

British Wreck Commissioner's Inquiry

Day 10

Testimony of Sir Cosmo Duff-Gordon

Source: <http://www.titanicinquiry.org/BOTInq/BOTIndx01.php#a>

Examined by the ATTORNEY-GENERAL.

12448. Were you a passenger on board the "Titanic" on this voyage?

- Yes.

12449. On the night of the disaster were you asleep at the time of the collision?

- Yes.

12450. What woke you?

- My wife woke me.

12451. Was that about a quarter to 12?

- I think so.

12452. Just after the impact with the iceberg?

- Yes.

12453. Did you get up?

- Not at first.

12454. Did you hear that there had been a collision with an iceberg?

- No. As soon as I got up I went out on the deck, and there saw two or three men, who said we were supposed to have run into an iceberg, but it was all right. I went the other side, and could see nothing.

12455. Was there any escaping steam at the time?

- Well, the next time I went up it was dreadful - the noise.

12456. How long after was it you went up again?

- I went up to the boat deck afterwards, and the noise there was perfectly indescribable.

12457. Do you mean from blowing off the steam?

- Yes, from blowing off the steam.

12458. Did you notice whether the vessel had any list at all?

- I did not, but the men I spoke to told me that there was.

12459. A list to starboard?

- A list to starboard.

12460. Another passenger, do you mean?

- Yes, another passenger; it was Colonel Astor.

12461. Who went down with the vessel?

- Yes.

12462. Was she at that time down by the head?

- He said so, I did not notice it; I am not accustomed so much.

12463. Did you then go back and tell your wife to dress?

- Yes.

12464. Did you remain there while she dressed, or did you go up again?

- I went up again later.

12465. Did you see whether anything was being done with the boats?

- Yes, I saw men stripping the lifeboat.

12466. Did you go down to your cabin again?

- I went down again then and I told her, and I began to dress myself.

12467. When you came up before you were not fully dressed?

- No, not at all dressed.

- 26 12468. Had you heard at that time what the Captain's orders were?
- No.
- 27 12469. Did the steward come to the cabin and tell you anything?
- The steward came and said, "The Captain's orders are that the ladies are to put on lifebelts."
- 28 12470. And where were they to go?
- To go up to the boat deck.
- 29 12471. Was Miss Francatelli accompanying your wife and you on this voyage?
- Yes.
- 30 12472. Was she your wife's secretary?
- Yes.
- 31 12473. Did they come up on the boat deck to you?
- Miss Francatelli joined us in the cabin just at that time. We went up to the boat deck together.
- 32 12474. To which side of the boat deck did you go?
- To starboard.
- 33 12475. Did you see lifeboats being lowered?
- Yes, when we got up one was being either filled or lowered - the furthest aft of those three - (*Pointing on the model.*) We came out of the gymnasium door.
- 34 12476. That is boat No. 7?
- Yes, I suppose so.
- 35 12477. You mean the third one from the emergency boat in front?
- Yes.
- 36 12478. Did you see whether there were men or women in that boat?
- They were only putting women in.
- 37 12479. You saw it being lowered?
- I think it was just being filled as we got there, and it was lowered almost immediately.
- 38 12480. With women and, I suppose, some crew?
- Very few.
- 39 12481. Did you see any other lifeboat lowered?
- I saw two other lifeboats lowered.
- 40 12482. Which were they?
- The next two forward.
- 41 12483. Five and three?
- Yes.
- 42 12484. Were they filled with women and children?
- The first one was No. 3 was partially filled with women, and then filled up with men when they could find no other women.
- 43 12485. That is boat No. 3?
- Yes.
- 44 12486. Did you see how many women and children were in the boat?
- No, I did not.
- 45 12487. What were your wife and Miss Francatelli doing during this time?
- They were standing with me, they had refused to go.
- 46 12488. They had refused to go into the boat?
- My wife had refused to leave me and go in the boats, and consequently we stood against the deck house while the boats were going.
- 47 12489. That means your wife and Miss Francatelli were asked to go into one of the lifeboats?
- They were asked two or three times to go.
- 48 12490. But, as it meant going without you, you mean your wife would not go?
- Exactly.

- 49 12491. Were there many people about on this deck at this time?
- Yes, quite a lot.
- 50 12492. Did anybody attempt to force your wife to one of the lifeboats?
- Yes, I think in No. 3 some men got hold of her and tried to pull her away.
- 51 12493. And she would not go?
- No.
- 52 12494. Was the part of the deck where you were standing at this time when you saw the third lifeboat go down, clear or full of passengers?
- Do you mean fore or aft?
- 53 12495. I mean by the time you saw the third boat lowered away?
- When the third boat had been lowered I think everybody had disappeared.
- 54 12496. Were they firing rockets at that time?
- Yes, they had just begun while they were lowering No. 3 lifeboat.
- 55 12497. Was there any conversation between you and your wife as to what you should do?
- No, owing to the noise I think; but she said to me: "Ought not we to do something?"
- 56 12498. What did you say?
- I said: "No, we have got to wait for orders."
- 57 12499. Then did you hear any orders given with reference to No. 1 boat.
- 58 12500. Yes, an Officer - I do not know who he was - ordered -
- 59 12501. An Officer?
- Yes, I think it was the same Officer who had been doing the other boats. We had followed them along. He said: "Man the emergency boat," and he said so to a number of, I think, firemen or some of the crew, some eight or ten of them who were standing there. I then spoke to him and I said "May we get into the boat?" and he said "Yes, I wish you would" or "Very glad if you would" or some expression like that. There were no passengers at all near us then. He put the ladies in and helped me in myself and we were joined by two Americans who came running along the deck. I think he then told two other or three other of the firemen that they might just as well get in, and then he put one man - I did not know his name until lately - in charge of the boat, Symons.
- 60 12502. Then did you hear an order given by the Officer to the men in charge of the boat?
- I heard him put the man in charge of the boat.
- 61 12503. Did you hear the order that he gave him?
- Well; I do not quite think it was that order, no.
- 62 12504. What is the order that you heard him give?
- My impression was that we were to follow the other boats and to row as fast as we could for the first 200 yards. That was the idea I have always had.
- 63 12505. I understand you to say you did not hear this order that that boat was to stand off a little way and come back when called?
- It is quite likely I should not have heard it. I had other things to attend to; I mean, I was looking after my wife and one thing and another. It was quite natural.
- 64 12506. Where were you sitting in the boat?
- I was sitting in No. 2 from the bows.
- 65 12507. No. 2 thwart?
- Yes.
- 66 12508. And where was your wife sitting?
- No. 3 on the starboard side.
- 67 12509. And Miss Francatelli?
- In the stern.
- 68 12510. When the boat was lowered, did you think that the "Titanic" was in danger?
- I thought it was in a very grave condition, yes.
- 69 12511. I do not know whether you can tell us, had she any list at this time?

- I did not think it was a very great list, but we got down easily. The boat did not touch the side of the ship at all.
- 70 12512. You say you did not think there was any great list; but which side was the list?
- In any case it would have been to our side if it was at all.
- 71 12513. To the starboard side?
- Yes.
- 72 12514. But you are not sure there was any?
- I was not very much noticing.
- 73 12515. The men got into the boat, and you noticed, I suppose, that there was room for more passengers in that boat?
- There would have been more room if the oars and masts had been thrown away.
- 74 12516. I do not quite understand what you mean by that. You suggest there was not room for more people?
- Of course there was room for more people, but we should have had to put away the oars and mast and sail, I think, and some boat hooks, and a lot of things that were lying alongside of us. There was only room for two on each side.
- 75 12517. Are you accustomed to boats?
- Sufficiently.
- 76 12518. No one has suggested hitherto that there was not room?
- I do not suggest it. I suggest it wanted rearrangement, otherwise we should have sat in the stern together.
- 77 12519. Can you give us any explanation why it was that this boat was lowered away with so few people in it when there were so many people left on the ship, which was in danger?
- There were no people visible, I am quite sure of that, when I got into the boat.
- 78 12520. (*The Commissioner.*) But there were many people close at hand?
- I do not know; there was no one visible certainly.
- 79 12521. (*The Attorney-General.*) There were many of the crew, were not there, on the ship close at hand at the time?
- No, I think they filled up the boat with what crew there was there.
- 80 12522. Do you mean that after you and the crew had gone into the boat, there was nobody left but the Officer?
- The Officer then told two more men, I think, to get in. I think he said, "You fellows," or "You boys may as well go," and those two got in, and whatever crew he kept with him lowered us.
- 81 12523. You had noticed that other boats had been filled with as many as they could possibly carry?
- I presume so; I had not noticed very much; but there were no more to go. I am trying to say there were no more on that particular part, on that side of the deck anyway, there were no more in view.
- 82 12524. I want to understand what your view was about this, if I can. Did you think there was nobody left on the ship at this time?
- Oh, no, but I certainly thought all the women had got off. I had seen all the women in my part, and I knew in other parts of the ship they were lowering boats. They are divided into four distinct portions for lowering there.
- 83 12525. You mean you knew they were lowering on the port side also?
- Well, I did not know anything; I never moved except between the door of the gymnasium and the bridge.
- 84 12526. When you got into the boat and the men started rowing away from the vessel, as we know they did, how far do you think that your boat had got before the "Titanic" went down?
- Well, I have always said 1,000 yards when telling anybody, but it is true I have only one eye and I am, therefore, presumed not to be a judge of distance, but I think it still.
- 85 12527. At any rate you are not able to form any accurate estimate of the distance, I understand?
- Well, no, it got diminished in size very greatly as we moved away, and we had been rowing a long time.
- 86 12528. Did you notice this when they were rowing away? Did they continue rowing without stopping for what you consider a thousand yards' distance?
- No, I think they rowed for 200 yards or so, and stopped; and then they rowed on again, I daresay, another 100 or 200 yards, and stopped again, and so on.

