

KARL JANSEN

was sworn and examined as under:-

Superintendent -

- Q. What is your name, please? A. Karl Jansen
- Q. And your address? A. 'Nunaulgi' Taylor St. Lakemba.
- Q. You were an A.B. on the 'Fitzroy' at the time of her loss?
A. I was winch driver.
- Q. You are a seaman? A. Yes. I signed on as an A.B. but I never did anything else but drive the winch.
- Q. How long had you served in any capacity on board the 'Fitzroy'? A. 11-months.
- Q. So you would have seen her in all sorts of weather? A. Yes.
- Q. What was your general opinion of her? A. She was one of the best ships on the coast.
- Q. A good ship and comfortable? A. Yes.
- Q. You have no fault to find with the Master, Officers or the ship, or the treatment you received? A. No.
- Q. She loaded as is customary in the trade and I have asked the man who was in her previously a lot of questions about the cargo, and I have received this rough sketch from the wharfinger showing how he observed the cargo in the ship, and it bears out Johansen's evidence in regard thereto. In the first place there were logs in No.1 hold down the bottom? A. Yes.
- Q. And there were 3500 sup. ft. of hardwood that would be sawn? A. Yes.
- Q. And then on top of that there were 12 pine logs and 40 scrubwood logs. My idea in enumerating this cargo is this. From what the previous witness had told me and from the information I can gather from this sketch the No.1 hold would be pretty well full. A. Yes.
- Q. And I cannot see how that cargo could move. A. No possible chance. The cargo was right up underneath the deck. There might have been a few inches to spare.
- Q. So that you are of opinion that it could not move? A. Yes.
- Q. We come now to the after hatch. Which hold would be most under your observation? A. I had a look in No.1 when I went past, but I believe when we took the logs in I was on the winch for some time. But I could not see down the after hold, I was on the winch.
- Q. You saw them taking in the sleepers? A. Yes. I could not see how they were stacked in one side, but the other side he had them along the floor.
- Q. In the main hold unless the cargo is stowed well there would be a chance of them shifting, but considering that the vessel assumes more of a wedge shape aft, you would not expect the cargo to move in that hold. A. No.
- Q. There was a tunnel of 6 ft. and cargo was placed down each side of it. A. Yes. And if any of it would shift it would be over the top of the tunnel, but I could not see if there was/

was anything there. The sleepers would be on each side of the tunnel and on top. There were butter boxes put in.

Q. They would be stowed across would they not? A. They were put on top of the sleepers. The sleepers only went about three or four high.

Q. Have you any reason to suppose that they were otherwise than stowed across as boxes usually are in a ship? A. No, they are usually stowed on the bottom and kept as flat as possible. There was some furniture stowed in that hold also.

Q. So that generally speaking it is your opinion that everything in the hold was stowed in such a manner that it would not cause the vessel to capsize. A. Yes.

Q. The vessel eventually left Coffs Harbour. What was the weather like? A. It was blowing a fresh breeze from the S.E. Just an ordinary breeze.

Q. She left in the afternoon? A. Yes. At ~~xxx~~ 20 minutes to 4 o'clock.

Q. What was the sea like? A. There was hardly any sea.

Q. What watch had you that night? A. 8 to 12.

Q. Were you at the helm? A. Yes, from 10 to 12.

Q. What was the weather like then? A. It started to freshen up a bit. It was raining and there was a bit of a squall.

Q. When you left the deck at 12 o'clock what was the weather like? A. Just the same.

Q. Nothing to hurt? A. No.

Q. Was she throwing any water about? A. Just a few little sprays coming over, but nothing to speak about.

Q. She had the wind and the little sea there was on which side? A. Pretty well ahead. The wind was on the port side.

Q. Johansen told me you were steering south? A. S. & E. when I came to the helm and we steered that way up to 12 o'clock.

Q. Going south if the wind was S.E. you would have it on the port bow? A. Yes.

Q. I presume you turned in then? A. Yes.

Q. When were you called? A. At 6.30 I think. I was awake once before that, at about 2 or 3 o'clock. I fell out of my bunk.

Q. Which side were you on in the fo'castle? A. On the port side. The firemen and the ordinary seamen were all on the port side.

Q. And she threw you out of your bunk at about 3 o'clock. She must have been lurching pretty well? A. Yes. I got out and put the fence up so that I would not fall out again.

