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## Lusitania's Captain Exonerated.

Not Guilty of Negligence—Lawyer Recalls Wartime Ocean Drama—Captain Turner Gives Evidence. (Liverpool Weekly Post, Feb. 14.)

Was the Lusitania lost through the negligence of her commander, Captain Turner. The question, which recalls sad memories of our greatest ocean drama, has been debated at Liverpool Assizes, this week, before Mr. Justice Bray and a special jury. The case was an action brought against the Cunard Line by Mrs. Kate Coughlin, of Cork, to recover damages for the loss of her husband, John Coughlin, who sailed from the United States on the Lusitania on her last voyage, and perished on her when she was torpedoed off the Old Head of Kinsale.

The jury found that Capt. Turner, who was in command of the Lusitania, was not guilty of negligence. They also held that the defendants did what was reasonably sufficient to give John Coughlin notice of the

conditions of the contract to carry him, and that Coughlin knew that the printing on the ticket issued to him contained such conditions. Mr. Rigby Swift, K.C., leading counsel for the defendants, invited the jury to say that it had not been proved to them either that Captain Turner, the commander of the Lusitania, was guilty of negligence, or assuming he was, that negligence brought about the disaster. He further submitted that, in issuing a ticket to Coughlin, the company did everything that was reasonable to bring home to his mind the fact that he was being carried on condition that the company should not be answerable for the negligence of their servants or for the acts of the King's enemies. "I ask you to say," concluded Mr. Swift, "that the wickedness and criminality of the Hun alone were responsible for the catastrophe which sent so many brave men and women to their doom." Captain William Thomas Turner,

commander of the Lusitania, in the course of his evidence, stated that he retired from the service of the Cunard Steamship Company on attaining the age limit of sixty-three in October last. On her last voyage the Lusitania crossed the Atlantic at an average speed of 21 knots. As far as he knew, there was no faster merchant vessel crossing the Atlantic at that time. On the morning of May 7th he reduced the speed of the vessel to 18 knots, with a view to arriving at the Liverpool Bar at 4 a.m. on the following day, and thus avoiding a three hours' wait. At about 8 a.m. speed was reduced for an hour or so to 15 knots, owing to fog. Witness went on to describe the course which the vessel took on approaching the South of Ireland, and said he considered he gave the headlands a very wide berth. As to the suggestion that he did not keep a mid-channel course, he said that prior to the sinking of the Lusitania he had never heard that part of the ocean described as a channel. Asked why he did not zig-zag, Capt. Turner replied: "I did not consider it necessary. I thought the speed of the ship would overcome any danger from submarines." He added that he had not at that time received any assistance from the Admiralty with regard to planning a zig-zag. Later in the war the Admiralty gave such assistance to all masters of ships. In January, 1917, witness was commanding the troopship Ivernia when she was torpedoed while zig-zagging, and with an escort ahead. Zig-zagging did not prove an absolute protection, but it minimised the risk.

Disagreed With Admiralty Instructions.

Capt. Turner was closely cross-examined by Sergeant Sullivan, K.C., for the plaintiff. He said the method of traversing the danger zone was planned shortly after the Lusitania left New York, and this involved passing the South Coast of Ireland at a distance of 20 to 25 miles. With regard to zig-zagging, he was under the impression that it had to be adopted only when a submarine had been sighted. Although he was specifically warned as to the submarine danger off the South Coast of Ireland, he considered that the whole of the Channel up to Liverpool was equally dangerous. He had two reasons for going ashore—first, to take a bearing; and, secondly, to avoid submarines reported as lying further out. He did not agree with the Admiralty instructions as to avoiding headlands and keeping in mid-channel.

In answer to the Judge, witness said he agreed that the Admiralty had greater and better opportunities than he of knowing where the danger was. A remark by witness as to exercising his own discretion was followed by a question from Sergeant Sullivan: Notwithstanding that 1,800 people were dependent on you, you disobeyed the Admiralty instructions?

Witness.—Under certain conditions, yes. Any man has a right to do that. Re-examined by Mr. Swift, witness said he did not know that he really disobeyed any instructions.