- 87 12529. According to the account we have had, it was certainly somewhere about that time, whatever the distance was, that the "Titanic" went down?
- Yes.
- 88 12530. Did you hear the cries?
- Yes, I heard the explosion first, and I heard, I will not say the cries, but a wail - one confused sound.
- 89 12531. We do not want unnecessarily to prolong the discussion of it, but they were the cries of people who were drowning?
- Yes.
- 90 12532. There is no doubt about that?
- Yes, I think so without doubt.
- 91 12533. Did it occur to you that with the room in your boat, if you could get to these people you could save some?
- It is difficult to say what occurred to me. Again, I was minding my wife, and we were rather in an abnormal condition, you know. There were many things to think about, but of course it quite well occurred to one that people in the water could be saved by a boat, yes.
- 92 12534. And that there was room in your boat; that they could have got into your boat and been saved?
- Yes, it is possible.
- 93 12535. And did you hear a suggestion made that you should go back, that your boat should go back to the place whence the cries came?
- No, I did not.
- 94 12536. Do you mean that you never heard that at all?
- I heard no suggestion of going back.
- 95 12537. Was any notice taken of those cries in your boat?
- I think the men began to row away again immediately.
- 96 12538. Did they get any orders to do that?
- That I could not say.
- 97 12539. That would seem rather strange, would it not?
- No.
- 98 12540. (*The Commissioner.*) To row away from the cries?
- To row - I do not know which way they were rowing, but I think they began to row; in my opinion it was to stop the sound.
- 99 12541. (*The Attorney-General.*) I think you said - correct it if you did not mean it - they were rowing away from the "Titanic" and then they rested, and then they rowed away some further distance?
- They went on rowing, yes.
- 100 12542. And then I understand the "Titanic" went down, and I understand you to say they continued to row away. Do you mean by that they merely went on pulling?
- They went on rowing.
- 101 12543. You do not know where?
- I had been watching the "Titanic," of course, to the last moment, and after that, of course, one did not know where it had been.
- 102 12544. You do not mean to suggest they rowed back to the cries?
- Oh no, I do not suggest that for a moment.
- 103 12545. They continued rowing away from the place where the "Titanic" had gone down, did not they?
- I do not know. As soon as the "Titanic" had gone down of course one lost all idea of where she had been.
- 104 12546. At any rate, we shall be satisfied with this, that you knew they were not rowing towards the cries?
- I did not think about it I must confess, I do not know which way they were rowing.
- 105 12547. Did not you think about whether or not your boat would be able to save any of the people who were in the water?
- I do not know; it might have been possible, but it would have been very difficult to get back, the distance we were, and in the darkness, to find anything.

- 106 12548. What I want to understand is this, you said just now you did not think about it - did you mean that you did not think about whether or not your boat could save some of the people that were in the water?
- I was not thinking about it. At that time I was attending to my wife, as I think I said just now. We had had rather a serious evening, you know.
- 107 12549. Did you hear one of the ladies say anything about the danger of being swamped if you went back?
- No, I did not.
- 108 12550. Nothing of that kind?
- No, I did not.
- 109 12551. Did you hear any discussion at all about being swamped?
- No, I did not hear the subject raised; the subject was not raised, I think.
- 110 12552. Are we to understand that as far as you were concerned no notice was taken in your boat of these cries that came from the drowning people?
- No.
- 111 12553. No conversation about it?
- No, I think there was no conversation.
- 112 12554. No suggestion by you or by anybody else?
- No.
- 113 12555. No question raised as to whether you ought to return or not?
- No.
- 114 12556. And, if I follow you correctly, no thought entered into your mind that you ought to go back and try to save some of these people?
- I do not think it would have been possible, for one thing.
- 115 12557. Would you mind answering. I want to follow your view?
- What was the question?
- 116 12558. I understood from what you said, and correct it if it is wrong, that no thought entered into your mind at that time that you ought to go back and try to save some of these people?
- No, I suppose not.
- 117 12559. (*The Commissioner.*) The last witness told us that in his opinion it would have been quite safe to have gone back. What do you say to that?
- I do not know, My Lord, whether it would have been safe. I do not know. I think it would have been hardly possible.
- 118 12560. (*The Attorney-General.*) Why not possible?
- I do not know which way we should have gone.
- 119 12561. (*The Commissioner.*) When I say "gone back," I mean go towards where the cries came from.
- I do not know about that; I could not speculate.
- 120 12562. (*The Attorney-General.*) These cries continued for some time, did they not?
- I said the men began to row very soon after the cries were first heard.
- 121 12563. But the cries continued for some time?
- Yes, I believe they did.
- 122 12564. As the men proceeded to row away did the cries sound fainter?
- Oh, you could not hear the sound at all when the men were rowing.
- 123 12565. Does that mean that in your boat they were not rowing when you heard the cries?
- The moment the "Titanic" sank, of course everything stopped. There was a dead silence.
- 124 12566. And then you of course did hear the cries?
- Yes, then we did.
- 125 12567. You mean you continued to hear the cries until the men started rowing again?
- Yes, which was very soon, immediately, almost.
- 126 12568. We have heard from two Witnesses that a suggestion was made that your boat should go back to try to save some of the people?
- Yes.

127 12569. You have been in Court when at least one of them said it. I am not sure whether you heard Hendrickson?
- Yes.

128 12570. What do you say about that?
- I can only say I did not hear any suggestion, that is all I can say.

129 12571. And you know it has been further said that one of the ladies, identified by the last witness as your wife, was afraid to go back because she thought you would be swamped?
- I heard that.

130 12572. And that, you see, was heard by a Witness who was sitting on the same thwart as you were?
- Yes.

131 12573. Did you hear your wife say that?
- No.

132 12574. Or any lady?
- No.

133 12575. Or any person?
- No.

134 12576. Do you mean that it might have happened but that you do not remember anything about it, or do you mean that it did not take place?
- In my opinion it did not take place.

135 12577. Do you mean it is not true what the men are saying?
- It comes to that, of course.

136 12578. That they are wrong in their view?
- I think so.

137 12579. Did you hear either of the other men say that if they did go back it would be dangerous because you would be swamped?
- No, I did not.

138 12580. Nothing of the kind?
- I do not think there was any conversation of the sort, or talk about it.

139 12581. We have heard what they have said, but so far as you are concerned, as I understand your statement, nothing was done at all?
- No.

140 12582. You know now, do you not, that you might have saved a good many if you had gone back?
- I do not know that.

141 12583. You know that your boat would have carried a good many more?
- Yes, I know that is so, but it is not a lifeboat, you must remember; there are no air-tanks.

142 12584. I must ask you about the money. Had you made any promise of a present to the men in the boat?
- Yes, I did.

143 12585. Will you tell us about that?
- I will. If I may, I will tell you what happened.

144 12586. Yes?
- There was a man sitting next to me, and of course in the dark I could see nothing of him. I never did see him, and I do not know yet who he is. I suppose it would be some time when they rested on their oars, 20 minutes or half-an-hour after the "Titanic" had sunk, a man said to me, "I suppose you have lost everything" and I said "Of course." He says "But you can get some more," and I said "Yes." "Well," he said, "we have lost all our kit and the company won't give us any more, and what is more our pay stops from tonight. All they will do is to send us back to London." So I said to them: "You fellows need not worry about that; I will give you a fiver each to start a new kit." That is the whole of that £5 note story.