Q. It shows that the weather must have increased after 12 o'clock? A. Yes.

Q. You went to sleep again and you were called when? A. At about 6.30.

Q. Was it daylight? A. Yes, just getting daylight.

Q. What were you told when you were called to come out and dump the logs over the side? A. Only to come out and dump the logs.

Q. Who called you? A. Johansen.

Q. Was he the boatswain? A. He was acting as boatswain most of the time.

Q. If he said do a thing, you would do it? A. Oh, yes. When he came and called us we knew he would not do it if he had not permission.

Q. Did you ask him what was the matter? A. No. He just said come out and dump the logs over. We knew the ship had a heavy list, and we could see there was heavy weather.

Q. She had a list at that time? A. Yes.

Q. Much? A. About 18" to 2 ft.

Q. To windward? A. No, towards the land. At Coffs Harbour we were lying on the southern side of the jetty.

Q. You were lying port side to the wharf? A. Yes. The logs were on the port side but when she leaned over I fancy she was lying towards the land. The Captain was keeping her head on to the sea because I believe he tried to turn her.

Q. Do I take it that you cannot quite remember how the vessel was listing whether it was to port or starboard? A. I cannot remember clearly.

Q. The logs you were trying to throw over were on the port side. Were you trying to get them to the high side or the low side? A. The low side.

Q. When you got on deck who was there? A. Johansen and the Captain and the 2nd Mate on the bridge and the other man was at the wheel and of course we all went out and the firemen came out shortly afterwards.

Q. To try to get the logs over? A. Yes.

Q. And what did you do? A. As soon as I came out I went to the fo'castle head and Johansen was standing by the winch and I said, let me have a go at it to see if I can do anything. I tried everything but could not get a start on. We just got her to move, but nothing more.

Q. Did you get the winch to start? A. Yes, just moved it slightly, but that was all we could get.

Q. What was the matter with the winch? A. I could not say.

Q. Do you think the steam pipe was broken down? A. It might have been flattened or else the water might have condensed in it before the steam came up.

Q. Did one of you go along and ask whether steam could be given? A. After I was there a couple of minutes I thought I would go to the Engineer room and have a look myself. When I came up I saw the 2nd Engineer and I thought he might not understand it and I went straight down and got hold of the valve and turned it (as indicated). Then I took the valve for the steam pipes and felt it, and it was open. I then went out and the Chief Engineer said it is no good 'golden top' everything is open. The Chief Engineer used to always call me 'golden top' because of the color of my hair.

Q. What would make you think the engineer would not understand it? A. He had only been in the ship one trip. He was new to the vessel. On the Saturday afternoon I went to the Chief Engineer at about 4 o'clock to ask him to pump our tank up to the bathroom and he said the 2nd engineer is on watch and he does not know the connections.

Q. So that is why you went along to have a look yourself? A. Yes.

Q. And what conclusion did you come to? A. That there was not enough steam in the boiler to send it through.

Q. You thought the steam had run down in the boiler? A. Yes.

Q. Did you observe anything in the engineroom? A. There was a good lot of water down there about 4 or 5 ft. You have to walk down about from 12 to 14 steps and there is a grating on top of the engine. On the port side is the Chief Engineers room and the 2nd Engineers room and there was an alleyway going into the engineroom. When I went down there, out through the door of this alleyway, there were some bed clothes floating around.

Q. From some of those rooms? A. Yes.

Q. And all that volume of water was going into the engineroom? A. Yes.

Q. It was about time for you to get out. Did you see anyone down there? A. The 2nd Engineer was standing on the grating and the Chief Engineer came out and he said it is all right, everything is open. I said I went down to have a look for myself I wanted to be sure.

Q. Was any remark passed between you in regard to this water? A. No, I went up as fast as I could and went forward again.

Q. You must have know that that water would in a short time sink the ship? A. Oh, yes. I wanted to get forward to try the winch a second time. I did, but it was just the same.

Q. Could anything have been done in your opinion to have stopped the water from going into the engineroom? A. No.

Q. Was there a door here (as indicated)? A. No. Not from the alleyway. I have been down there often but I never noticed a door.

Q. I have been told by the previous witness that the water entered the ship through the ash shoot and if something could have been placed over that could the water have got away or is there a bulkhead? A. It might have gone into the saloon. There was a door from the engineroom into the saloon but I am not sure which side it closed on. The water would have had a chance to work the door open and go into the saloon.

Q. You could not prevent it entering somewhere there? A. No.

Q. You say when you got into the engineroom you saw the water pouring down here (as indicated). A. Yes. The Chief Engineers room is here (as indicated) and the 2nd Engineers room and a store-room. Between the engineers store-room there is a paint locker full of deck gear.

