty it was to stow cargoes. There was nothing improper in the cargo, and, in witness's judgment, it was properly stowed. He was acquainted with the character of the cargo usually carried in ships to Australia and New Zealand, and this was such as is usually sent to the colonies from London.

Mr. Wood Hill: It has been suggested that there was an unusually large quantity of inflammable matter.

Mr. Cohen: Not by me.

Mr. Wood Hill: If there is no suggestion of that sort, I need not meet it.

Mr. Cohen: If it is not unusual, it may still be improper.

Mr. Watkin Williams supported Mr. Wood Hill's question about unusual quantity.

Mr. Cohen said he was astonished the Crown should think proper to send emigrants abroad in ships without chartering the whole of the ship. The fact that spirits must be sent to the colonies was not enough to justify sending them in a wooden ship with more than 400 emigrants in her.

Examination by Mr. Wood Hill continued: The captain was quite cool and collected, and remained so till the last. There was no confusion preventing the men from working at first, and the force-pumps were quickly to work. The confusion was in the after part, among the women. The confusion arose among all when it became impossible to do anything.

By Captain Pryce: They had a good crew. The only persons punished had been two emigrants. The coal-hole was not visited by any officer. An ordinary seaman went down and the passengers hoisted the coal up.