145 12587. That was in the boat?
- In the boat. I said it to one of them and I do not know yet which.

146 12588. And when you got on the "Carpathia"?

- When I got on the "Carpathia" there was a little hitch in getting one of the men up the ladder, and I saw Hendrickson. It was Hendrickson that I saw distinctly, when he brought my coat, which I had thrown in the bottom of the boat. He brought it up after me, and I asked him to get the men's names, and that list, in my belief, is his writing. It is merely a list of the names, and I think it is in Hendrickson's writing.

147 12589. Did you know either of the other two male passengers?

- No, I did not know them, not till the next day.

148 12590. They were Americans?

- Yes.

149 12591. Did you say anything to the Captain of the "Carpathia" of your intention to give that money to the men?

- Yes; I went to see him one afternoon and told him I had promised the crew of my boat a £5 note each, and he said, "It is quite unnecessary." I laughed and said, "I promised it; so I have got to give it them."

150 (The Witness withdrew.)

151 Day 11

152 Testimony of Sir Cosmo Duff-Gordon, recalled

153 Further examined by the ATTORNEY-GENERAL.

154 12592. (The Attorney-General.) There are two questions I want to put to Sir Cosmo. (To the witness.) I notice from what you said in your evidence (I am referring to question 12586, My Lord.), that there was this conversation between you and the men, or one of the men, that you would give them a present of £5 each, and that was made, as I follow from what you have told us, quite early in the history of this boat. I want to ask you just a little about the time; I want to follow quite clearly when it was. Was it before or after the boat had gone back to try to pick up people?

- I did not know about the boat going back.

155 The Commissioner:

What is the going back you are referring to?

156 12593. (The Attorney-General.) Your Lordship remembers Symons' evidence, I will refer you to it. I will put a question to him which I think will bring it to your Lordship's mind. (To the witness.) According to you then the boat never went back?

- No, I do not know where we were rowing about to.

157 12594. When I say went back - it never went to try to pick up some of the people who might be drowning from the "Titanic"?

- No, I did not know of it.

158 The Commissioner:

Where is Symons' evidence?

159 The Attorney-General:

I will tell your Lordship the effect of his evidence. What he said was they did not go back when they heard the cries, but they rowed away, but that some time after they did go back. And then your Lordship put a question to him "But then the cries had ceased," and he said "Yes."

160 The Commissioner:

I remember that. That did not seem to me to be a going back that was of the least importance.

161 12595. (The Attorney-General.) No, but that is what he did. Your Lordship will remember I cross-examined him upon his statements in America where he was asked whether he did go back when he heard the cries and when he said yes. I pointed out then that that was very different from the evidence he had given here and he admitted that it was. It is question 11561, page 258, where I put to him the question, "Did you ever go back to try to pick up any of these people." He said, "Yes, after we rowed a little way, as we were going for this self-same light of my first story, we stopped; we laid on our oars. Then I gave the

order to pull back, and told the men in the boat we would pull back to the other boats." Did you hear that?

- To pull back to the other boats? Do you mean that he said so?

162 12596. Yes.

- I did not hear him.

163 12597. An order given by him to the men that were rowing?

- I did not hear the order, no.

164 12598. "I was going my way back then as near as I possibly could to the scene of the disaster after we met the other boat. I strained my ears to hear whether I could hear anybody, any person whatever making a cry. (The Commissioner.) And you heard no one? - (A.) I heard no one. (Q.) They were all drowned by that time; is not that so? - (A.) I could not say that, sir, because there were some picked up in a boat out of the water before daylight, according to the other story. Of course, I cannot say about other people." Then your Lordship will remember at the end, I put to him very definitely what he had said in America. That is at page 262. The particular passage bearing upon this is at page 263, Question 11749 - "Then you were asked whether you made any effort to get there, that is the people from whom you heard the cries? - (A.) Yes. (Q.) It is pointed out to you that you had said your boat could take more? - (A.) Yes, I did say so." I am putting to him that what his answer was in America. "Your answer to that is, "Yes, we came back, but when we came back we did not see anybody nor hear anybody.' - (A.) That is quite right." Then I put to him: "Why did not you tell him what you have told us today, that you heard the cries, but in the exercise of your discretion and as Master of the situation you had determined not to go back because you thought you might be swamped? Why did not you tell them that? - (A.) My idea of the whole concern was that they had us in three at a time in America - that you have not got there, I expect - to get us through as quick as possible." He says he agrees that is not the same account as is given here; he left that out. That is the point I was on. (To the witness.) What I want to know is whether you can assist us upon that at all. Did you know any effort was made to pick up people who might be drowning?

- No, I did not.

165 12599. So far as you were concerned there was no attempt of any kind to pick up drowning people?

- No; I did not know that the idea had arisen to go back at all.

166 12600. Of course if Symons is giving a correct account it would appear that orders were given there which you do not recollect?

- Yes.

167 12601. Because he told the men to pull -

168 Mr. Duke:

He says he did not hear it, not that he does not recollect it.

169 The Attorney-General:

We will hear what he says about it. If my friend is drawing a distinction between what he did not hear and what he did not recollect, it is a little fine for me. (To the witness.) I suggest to you if a man is speaking and you are there and he is giving orders to the men who are rowing in the boat there was no difficulty in your hearing; but it made no impression on your mind and you do not recollect it?

- Yes, I do not; I did not hear it.

170 Examined by Mr. SCANLAN.

171 12602. Did you hear the order given when other boats on the starboard side were being lowered that women and children were to be first?

- I do not know whether I heard the order, but I knew it was the orders.

172 12603. And that only women and children were getting in in any large numbers?

- In much greater numbers, yes - few men.

173 12604. I suppose from the conversation amongst the passengers and the conversation you had had with Officers you had become aware that the lifeboats did not offer accommodation for more than half the passengers and crew?

- No, I did not know anything about it. I had not spoken to any Officer or to passengers on that subject.

174 12605. That Rule with regard to women and children was observed with regard to all the boats launched from the starboard side that you saw launched?

- Yes, the three forward ones.

175 12606. With the exception of the one boat in which you left yourself?

- No, the boat before that had, I think, a few women in, and they filled up with men passengers.

176 12607. But the boat in which you left was clearly an exception to that Rule?

- No, no exception at all. The woman who had been present had all gone in the three lifeboats.

177 12608. Could you see from your position on the starboard side how many women were on the port side?

- No, I could see nothing at all of the port side.

178 12609. So that as far as your knowledge went at the time there might have been a large number of women on the port side waiting for boat accommodation in the lifeboats?

- It is possible, of course.

179 12610. I think you asked the Officer on the boat deck if he would allow you to go away in this No. 1 boat?

- I said to him, "Can we go there," I think.

180 12611. Of course, the ladies were invited to go?

- The ladies were not invited to go. The ladies had been invited to go to two or three previous boats and they refused to go absolutely. Then all the ladies had embarked, every one that was visible, and I found myself suddenly in front, this boat being manned by some stokers.

181 12612. That request of yours applied, of course, only to yourself?

- I did not consider it a request at all; I merely saw an empty boat, and I had two ladies with me, and I said, "May we go in that boat?"

182 12613. Could you see from your position on the boat deck at No. 1 whether the after boats on the starboard side had all been lowered?

- No, I could not see; I could only see that section. (Pointing to the model.)

183 12614. Could you see from that position close to No. 1 whether there were passengers along the boat deck at the afterend of it?

- No; my impression was that there were no passengers as far as I could see.

184 12615. You said, in giving your evidence on Friday, that all the women in your part of the ship had gone?

- Yes.

185 12616. Did you mean the women who were first class passengers?

- I did not know what class passengers they were. There were a certain number of women outside the gymnasium door, and they had all been taken off. I do not know what class they were in the least.

186 12617. You did not even know whether there were other women on the boat deck on the opposite side or further aft who were waiting for accommodation in the boats?

- No, I knew nothing of that sort.

187 12618. Under those circumstances, you asked permission for yourself to go in?

188 The Commissioner:

That is not quite accurate. He asked if he might go. Perhaps that is only a distinction without a difference.

189 Mr. Scanlan:
I see that, My Lord. (To the witness.) Do you recollect who was the Officer in charge at the launching of lifeboat No. 1?
- I did not know till, I think, two days ago.