Q. But there is an alleyway here (as indicated) was there not? A. No, the alleyway only came from here (as indicated) up to the saloon.

Q. If the water came rushing along here (as indicated) and you saw blankets and bedding washed down, they must have come from the Chief or the 2nd Engineers rooms. You meant that the vessel had been lying down that much that the water coming in here (as indicated) had got into these rooms sufficient for them to overflow into the engineroom? A. Yes.

Q. Are there any coamings there? A. Yes.

Q. About what height? A. 1 ft. or 18"

Q. Are you sure of that? A. Yes.

Q. How did you get down here (as indicated)? A. There is a step leading down from the deck to here (as indicated) there is a door here and steps then lead down this way, and they come just outside the engineers door to the alleyway, and there was a bit of a board where there was a mat.

Q. There is a grating right around the engineroom where you come down the ladder, and that was where the water was? A. Yes.

Q. Was there much of it lying there? A. I did not wait to look.

Q. She is lying over so much that the rooms on that side have sufficient water in them to flood the bedding out? A. Yes. The step ladder comes down like that outside the door into the alleyway.

Q. The ladder comes right down on top of the grating inside the engineroom? A. Yes. I came back up.

Q. After you observed a considerable volume of water going down through the door, but you did not pass any remark to the Engineer about it? A. All he said was everything is all right.

Q. And you went forward again? A. Yes.

Q. Did he seem in any way concerned? A. No. When I saw him down there he was in his pyjamas. The 2nd Engineer was on watch but the Chief came out in his pyjamas.

Q. I suppose you thought things looked dangerous? A. I did not think the ship was going to sink.

Q. But it is serious to get water into the engineroom? A. Yes. But at the same time if we could have got the logs over it would have been all right and she would have straightened up.

Q. Where did you go then? A. I went forward to the winch and I could not do anything and we got one log over the rail without the winch. The others were below the rail and we could not get them over.

Q. What did you do then? A. The Captain sang out to get the lifeboats ready. I went on the after deck over the saloon. There were two big lifeboats. I went to the starboard boat and when they all got to the starboard boat I went with another man to the port boat. There were boards on top of them and a wedge was put in to get them down. I did not have anything to knock it out with and I got a bit of board to try to get it out. I said we will get the middle of it and we lifted the middle out of it and all the boards fell down. I went forward again and I sang out to some of them/

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them to come and we might have a chance to shift the sling of timber. I took a couple of boards out but they were jammed up too tight. There were only about 2 tons altogether it would not have made much difference. I went into the fo'castle again and an ordinary seaman was with me there and he came forward to fetch some lifebelts. I could not take them all. I took five or six with me.

Q. Did you think then the vessel was going to founder? A. Yes.

Q. How was she lying then still listing to port? A. Yes,

Q. And was the list increasing? A. Yes, all the time. When I came out from the fo'castle everybody was away. She shipped a couple of heavy seas over the port side and the water came in and I had to wait a couple of minutes before I could get clear. I thought she would be gone before I got there. The water was coming with such a force I could not go there. There was a horse on the hatch at that time. The box shifted a bit and the horse got out of it into the water.

Q. Was the water over the coamings of the hatch at that time? A. No. On the after corner there was a little bit of the taraulin off. X

Q. You did not think she had listed over that much that the water was coming into the hatch? A. No. I got on the bridge deck but there were too many people there and I did not want to stay. The boat was no good they could not launch it. The 2nd Mate and the Chief Engineer and Hansen and the Skipper and Mate, we were on the bridge deck. The 2nd Mate wanted us to swing the davits out. We tried to but we had no hope to shift them. She was listing too much. I said to him it is no use. The only hope is when the ship sinks the boat might float. And the Skipper said the same. He said just get the tackles clear of the boat.

Q. Could you walk along the deck at this time? A. I was hanging on with one hand.

Q. You could not walk with safety? A. No. When I got the tackles clear I got to the davits and tried to get the wire off. The Captain said I hope she will straighten up when she goes down, it might give the boats a chance. I had no chance to loosen the wire. I went along the rail and the Captain said there is plenty of wreckage floating about for people to hang on to.