Mr. Swift.—Then why did you just say that you did? In taking the course you did, whatever may have been your views about it, were you obeying or disobeying the Admiralty?—Well, I was trying to obey the Admiralty as far as I possibly could.

Do you call fifteen miles off skirting the coast?—I do not. His Lordship.—Did you realise that it should have been your object to keep as far away from the south coast of Ireland as you reasonably could?—Yes, my lord, according to the Admiralty instructions. I thought I was doing so.

Cunard Chairman.

Sir Alfred Booth, chairman of the Cunard Steamship Company, stated that in November, 1914, with a view to economy in coal and labor, it was decided to run the Lusitania under reduced boiler pressure. Several boilers were put out of commission. This had the effect of reducing the speed to 21 knots per hour.

Sergeant Sullivan.—When it came to a question of saving human lives was the captain limited to any boiler capacity or consumption of coal by your company?—No.

Captain William Heston, retired master mariner, with many years' experience in command of Elder-Dempster vessels; Captain Thomas George Legge, of the Brodiebank Line, and Captain John Montador, assistant superintendent of the Brodiebank Line, stated that they considered that Capt. Turner was giving headlands a wide berth in the course he took.

Mr. Justice Bray, in summing up, said it was suggested for the plaintiff that Captain Turner did not plot out his course beforehand, with due regard to the safest method of traversing the danger zone, and that he took the matter much too lightly.

It was argued by the defendants that there was nothing to show that the vessel would not have been torpedoed before she reached Liverpool. There were undoubtedly dangers, but other ships got to Liverpool perfectly safely about that time, and many hundreds had done so since.

Judge and Jury.

"In all these matters," concluded his lordship, "you must make full allowance for Capt. Turner. You must consider what was reasonable;

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were the result of a great deal of experience and wisdom. The Admiralty were at it all the time, devising every possible thing. At that time, as far as we know, Captain Turner had had no experience of submarines; he would not know where they were, except so far as the Admiralty told him. Would it not have been the safest thing to follow instructions? That is the suggestion; but you must make fair allowance for Captain Turner in the difficult position he was in, and you must look at it from the point of view of the knowledge at that time, and not the knowledge we have gained since."

The jury having returned their verdict, his lordship entered judgment for the defendants.

### Tasker Installation.

The Annual Installation ceremony of Lodge Tasker, No. 454, S.C., A.F. & A.M., was held in the Masonic Temple at High Noon yesterday, a large number of members of the craft being in attendance. The District Grand Master, Wor. Bro. C. R. Duder, conducted the ceremony, assisted by Past D.G.M. Wor. Bro. John Cowan, and D.G.S., E.C., Wor. Bro. W. J. Edgar. The officers installed and invested were as follows:—

R.W.M.—Wor. Bro. A. E. N. Rabbitts.  
L.P.M.—Wor. Bro. P. K. McLeod.  
S.W.—Bro. H. A. Bastoy.  
I.W.—Bro. W. Caldwell.  
Secretary—Bro. S. A. Churchill.  
Treasurer—Bro. S. A. Findlater.  
Chaplain—Bro. Rev. G. Dickie.  
S.D.—Bro. G. Oke.  
J.D.—Bro. E. Scandrett.  
S.S.—Bro. D. Neal.  
J.S.—Bro. A. Dawe.  
I.G.—Bro. W. J. Phillips.  
Tyler—Bro. M. Spurrall.

Following the ceremony a Past Master's jewel was presented to the retiring Master, a collection taken in aid of the Tasker Educational Fund, and a banquet held in the refreshment room, where the usual toasts were honoured.

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### To-Night's Literary Debate.

The subject of to-night's debate at the Methodist College Literary Institute Debate will be: Resolved—That it is the business of private enterprise rather than the duty of the City Council to facilitate the building of houses to accommodate the city of St. John's. The speakers for the affirmative side will be Mr. C. C. Pratt, J. R. Smallwood and Mr. A. Watson; and for the negative: Mr. George Soper, Mr. Frank Penny and Mr. Snegrove. As the subject is a controversial one there is likely to be a big attendance.