190 Mr. Duke:
It was not a lifeboat, Mr. Scanlan; it was the emergency boat.

191 Mr. Scanlan:
We have known it since this Enquiry commenced as a lifeboat.

192 The Attorney-General:
No.

193 Mr. Duke:
If my friend insists for his own purposes in calling this boat by a wrong name, I can only protest against it.

194 The Commissioner:
I think Mr. Scanlan has been very fair so far, and I do not think he is unfair at the present.
195 [TIP NOTE: Number 12618 was repeated in the original transcript.]
196 12618. (Mr. Scanlan - To the witness.) With regard to this emergency boat, if Mr. Duke prefers you know now, do you, the name of the Officer who was in charge when it was being manned?
- Yes, I believe so.

197 12619. Who is he?
- I think it is the fifth Officer.

198 12620. Is that Mr. Lowe?
- Yes, I think it is.

199 If Mr. Lowe is in Court perhaps he will be willing to be identified?

200 The Commissioner:
Is Mr. Lowe here?

201 The Attorney-General:
He will be here; I do not know whether he is here at the moment.

202 (Mr. Lowe stood up in the Court.)

203 12621. (Mr. Scanlan - To the witness.) Is that the Officer?
- I could not say; it was dark. I did not know it was he. I said I was told so two days ago.

204 12622. Of your own knowledge you do not know?
- Of my own knowledge I can say nothing.

205 12623. Just as your party was about to embark on that boat did you hear the Officer say, "Are you ready, Lady Gordon?"?
- No.

206 12624. Did you have any conversation with the Officer?
- Nothing, except what I told you.

207 12625. Did he know who you were?
- Not the least - at least, I do not know whether he knew me; I did not know him.

208 12626. I suppose most of the Officers would know you?
- No, not one of them.

209 12627. You are a frequent traveler?
- I have never been across the Atlantic in that way before in my life.

210 12628. Did you see Mr. Ismay on the boat deck?
- No, I did not.

211 12629. Did you know him?

- No.

212 12630. So that you would not be able to recognise him?

- Yes, I should have been then, because I had seen him at dinner that night.

213 12631. Did you see the captain that night?

- Yes; it was the only time I did see him, I think.

214 12632. (The Commissioner.) Was the captain dining with Mr. Ismay?

- No, My Lord; Mr. Ismay was dining alone with Dr. O'Loughlin.

215 12633. Is that right Mr. Ismay was dining alone?

- Alone with Dr. O'Loughlin.

216 12634. I mean with one other man?

- Yes.

217 12635. He was not giving a dinner party?

- No, he was dining quite alone with Dr. O'Loughlin. I was three or four tables off.

218 The reason why I ask that question is that I have had sent to me by some lady, who says that her husband was drowned in this calamity, what is called a "menu" of a dinner given, as it is alleged, by Mr. Bruce Ismay. What it has to do with this Inquiry I am quite at a loss to know, but I do not believe myself that it is a menu of any dinner he gave at all.

219 The Attorney-General:
At a later stage we shall call Mr. Bruce Ismay before your Lordship.

220 12636. (The Commissioner.) It is quite possible, I believe that this thing which was published in some french paper was a list of the dishes that could be had. It is a very common thing on board a ship to publish each day a list of dishes from which you can select?

- Yes.

221 12637. However, you say Mr. Bruce Ismay was not giving any dinner?

- None.

222 12638. Certainly not to the captain?

- No, he was alone.

223 12639. (Mr. Scanlan.) Now, did you see the captain at dinner that night?

- I do not know, I saw him just after dinner just outside.

224 12640. (Mr. Scanlan.) May I ask this question, My Lord. (To the witness.) Was the captain in uniform when you saw him?

- Yes.

225 12641. Or in evening dress? Was he in uniform or evening dress?

- I think he was in evening uniform.

226 12642. Has your attention been called to what purports to be an article written and signed by Lady Duff-Gordon in the "Daily News" for April 20th?

- I have seen it, I think; yes - at least, I have not seen that in the English papers; I saw one in the American papers.

227 12643. Have you seen an article by her in the "New York American"?

- Yes, it was not by her, but I have seen what you mean.

228 12644. Do you know whether or not this is authentic?

- If you tell me what it is about I could answer better.

229 12645. I will hand it to you. It is in the second column. (Handing a paper to the witness.) It appears to be signed at the bottom you will observe. It is a single column article by Lady Duff-Gordon.

230 The Commissioner:
What is the purport of it, Mr. Scanlan?

231 Mr. Scanlan:
There are a good many things in it.

232 The Commissioner:
Have they any bearing on this Enquiry?

233 Mr. Scanlan:
Yes, considerable.

234 The Commissioner:
Because you know the whole of this incident to my mind has only a small bearing on this Enquiry and I do not want too much time spent over it.

235 Mr. Scanlan:
I quite see that, My Lord.

236 The Commissioner:
Can you tell me what this article is?

237 Mr. Scanlan:
There are statements in it as to icebergs having been pointed out before the collision occurred to Lady Duff-Gordon by Officers on board the "Titanic."

238 The Commissioner:
I think that is quite relevant.

239 Mr. Duke:
I may tell Mr. Scanlan I am going to ask your Lordship's leave to call Lady Duff-Gordon whether anybody else calls her or not.

240 The Commissioner:
I think it is not necessary. Of course, if you want it done, Mr. Duke.

241 Mr. Duke:
Most urgently, both Sir Cosmo and Lady Duff-Gordon think it is essential it should be done.

242 The Commissioner:
Very well, then it shall be done.

243 The Attorney-General:
I had already communicated with my friend Mr. Duke about it and I told him what my view of it was; but of course my friend said he desired Lady Duff-Gordon called and there is an end of it. We shall call her. My friend is quite entitled to ask that.

244 The Commissioner:
If she wants to go into the witness -box, she must go.

245 Mr. Duke:
The position in which she is put by some of the insinuations is intolerable to a woman who believes that she has done all she should have done under the circumstances.

246 The Commissioner:
I have not heard that she did anything that was at all different from what any other lady would do.

247 Mr. Scanlan:
I respectfully disclaim any intention of making any insinuation.

248 Mr. Duke:
We shall see.

249 Mr. Scanlan:
(To the witness.) Is it your evidence that while the cries of the drowning -

250 The Commissioner:
No; do not let us depart from this point which I said might be relevant. (To the witness.) Is it the fact that Lady Duff-Gordon had icebergs pointed out to her by Officers of the ship before the calamity as far as you know?
- No; it was not the case, My Lord.

251 12646. Did she ever write anything to that effect?

- So far as I know Lady Duff-Gordon wrote nothing whatever in America.

252 Mr. Scanlan:
I do not wish to press this any further.

253 Mr. Duke:
I think your Lordship ought to know about this. I have looked at it. This is a column of matter in large type purporting to be signed by Lady Duff-Gordon, and said to be a series of statements by Lady Duff-Gordon.

254 The Commissioner:
Tell me Mr. Duke does the lady repudiate having written it.

255 Mr. Duke:
Absolutely, My Lord.

256 12647. (Mr. Scanlan - To the witness.) Is it your evidence that while the cries of the drowning people were heard after the "Titanic" sank there was no conversation whatever between you and your fellow passengers or between you and the members of the crew?
- I said that after the "Titanic" sank there was a dead silence.

257 12648. When the people were crying out for help were you all mute in the boat?
- I think as soon as that occurred the men began to row at once.

258 12649. (The Commissioner.) And, as I understand, to row away from the cries?
- I presume so, My Lord; I did not know which way.

259 12650. (Mr. Scanlan.) You made a suggestion in your evidence as a reason for not taking more people in the boat that there would have been more room if the oars and sails had been put away?
- Yes.

260 12651. As a practical man you knew that it would be very easy to put the oars and sails away and take in people?
- As a practical man, I must say I did not think anything about it.

261 The Commissioner:
This does not help you much. It is admitted there was plenty of room in the boat for more people.

262 The Witness:
I did not know it at the time, My Lord. I admitted that I know now that there was.

263 The Attorney-General:
If that is the effect of Sir Cosmo's evidence up to now, it is news to me; it is news to me to hear sir Cosmo say he did not think there was any room. I thought his evidence showed that there was some.

264 The Commissioner:
I certainly understood so.

265 Examined by Mr. HARBINSON.

266 12653. Had you, during the course of that voyage after you left Queenstown, been in conversation at all with Mr. Ismay?
- No, I had never spoken to him in my life.

267 12654. Do you know, after the impact, if any general alarm was sounded to give the passengers warning?
- I believe not; I did not hear it.

268 12655. You did not hear it?
- No; I heard nothing.

269 12656. Did you know that a message had been received from the "Carpathia"?
- No.