Q. Was the engine stopped at this time? A. I could not say. When I was down there she was moving very slowly.

Q. Was she still listing to port? A. Yes.

Q. And then eventually how did she go? A. Right over to port. I walked to the ship's side and sang out to the Captain, come on Skipper, it is time. I did not know any more, I went down. Previous to that the Chief Engineer came up and he said boys, come on down the stokehold and see if we can get some dry coal to get steam. I went along the top deck and got some other men and we went down to go through the engine room into the stokehold. I saw the condenser was underneath the water.

Q. Where did the water come from? A. Through the stokehold door I think.

Q. Where do you say the water came in, in the first place? A. I think it came in through the ash shoot.

Q. Was there any other place where it could possibly have come/

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come in? A. I do not think so. The door was closed but there was a port hole in the paint room that was not closed I do not think.

Q. You say you saw the ash shoot door shut? A. Not the ash shoot but a door into it. There were two half doors on each side.

Q. Yes, but what about the ash shoot? A. I could not see it.

Q. If the vessel had listed over sufficiently for the water to be rushing in there, could that have caused the amount of water you saw? A. The amount of water I saw might not have come in at one time. It might have come in when the ship lurched to starboard. I do not say it came in all the time. But just when I came down a rush of water came in.

Q. This is an enclosed space altogether is it (as indicated)? A. No, there is a door there, into the stokehold and a door into the paint locker. It is pretty well enclosed.

Q. When you get further along, was it enclosed? A. There was like a fence put up there.

Q. Of course it is enclosed out to the ships side? A. Oh, yes. The bridge deck is on top of it. The ash shoot comes out just abaft the belting piece. The ash shoot is inside, it is not outside at all.

Q. Can you explain how the ash shoot was fixed. Could not that opening have been closed in any way. A. When we came on deck there was too much water. As far as I am concerned I never gave it a thought. But before long it was too dangerous to go down.

Q. It is a wonder you did not think to yourself, where is this water coming from? A. There was too much excitement.

Q. You left it to the engineroom staff? A. Yes.

Q. Am I to understand that you are of opinion that there was either a port open in one of the berths or else it was coming through the ash shoot? A. The water might have been coming through the two of them.

Q. Have you ever noticed that port open (as indicated)? A. I noticed it open once. I do not know whether it was ever closed or open.

Q. Whose duty would it be to see that this port was closed? A. I could not say.

Q. It would be more under the supervision of the engineroom staff than the deck? A. No, it was the paint locker belonging to the deck.

Q. As regards the lifejackets, were there plenty of them in good order? A. Yes.

Q. Were the boats in good order? A. Yes.

Q. Is there anything else that you can tell me in regard to this matter? A. No.

Q. Did the Officers take any action towards saving the ship or life. Did they take a leading part? A. It is hard to say. I did not notice. All I know is I heard the Captain say/

say, get the lifeboats ready.

Q. Did the 2nd mate leave the bridge then? A. No, he stayed with the Capt.

Q. Did you see the master make an effort to bring the low side to leeward? A. No, I believe he did though before we came on deck.

Q. When you came up he had the low side facing the wind and sea? A. Yes, and she was pretty well out of control then.

Q. What was the weather like when you came on deck? A. There was a strong gale.

Q. And the sea, what would you describe it to be? A. I did not notice the sea before I came up. My opinion was when I was in the water I had never seen anything like it.

Q. That was when you were in the water? A. Yes, we had no time to look at it before.

Q. The ship did not straighten up? A. No.

Q. And the list was gradually increasing all the time? A. Yes. Just when I went over the side I saw the rail on the top bridge near the wheelhouse go under the water. I was standing near the belting piece and the water got me there.

Q. If the water poured into the engineroom sufficiently to wash bed and bedding out of the rooms there must have been a great amount of water. Don't you think it would be more than what could go through the port? A. It might have accumulated in the alleyway and when the ship went to starboard it might come with a force.

Q. Are you absolutely of opinion that it was the water that you observed going into the engineroom that destroyed the vessel? A. Yes, and it must have been going into the stokehold too.

Q. The cattle pens that are shown on this rough sketch, what size were the planks? A. The stanchions up and down the hatch were 6 x 6.

Q. Hardwood? A. No, pine. The hurdles were just like three pieces of 3 x 2.

Q. Hardwood battens? A. Yes. The uprights were 3 x 2 and the cross pieces were 3 x 1.

Q. The previous witness told me that the vessel shipped a heavy sea when she listed over and washed these cattle right around here (as indicated) and that increased the list. Had that occurred when you came on deck? A. Yes.