270 12657. You did not hear so?
- No.

271 12658. Saying she was coming to the aid of the "Titanic"?
 - No.

272 12659. Do I rightly understand you to say that 20 minutes after you got into the boat, that
 is after the boat had been launched -

273 The Commissioner:
 Have we heard of any message from the "Carpathia" received by the "Titanic" to the effect
 that the "Carpathia" was coming to the "Titanic's" aid?

274 The Attorney-General:
 I think you will hear something; but I do not think you have. We have had some messages.
 Yes, My Lord, there is one. I remember one of those read out by my friend the Solicitor-
 General when we were taking the marconi operator. It is page 213. There is nothing
 definite. I think the particular passage you want is this question, 9459, page 211: "I have
 got down here 'Titanic' still calling C.Q.D., is answered by the 'Carpathia,' and says:
 Struck iceberg; come to our assistance,' sends the position." That is the first. Then later on
 you get "The 'Carpathia' sends to the 'Titanic.'" We have got the whole series of messages,
 your Lordship will remember, but I do not think there is a definite message saying the
 'Carpathia' is coming to the assistance of the "Titanic."

275 The Commissioner:
 I do not remember it.

276 The Attorney-General:
 I think your Lordship will hear about it.

277 Sir Robert Finlay:
 It is later, but I think it is after the "Titanic" sunk.

278 Mr. Duke:
 That is so.

279 The Attorney-General:
 I am not sure that you have that at all.

280 Sir Robert Finlay:
 Yes, on page 214, but it is quite immaterial, because it was after the ship had gone down.

281 12660. (Mr. Harbinson - To the witness.) Did I rightly understand you on Friday to say
 that about 20 minutes after the "Titanic" sank, while you were in the boat, was the time
 when the conversation with reference to the presents took place?
 - Something of that sort; 20 minutes or half-an-hour, I should fancy.

282 12661. That was while those scenes, which we have heard described so often to us, took
 place and harrowing cries could be distinctly heard by you?
 - Oh, no.

283 The Commissioner:
 Why do you assume that?

284 Mr. Harbinson:
 I will put it in the form of a question, Was it?

285 The Commissioner:
 There is no evidence to that effect. It is very irregular to assume facts that are not proved.

286 Mr. Harbinson:
 At question 12586 Sir Cosmo Duff-Gordon says: "I suppose it would be some time when
 they rested on their oars, 20 minutes or half-an-hour after the 'Titanic' had sunk, a man
 said to me, 'I suppose you have lost everything.'"

287 The Commissioner:
 Yes, but consider the gloss you put upon the thing. You say that this conversation was
 taking place while the cries were still being heard. Now where is the statement to that
 effect?

288 Mr. Harbinson:
It is in evidence that they heard the cries 20 minutes after the "Titanic" sank. There is evidence that the cries lasted for an hour and a half, and if they did they were audible 20 minutes afterwards.

289 The Commissioner:
Where is that?

290 Mr. Harbinson:
One of the witnesses on Friday.

291 The Commissioner:
I am talking about this Witness. Your duty is to assist me.

292 Mr. Harbinson:
Yes, I am anxious to do so.

293 The Commissioner:
Not to try to make out a case for this class or that class or another class, but to assist me in arriving at the truth; and you do not do it by trying to make out a case against one person or another; it does not help me a bit.

294 12662. (Mr. Harbinson.) I understand, My Lord. (To the witness.) Did you hear the cries 20 minutes after the "Titanic" sank? -No, I cannot tell you at all about that.

295 12663. You cannot remember?
- I do not think anything like that.

296 12664. You do not?
- I do not think so; I cannot say. The men were rowing a great deal.

297 12665. Did you tell them to row to drown the cries?
- No.

298 Mr. Duke:
I appeal to your Lordship with regard to that question, and that class of question. The learned gentleman asks Sir Cosmo Duff-Gordon, "Did you appeal to them to row to drown the cries?" The ordinary Rule of practice, as I understand, is that unless you have evidence which will warrant a gross imputation you do not make it by a question.

299 The Commissioner:
Yes, but the ordinary Rules of practice do not always apply. Perhaps they ought to, but they do not.

300 Mr. Duke:
I am aware your Lordship has not the same control here which a judge in Court would have. At any rate, among members of the bar it is usual to observe that Rule.

301 The Commissioner:
I will do my best to see the thing is fairly put.

302 Mr. Duke:
I am obliged to your Lordship.

303 12666. (Mr. Harbinson - To the witness.) Was not this rather an exceptional time, 20 minutes after the "Titanic" sank, to make suggestions in the boat about giving away £5 notes?
- No, I think not. I think it was a most natural time. Everything was quiet; the men had stopped rowing the men were quite quiet lying on their oars doing nothing for some time, and then the ship having gone I think it was a natural enough remark for a man to make to me, "I suppose you have lost everything?"

304 12667. Would it not have been more in harmony with the traditions of seamanship that that should have been the time that you should have suggested to the sailors to have gone and tried if they could rescue any one?
- I have said that I did not consider the possibility - or rather I should put it the possibility

of being able to help anybody never occurred to me at all.

305 12668. That is to say would I accurately state your position if I summed it up in this way, that you considered when you were safe yourselves that all the others might perish?

- No, that is not quite the way to put it.

306 The Commissioner:

Do you think a question of that kind is fair to this Witness. The witness's position is bad enough. Do you think it is fair to put a question of that kind to him? I do not.

307 12669. (Mr. Harbinson.) If your Lordship says so I will not pursue it any further. (To the witness.) Did you hear any lady in the boat make any protest against the boat going back?

- No.

308 12670. There were only two ladies in the boat, of course?

- Yes.

309 12671. Had you any conversation with Lady Duff-Gordon?

- I spoke to her several times.

310 12672. About the time had you any conversation with Lady Duff-Gordon with reference to an attempt to rescue any other people?

- I have said that the question did not arise in the boat.

311 12673. What was the nature of the conversation you had with Lady Duff-Gordon?

- Simply hoping she was a little better, and so on. I was merely talking to her in a quiet way like that, saying nothing that I could possibly remember or repeat.

312 12674. Did you see the lights in the ship that we have heard so much about?

- We followed what we thought to be a fishing boat or a sailing boat for a considerable time at starting.

313 12675. Were you following those lights at the time the "Titanic" sank?

- I think we were. We were going in that direction.

314 12676. Did you hear, on Friday, Horswell say that at the time the "Titanic" sank you were rowing towards those lights?

- I did not hear him say so, but -

315 12677. Would you think it would be true if he did?

- I should think quite likely.

316 12678. Had you heard the Officer who was in control at the time No. 1 emergency boat was lowered give instructions that the boat should remain within a certain distance of the sinking liner?

- No, I did not hear that. I said so, I think.

317 12679. Would it be right to say that from the moment you got into the emergency boat the boat proceeded away from the "Titanic" and in the direction of those lights?

- I cannot say that. You see, it was pitch dark; when I say pitch dark there were stars, but it was complete darkness, and I did not know which way we were rowing.

318 12680. Did you hear any instructions given in the boat as to the direction which this boat should take?

- In what boat?

319 12681. The emergency boat?

- Did I hear it in the emergency boat?

320 12682. Yes?

- No, I heard no instructions at all. By whom?

321 12683. By any person?

- In the boat?

322 12684. Yes?

- No.

323 12685. Did you hear any suggestions made?

- What about?

324 12686. By any members of the crew or any of the passengers in the emergency boat to the coxswain as to the direction the boat should take?

- No, I do not think I did. There was one man, one of the passengers called out two or three times, "Let us go that way," "let us go the other;" but I do not think any notice was taken of it.

325 12687. "Let us go that way and let us go the other"?

- I heard him through the night.

326 12688. Now we have it that a suggestion was actually made in the boat after the boat was lowered as to the direction in which the boat should go?

- No, I cannot say it was a suggestion. The man said "There is a light there; go after that." I think no attention was paid to him at all.

327 12689. Was this a suggestion made by the man in the bow of the boat?

- No, it was not; he was not in the bow of the boat.

328 12690. Where was the man sitting who made the suggestion?

- The man who kept calling out those things?

329 12691. Yes, as to the direction that the boat should go?

- Where was he sitting?

330 12692. Yes?

- He was sitting two seats in front of me, he was sitting in the seat nearest the stern with his back to the stern; he was sitting facing.

331 12693. With his back to the stern?

- Yes.

332 12694. Was that the man who was steering?

- No.

333 12695. With his back to the stern?

- He was sitting in the seat.