Q. When you came up everything was in a heap on the port side? A. Yes, and some of the cattle were over the side. I saw a few lying on the deck. We had some brick cases on board and one of them was on top of some cattle. I believe the hurdle was still standing there.

Q. The difficulty had arisen and you were going to put the fall underneath the logs? A. Yes.

Q. Where would you fasten this to (as indicated)? A. To the rail. When I came on deck Johansen had a wire on to two of/

of the logs. If we could have got one end over the water would have washed them clean away. I think we got one over and it went clear of the ship. If we could have got steam on the winch we would have had other means of getting them over.

Q. You did not observe anything broken in connection with the winch? A. No, I could not see anything.

Q. Which side did the steam pipe come along? A. The port side underneath the logs.

Q. So that you could not see whether it was broken or not? A. No.

Q. Was it generally protected from the cargo? A. Yes, there was a board put up to protect it.

Q. Could you have got down on the port side sufficiently to have handled the pigs and cattle? A. No, I do not think we could. The cattle would not mean any difference because they were swimming.

Q. Do you really think from what you did see that there was any water going in through that port? A. I could not say.

Q. Is there anything at all that you would like to draw my attention to? A. No.

Q. Are you of opinion that when the mishap occurred everything that was possible to be done was done to save life? A. Yes.

Q. There was no hope to save the ship? A. No.

Q. Everybody got lifebelts? A. Yes.

Q. How did you manage to save your life? A. When I went down with the ship and I came up again a bunker hatch came up alongside of me and I put my hand on it and I saw a boat a few yards off, with three men in it. I swam for it, and I got in her. A little while after there was a little boy came floating along and I picked him up and I kept him for about an hour in the boat, and tried to get some sign of life in him. But a big wave came and washed him out of the boat again. He was dead so I did not try to recover him. I also picked up another fellow and got him on board. Then I saw the 2nd mate and Chief Engineer. They were on top of another boat. I sang out to them, because I would have got them in the boat, but they did not give any reply, and a few minutes afterwards we lost sight of everything.

Q. Did your boat remain keel down until you got ashore? A. I had to stand up and balance her.

Q. There was no possible chance of throwing any of the water out of her? A. No. We were half submerged.

Q. Was the sea too heavy to bail her out? A. We had no hope. The sea came clean over us at times. Another chap who had a steering oar was keeping her to the wind.

Q. Could you see the land at the time of the mishap? A. No. Some time after we were in the boat I saw the land and then I knew where we were. We got closer and closer and I thought we were going to get to the Pilot Station, Cape Hawke. I said to them the course we are going now, we will be all right if we get under the mountains, we will bail the boat out then.

Q. What time was this? A. About 12 o'clock mid-day.

Q. Do you think it was a fair thing for them to have seen you from/

from the Pilot Station at that time? A. Yes. When ^{we} were in the boat for about an hour I made a signal with a pair of trousers stuck on an car.

Q. Well up to the time of the mishap I asked Johansen this - whether he thought the vessel should have been observed from Cape Hawke and he said that as it was so thick with rain, he did not think they could have seen the ship. After you left the ship and got into the boat which was submerged, still you think it a reasonable assumption that they should have seen you? A. We were so close to the Pilot station I could see the windows in the house.

Q. That was when you were going past the breakwater? A. Yes. We made a course in to the land. When we came in there I was hoping all the time that they could see us from the station.

Q. You eventually got in at Tuncurry? A. Yes.

Q. How far did you pass off the end of the breakwater? A. About three or four miles off the signal station. I could see the flagstaff quite plainly. When we started to go more northerly.

Q. Had the boat been not submerged I could think that they should have seen it but being awash perhaps it was not possible A. I was depending on the oar with the signal attached to it.

Q. How did you lash it? A. I cut a piece of rope from the sea anchor and I put it up where a mast might be. We had it there till the last.

Q. Was it raining all this time? A. For about half an hour the sun was out. It was squally all the rest of the time. At times I don't suppose the top of the oar was above the sea, the waves were so high. It would have been hard to see the boat unless they were watching for us.

Q. If I thought there was any neglect in that respect I would inquire into it strictly. I think there would be far more chance to miss you than to see you. A. It would have been hard to see us all right if they did not know we were there. But my opinion is that they ought to have kept watch on the beach all night and the next day. They did not do that, I do not think, because Johansen walked along the beach for 9-miles and they did not see him. I was told that they knocked off that night at about 2 o'clock.

Q. I know a strict patrol was kept both by the Pilot and the Police and those also who helped them.

(Witness retired).