334 12696. With his back to the stern?

- Yes.

335 12697. Was any reply made to that man when it was suggested going in a particular direction?

- No, I think no notice was taken.

336 12698. Did you hear anything said?

- No.

337 12699. You said nothing?

- No. I said nothing. How do mean, I said nothing?

338 12700. Did you give no answer?

- It was going on all night; it was not once he said it.

339 12701. Was an instruction given or did you hear anything said shortly after the "Titanic" went down?

- No, I do not think anything was said then.

340 12702. Was it an answer to this suggestion of his as to the direction in which the boat should go that you said "I will give you a fiver"?

- I really do not understand your question. You must put it plainly.

341 12703. Yes, I will put it quite distinctly. An instruction, or rather an observation was made by someone, that the emergency boat should go in a particular direction. Is not that so?

- That was going on all the later part of the night by this man, yes, continually.

342 12704. Before the "Titanic" went down?

- No, no, no.

343 12705. After the "Titanic" went down?

- Yes, I really do not know, it seemed to be most of the time. He called "Boat ahoy," and so on.

344 12706. The question I put to you is this: When you first heard this observation made with reference to the direction in which this emergency boat should go, was it then, 20 minutes after the "Titanic" sank, that you suggested that you would give them a fiver each?

- No, I see what you mean now. No, it was not; not in any connection with it. The man calling out to go this way and that had no effect, I think on anybody, nor on this subject at all. It had nothing to do with it.

345 The Commissioner:
If you will put your question plainly it would perhaps be understood better. Your question, as I understand it, really is this: "Did you promise a £5 note in order to induce the men in the boat to row away from the drowning people?" That is what you want to ask.

346 Mr. Harbinson:
That is the effect of it.

347 The Commissioner:
Well, why do you not put it in plain words.

348 Examined by Mr. CLEMENT EDWARDS.

349 12707. As I understand, your version of what took place on the boat deck as this; that you and Lady Duff-Gordon were standing there for some time; that there was an attempt made to induce Lady Duff-Gordon to get into one of the three lifeboats; that she refused, and that you saw those three lifeboats lowered. Will you explain why Symons, the captain of your boat, states that just before the boat was lowered the two ladies rushed from the saloon deck by themselves and asked if they could get into the boat, and that then you and the two other men passengers rushed and also asked if you could get in?

- No, it is quite incorrect, the whole thing.

350 12708. It is incorrect?

- Yes.

351 12709. Symons has made a mistake if you are right?

- I did not know he had said that, but I daresay.

352 12710. This is what Symons said at question 11454, on the 10th day, at page 256: "As he gave orders I" - that is Symons - "saw two ladies come running out of the foremost end of the top saloon deck, running towards the boat, and from there they asked Mr. Murdoch if they could get into that boat, and Mr. Murdoch said 'Yes, jump in,' and then, after that, I saw three gentlemen come running up, and they asked if they could get into the boat, and he said, 'Yes, jump in.'" That is incorrect?

- Yes, that is quite a wrong story altogether.

353 12711. When you were in the boat, when the "Titanic" had gone down, you were so absorbed in paying attention to your wife that you could not think whether you ought to go back to the drowning people or not?

- Well, you may put it in that way.

354 12712. I do not want in the least bit to misrepresent you: I think that is the way in which you put it on Friday?

- No; I do not think I put it like that, but I was naturally absorbed as you say.

355 12713. You were asked, "Did it occur to you that with the room in your boat, if you could get to these people you could save some?"

- (A.) It is difficult to say what occurred to me. Again, I was minding my wife, and we were rather in an abnormal condition, you know. There were many things to think about."?

- Yes.

356 12714. Does it occur to you that if it were perfectly natural, as you have said, to think of offering the sailors five pounds to replace their kit, it might have been equally natural,

even though you were absorbed in your attentions to your wife, to think that there was some possibility of saving some of those poor people?

357 - As I say, the possibility of being able to help I do not think occurred to anybody.

12715. Why do you suggest that it was more natural to think of offering men five pounds to replace their kit than to think of those screaming people who were drowning?

358 - I do not suggest anything of the sort.

12716. Do you think it was natural then not to think of rescuing those people who were drowning?

- It is a difficult question to answer if you put it like that. At the time I saw no possibility - I thought there was no possibility of doing so.

359 12717. I will put it. Do you still think that it was natural not to think about going back and saving some of those people?

- I think it was still natural, but I concede that it would have been a very splendid thing if it could have been done.

360 12718. If it did not occur to you that you yourselves might go back with the few people in your boat, did it occur to you that you might have gone back to some of the other boats and put your passengers off so as to have had a free boat to do some rescuing?

- No, it did not occur to me.

361 12719. That did not occur to you?

- No.

362 12720. Did you come in sight of any of the other boats?

- Not at that time, I think; one could hear them.

363 12721. What do you mean by that - you could hear them?

- You could hear the oars moving all round us.

364 12722. Did you hail any other boat?

- No, with the exception of what I said, that somebody said "Boat ahoy!" on many occasions.

365 12723. In your boat?

- Yes.

366 12724. Is it not the fact that a man in charge of another boat hailed your boat?

- No, not that I know of.

367 12725. Well, you know we have it here in evidence that the captain of one of the boats, No. 13, hailed your boat because he saw that there were very few people in it. You did not hear that hailing?

- No, that is the first I have heard of it.

368 12726. Now, you have said that the first mention of this money was some 20 minutes or half-an-hour after the ship went down. Was it made to one or to two members of your boat's crew?

- I made it to the lot of them, of course.

369 Can you explain why the man sitting alongside of you should come here and say that nothing was said about money until you got aboard the "Carpathia"?

370 The Commissioner:

I do not think you can ask this gentleman to account for the motives which induced other Witnesses to make statements; you cannot inquire into that.

371 12727. (Mr. Clement Edwards.) Do you think there can be any doubt that the man who sat immediately alongside you heard your offer of £5? Do you think there can be any doubt?

- No, none, of course.

372 Examined by Mr. HOLMES.

373 12728. You have had some of the evidence of the witness Symons read out to you, in which reference was made to Mr. Murdoch. Did you see Mr. Murdoch on the deck that

night?

- I did not know any one of the Officers by sight at all. I know none.

374 12729. Did you see the captain anywhere about when your boat was lowered?

- No.

375 12730. After your boat had left the ship did you hear any orders given by megaphone?

- No.

376 12731. Did you hear anything said about gangways as your boat was being lowered?

- No, I heard nothing.

377 12732. Had you seen the people being put into boats No. 5 and No. 3?

- I had not seen them, because I was leaning at the back of the crowd. I was leaning against the deckhouse, but I knew they were being put in.

378 12733. Was there some difficulty in getting them to go into the boat?

- I could not see that.

379 12734. Could you see whether anyone had to be forced to go into the boat?

- No, I could see none of them. I was standing right back.

380 12735. But so far as you could see there were no people left on that deck, in fact, at the time when you got into the boat?

- No, except a few of the crew.

381 12736. The crew who were lowering the boat?

- Yes.

382 Examined by Mr. COTTER.

383 12737. Have you seen the evidence of the witness Hendrickson?

- Yes.

384 12738. When Hendrickson states that he suggested you should go back, did you hear that?

- No.

385 12739. You did not hear him make that suggestion?

- No.

386 12740. And he states that Lady Duff-Gordon objected to go back; is that true or untrue?

- It is untrue. What do you mean? Will you say it again?

387 12741. He said he suggested that they should go back and try to save somebody?

- Yes.

388 12742. And he also said that Lady Duff-Gordon objected and said the boat would be swamped, and he also stated that you upheld Lady Duff-Gordon's objection. Is that true or untrue?

- It is not true.

389 12743. Do you know the man Taylor?

- Yes.

390 12744. He sat next to you in the boat?

- Apparently; I do not know that yet.

391 12745. He states he sat next to you in the boat?

- Yes.

392 12746. And you had a conversation with him in the boat?

- Did I?

393 12747. He said so?

- I think I had a conversation with the man next to me. Taylor said he did not have a conversation of the sort with me.

394 12748. Taylor admits he had a conversation with you?

- Here?

395 12749. Yes, here?

- Oh, I was referring rather to this conversation about the £5 note.

396 12750. What I am trying to point out is this: Taylor was the man who sat next to you?
 - Was he?

397 12751. Yes?
 - I daresay I cannot say; it was pitch dark; I cannot say at all.

398 12752. He knew you, if you did not know him?
 - He said he did not, I remember.

399 12753. Yes, he said he knew you at the time. He did not know Lady Duff-Gordon until afterwards. She was pointed out to him, and now he knows her?
 - Oh!

400 He states he heard her say that the boat would be swamped if it went back.

401 The Commissioner:
 He said he did not know who it was.

402 Mr. Cotter:
 But later he did, My Lord.

403 The Commissioner:
 Then he gave two inconsistent answers, because I read here "was there anybody else on the same thwart as you? - (A.) Yes, a gentleman passenger. (Q.) You would not know at the time, but do you know now who it was? - (A.) No. (Q.) Do you know now it was Sir Cosmo Duff-Gordon? - (A.) I understand it is that gentleman now, but I did not think at the time." You should be careful not to assume that people said things when in fact they did not say them.

404 Mr. Cotter:
 I have it here, My Lord.

405 The Commissioner:
 Then will you read it.

406 Mr. Cotter:
 At page 272, question 12250, I asked, "Who was seasick" and the reply was "Lady Duff-Gordon."

407 The Commissioner:
 Yes.

408 Mr. Cotter:
 And I asked him then, "How do you know it was Lady Duff-Gordon; you have told us you do not know her? - (A.) I told that gentleman there (Pointing.) that I was told afterwards that it was Lady Duff-Gordon. (Q.) You were told afterwards it was? - (A.) Yes, I told that gentleman there. (Q.) Was that the lady who objected to the boat going back? - (A.) The lady that spoke of its being swamped. (Q.) Was that the lady? - (A.) Yes."

409 The Commissioner:
 Your statement to this Witness was that he knew Sir Cosmo Duff-Gordon when he was in the boat, and he did not. He says he did not. I am talking about Taylor.

410 Mr. Cotter:
 Taylor knows now it was.

411 The Commissioner:
 Yes, but that is a very different thing from knowing it when he was in the boat.

412 12754. (Mr. Cotter.) When Taylor states that Lady Duff-Gordon made that statement it is untrue?
 - Yes.

413 Examined by Mr. LEWIS.

414 12755. You said in your evidence you were watching the "Titanic" until she sank, is that so?
 - Well, practically so, yes.

415 12756. And there was dead silence?
 - I cannot hear you.

416 12757. And there was dead silence when she went down?
 - There was silence when she went down, yes.

417 12758. Could you hear cries very distinctly?
 - No, not very distinctly.

418 12759. Might cries have lasted for an hour?
 - I do not think so at all.

419 12760. Were you close enough to hear anyone say there "My God, My God"?
 - No; that you have taken no doubt out of that story.

420 12761. This I take from the "Evening Herald"?
 - It is in the same story; I remember the words.

421 12762. I am not quite clear as to your answer to Mr. Cotter or Mr. Edwards as to the approach of the lifeboats. Did you see the other boats or merely hear them rowing after the "Titanic" had sunk?
 - I said we heard boats round us.

422 12763. Could you hear them rowing?
 - You could hear a boat rowing, yes.

423 12764. Supposing anyone had hailed that boat, could you have heard?
 - That I cannot say.

424 The Commissioner:
 Could he have done what?

425 12765. (Mr. Lewis.) Could he have heard if anyone had hailed the boat?
 - I should think so.

426 12766. I understand you to say you did not hear anybody say, "We are full up" on your boat?
 - I have not heard that remark at all yet - about being full up.

427 12767. Did you hear any other remark, such as "Do not go near that boat, they might jump on ours"?
 - No, I do not think so. When was this? I do not know when you are talking about.

428 12768. I am talking about after the "Titanic" had gone down, and you were rowing about in your boat. I suggest you were approached by other boats?
 - We approached one other boat just before we sighted the "Carpathia." It was early morning. Before it was light we came up close to it. We saw it, and very naturally rowed towards it to keep company, so as not to be left, and there was a conversation between a man in our boat and one of the crew in their boat. He called out "Who have you got there," and he answered and said whom had he got there.

429 12769. You do not remember being hailed and asked if you had room in that boat for more?
 - No, no, no; we were not, certainly.

430 12770. And you do not remember anyone saying "Do not go near the boat they might jump on ours"?
 - No, I do not think so.

431 The Commissioner:
 Is this all out of some newspaper?

432 Mr. Lewis:
 No, My Lord.

433 Examined by Mr. DUKE.

434 Mr. Duke:
 I think there is no one else to cross-examine?

435 The Commissioner:
No.

436 12771. (Mr. Duke - To the witness.) I shall not ask you many questions, Sir Cosmo. I will ask you first of all with regard to those reports which were set on foot in America. Were there great numbers of them?
- Yes, there were.

437 12772. And did you see many of them?
- Yes.

438 12773. So far as you saw were they true or were they inventions?
- They were all inventions.

439 12774. Did they report interviews with Lady Duff-Gordon?
- Yes.

440 12775. Did you know whether they had taken place or not?
- I knew they had not.

441 12776. You have been asked a great many questions today to which I think you have said that that was what was said in those papers?
- Yes.

442 12777. Now I come back to the real matter. First of all, will you bring your mind as closely as you can to the time before the emergency boat was launched?
- Yes.

443 12778. How many lifeboats were launched in your presence?
- Three.

444 12779. Had Lady Duff-Gordon an offer and pressure put upon her to go in each of those boats?
- In each or in two of them - I am not sure.

445 12780. Two you know of?
- Two I remember perfectly.

446 12781. And did she refuse to go?
- She absolutely refused.

447 12782. Had Miss Francatelli the offer to go in each of those boats?
- Yes, on each occasion.

448 12783. Did she refuse?
- Yes, I asked her to go.

449 12784. And did you press your wife to go?
- No, I did not press her to go.

450 12785. A conversation took place between you and her?
- Yes.

451 12786. Now it is suggested, you know - perhaps you do not know - that there was some arrangement between the captain and Mr. Ismay and you by which a boat was to be put at your service. Is there a scrap of foundation for that?
- No.

452 12787. Had you ever had any conversation with Mr. Ismay?
- No.

453 12788. Down to the time this ship sank?
- Never at all in my life, I have not.

454 12789. Had you any conversation with the captain?
- Never.

455 12790. Was there any suggestion from you to anybody that either you or your wife or Miss Francatelli should be provided for in any boat up to the time you asked the Officer of the boat if you might go in?

- Never.

456 12791. Then it was suggested that Mrs. Astor was on board this boat. Is there any foundation for that at all in any way?

- None.

457 12792. Did you know anything as to the boat in which Mrs. Astor had gone?

- No, I did not.

458 12793. Just one question more with regard to all these matters. Was there anything in the nature of arrangement previous to your suggestion to the Officer - might you go in that boat?

- No, nothing.

459 12794. Now, with regard to the boat. At the time you got into it were you aware what amount of accommodation there was or was not in it?

- No; I only knew that it was not a lifeboat, and we were bundled in over the side, and every available or visible seat was occupied, and I was unable to sit next my wife, which I wished to do. I could see nothing. It was quite dark on the deck, and it was quite dark in the boat, but I remember those oars alongside, which I could clearly see would have made the boat -

460 12795. Which occupied part of the thwarts?

- I suppose the whole of the side seats. I did not know even that there were side seats.

461 12796. You do not suggest other than that there were additional places in that boat?

- Oh, yes, there were.

462 12797. I daresay when the daylight came you were able to see what the boat could have done?

- Yes.

463 12798. Now, with regard to an order given by the Officer, will you tell me again as nearly as you can recall it what it was you heard the Officer say to Symons with regard to the boat?

- It was my impression - I am not very sure of it - I understood it was, "Follow the other boats and row fast for the first 200 yards."

464 12799. That was your impression?

- That was my impression.

465 12800. Have you a distinct memory or not about that?

- No, that is what I thought it was.

466 12801. When the boat had started from the ship's side it rowed sharply for some distance?

- Yes.

467 12802. Then she rested?

- Yes.

468 How many starts and rowings and restings were there as far as you can recall, or can you recall, before the "Titanic" went down?

469 12803. (The Commissioner.) Can you recall anything about it in this connection?

- Yes, My Lord, I can recall that they stopped rowing several times and went on again, I daresay, five or six times, or four or five times.

470 12804. Did you count them?

- Oh, no.

471 12805. (Mr. Duke.) If I were to ask you if you had a vivid recollection of any of the events during the period after the boat had been launched and you were floated, what would your answer be?

- I should say, "No - nothing vivid." I do not think it is possible to have a vivid recollection under those circumstances.

472 12806. You told the Attorney-General what your impression was as to the distance you

had reached from the ship?

- Yes.

473 12807. Do you profess to be certain about it or not?

- No, but I have been telling friends we were about a thousand yards off; it was my impression then, and it is still, I suppose.

474 12808. I want to ask you a question about the period after the "Titanic" had sunk. From what quarter of the sea, as far as you could judge, were cries coming? Was there a distinct locality from which you could judge the cries were coming or not?

- I think not.

475 12809. After the "Titanic" had sunk was there any object which would give you a mark or which would have given Symons a mark for rowing?

- No, everything was dark. We had been watching that.

476 12810. The sea was dark?

- The sea was dark.

477 12811. And it was dark in the boat?

- Quite dark in the boat.

478 12812. Are you able to say if there was any definite direction of rowing during the first hour after the "Titanic" had gone down?

- I do not think there was any definite order of rowing given at all. I did not hear.

479 12813. I did not mean by "direction" an order, but any definite direction?

- No.

480 12814. That is an apparent destination?

- No, I did not know of it.

481 12815. Up to the time when you had the conversation with the man who was beside you about his kit, had there been any suggestion from anybody as to what should be done with the boat?

- No.

482 12816. Or whether she should row?

- No, there was no suggestion at all.

483 12817. With regard to the sum of money you promised, have you told the Court the whole of the truth about that matter?

- I told the whole incident on Friday.

484 The Commissioner:

I should like you to ask him in what circumstances on board the "Carpathia" the money was given.

485 Mr. Duke:

I am obliged to your Lordship, and I will deal with it. May I just complete this matter?

486 The Commissioner:

Certainly.

487 12818. (Mr. Duke.) First of all with regard to the time you were in the boat, was anything going on at the time of the conversation with one of the men about his kit which had anything at all to do with the disposition of the boat?

- No, all was silence.

488 12819. You have told the Court that you do not know and you do not say it was Taylor. Were you sitting on the same seat during the whole time?

- I was, but the man next to me changed once in the middle of the row to the "Carpathia." It was a stiff row, and the man got up and changed. The man next to me got tired.

489 12820. And there was a change of men rowing?

- Yes.

490 12821. Was it before or after that change, as far as you are able to tell us, that the

conversation took place about kits?

- Before.

491 12822. Now bring your mind to the time when the boat came to the side of the "Carpathia." At that time was there any one man in the boat whom you could have distinguished from any of the others?

- No.

492 12823. How did it come about that you distinguished Hendrickson from any other man in the boat?

- There was a hitch with one of the men getting up the ladder, and they had to send down a rope to pull him up, and the only man that was left in the boat with me was Hendrickson. I spoke to him then, and I said, "Are you the man who was sitting next to me?" I understood him to say, "Yes." I said, "All right," and he said "Yes," or something of that sort.

493 12824-5. And had you then a conversation in regard to getting the names, or was it subsequently?

- I think it was as soon as we got on board.

494 12826. Did Hendrickson give you some assistance in getting on board the "Carpathia"?

- Yes, he did.

495 12827. When you and he were both on board the "Carpathia" what next took place with regard to money?

- I said to him, "If you will get the men's names I will see that they get some money in a few days or give them a cheque shortly," or something of that sort.

496 12828. Did you say any more to him at that time?

- No. Oh, do you mean later?

497 12829. No, I mean on that occasion about money. At the time when you and he were both on the deck together?

- No.

498 12830. When was the next time you saw Hendrickson about the matter?

- I saw him, I think, the next day. He came up and drew my attention to himself. I told him to. He had given me a list the same day.

499 12831. Did he give you a list the same day?

- Yes, the same day.

500 12832. Some time on the same day as you went on board the "Carpathia" in the morning he brought you that list which I have handed in to my Lord?

- Yes.

501 12833. Did he tell you which he was in the list?

- Yes, I understood him to be Hendrickson.

502 12834. You told my Lord that he called attention to himself the next day, as you had bidden him do?

- Yes.

503 12835. He touched his cap to you?

- Yes.

504 12836. And did you have a conversation with him then about the matter?

- No, I do not think so. I think I said, "I have not got this; I will see you tomorrow or the next day."

505 12837. Now, on your way to New York did you cause miss Francatelli to write out a form of cheque for each of those persons whose name was in the list?

- Yes.

506 12838. And did you sign those?

- Yes.

507 12839. I think you had not a book of cheques?

- No.

508 12840. And I think it is your common practice to draw cheques upon your bankers -
Courtts, are they?

- Yes.

509 12841. Upon notepaper?

- Yes.

510 12842. Did Miss Francatelli write them?

- Yes.

511 12843. Did she give them to you?

- Yes.

512 12844. How did you get the men together?

- I went on to the deck just by the smoking-room and saw Hendrickson down below, and beckoned him up and told him to get all the men together, and when they were up there I just gave them each their cheque, asking each fellow what his name was.

513 12845. Whereabouts on board the "Carpathia" was that?

- That was on the deck just by the side of the smoking-room door.

514 12846. And was anything said as between you and those men when you were giving them each successively the cheque?

- Yes. I said, "I am sorry I cannot give you money; but if you had it, you would probably spend it all in New York, so it is just as well it should be in a cheque which will enable you to start your kit again." That is all I said to them.

515 12847. Did anything more take place with regard to the giving of these cheques?

- Well, when they were given, a friend of ours, a man we had met on board, came up and photographed the whole lot of us there, and I think one or two of the passengers snapshotted us.

516 12848. There were passengers with cameras?

- Yes.

517 12849. And there was some snapshotting going on?

- Yes. I think one was subsequently reproduced in a London paper in which Hendrickson happened to appear.

518 12850. Had he put on a lifebelt for the purpose of being photographed?

- Yes, he had.

519 12851. It is suggested that Mrs. Astor was in that boat. There is the reproduction of the photograph, and does it show at the bottom that the group includes Mrs. J. J. Astor. Just look at it and see (Handing photograph to Witness.)?

- Yes.

520 12852. (Mr. Duke.) It is in the sphere, Mr. Attorney. (To the witness.) It is quite a mistake, is it not. Who is the lady?

- That is Miss Francatelli.

521 12853. That is the lady who is identified as Mrs. Astor. Now I want to go back to the time you were in the boat. You have told me of a man who was in the boat. I think you said a passenger who was constantly calling out while you were on the sea, "Boat ahoy, we ought to go this way, we ought to go that way." Do you know who he was?

- Yes.

522 12854. Was he one of the other two men who had been passengers of the "Titanic"?

- Yes.

523 12855. Did anybody take any notice of those exclamations of his?

- No.

524 12856. Did they lead to any discussion either with Symons or Horswell or anybody else in the boat as far as you are aware?

- No.

525 12857. Did they have any effect at all on the course the boat took?

- Not the least.

526 12858. And from first to last from the time you and the other passengers were on board that boat, as far as you are aware, had anything that was said by any of you any effect on the direction taken by the boat?

- No, nothing.

527 The Commissioner:
Is there anything more, Mr. Duke?

528 12859. (Mr. Duke.) I think there is only one general question, My Lord. (To the witness.) So far as you were concerned, Sir Cosmo, when did the first suggestion reach you that you had failed to do in that boat anything you could have done?

- When I arrived at Fishguard last Monday night.

529 12860. And found that Hendrickson had made his statement?

- Yes. I was met there.

530 Re-examined by the ATTORNEY-GENERAL.

531 12861. One matter I want to ask you about. You heard a passenger talking, giving directions in the boat?

- Well, he was not giving directions, but he was saying, "Let us go here," and "Boat ahoy."

532 12862. Was there any conversation between him and you as to which way you should go?

- No, there was only one remark I made to him.

533 12863. What was that?

- To ask him to be quiet.

534 12864. Was that Mr. Stengel?

- Is it necessary to say who?

535 12865. Well, it is necessary, if you can. I do not know why you should not, if you can tell us. Can you tell us?

- I can, perfectly.

536 12866. Well, who was it?

- Yes, it was he.

537 12867. I asked you because I see he has been examined in America, and I want to call your attention to this statement of his. I am reading from the 30th April, My Lord, at page 14 of the Enquiry before the senate Commission. "Do you know who gave directions?

- (A.) I think between Sir duff-Gordon and myself we decided which way to go." That is what Mr. Stengel said?

- I think it is wrong.

538 12868. What?

- It is not the case. There was no question at all. I never spoke to the coxswain in any way to give him any directions.

539 The Attorney-General:
That is all I want to ask you.

540 The Commissioner:
Do you want to ask anything, Sir Robert?

541 Sir Robert Finlay:
No, My Lord.

542 (The Witness withdrew.)