

# Twenty Thousand Freemen Take Up Challenge

THE MAIL AND ADVOCATE, ST. JOHN'S, NEWFOUNDLAND, MARCH 5, 1915-4.

# Petitions Asking Kean's Arrest

## Riverhead St. Mary's

To His Excellency the Governor in Council:—

The Petition of the undersigned residents of River Head St. Mary's and electors of the electoral district of Placentia and St. Mary's, humbly sheweth that on March 31 and April 1 last, 78 sealers of the Crew of the sealing steamer "Newfoundland" died on the ice from exposure, and that in the opinion of your Petitioners, Captain Abram Kean, Master of the "Stephano," was guilty of criminal negligence in relation to the said men, wherefore your Petitioners humbly pray that Your Excellency be pleased to direct the Law Officers of the Crown to take the necessary steps to test before the Courts the liability or otherwise of Captain Kean. And as in duty bound they will ever pray.

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## Question of Judgement or Criminal Negligence

"Captain Kean so far from being guilty of any omission, went beyond what was incumbent on him and displayed commendable care for the safety of these men, for whom he was in no way responsible."—Mr. Justice Johnson's Report.

It must be very gratifying to the friends of Captain Abram Kean to find that a great legal light such as Justice Johnson holding such views as are expressed in the above words quoted from his report on the sealing disaster enquiry.

It may be that Captain Kean did not commit any error in judgment, we say it may be so, but the only reasonable ground on which such an assumption could be founded is that Captain Kean did not exercise any judgment whatever.

If he used judgment he erred, if he used no judgment he is guilty of criminal negligence. In either case the demand that Captain Kean should not go to the ice in charge of a steamer is well justified.

Captain Kean and his friends may impale themselves on either horn of the difficulty they may select for themselves. If Captain Kean erred not in judgment, he certainly displayed a most lamentable want of that degree of intelligence that one placed in charge of men should possess, especially when a wrong move or inertia for that matter may involve loss of life. As did the error of or lack of judgment on the part of A. Kean last year.

Let us for the moment acquit Captain Kean of having committed an error of judgment which is the positive side of the charge against him, and examine his conduct on the negative charge of having used no judgment at all.

The first thought that should naturally present itself to any person in Kean's position would be the thought of how the men were to be looked after or where they were to spend the night. He would want to ascertain if it were possible for them to make their own ship. Captain Kean knew that these men had to find shelter that night or run the risk of losing their lives from exhaustion. There were two ports of shelter possible for them, one, their own ship, the other: the Stephano.

Did Captain Kean consider how they were to get to their own ship, then he used no judgment, for the one most necessary factor in the calculation, he utterly failed to acquaint himself of, and that is how long it took the men to reach the Stephano. He claims that he thought they had left at nine o'clock, when as a matter of fact, they had started at seven or two hours earlier.

One question of Tuff or of any of the poor fellows who followed him that fateful morning would have settled that point for him, and that question he failed to ask. Therefore evincing not an error of judgment, but utter callousness or else complete absence of intelligence, or as we are inclined to think a want of interest in the welfare of the men.

It was most important before figuring on the return journey to know how long it had taken the men to make the journey out. Had Kean but asked that one question, he would have discovered that it took the men four and a half hours to make the journey. It was past midday when he put them out again and sent them off, not in the direction of their ship, but away from their ship.

They were expected to kill and pan seals enough to have made their day's journey worth while, and afterwards to walk back to their own ship.

Now where did Kean's judgment come in here. It is to be feared that not even the best supporter Kean has, not even Judge Johnson himself can find anything in Kean's conduct in this one particular, that bears even the least semblance of having been founded on judgment, on judgment that was tempered by a "commendable zeal for the welfare of the men."

Was it commendable zeal for the welfare of the men that drove them from the shelter of ship to the bleakness of a frozen ocean, in the face of a coming storm, and that expected those men to kill seals, and afterwards make their way back to their own ship?

Was it commendable zeal that caused Kean to overlook the fact that those men had been travelling half a day, before they reached his ship?

Was it commendable zeal for them that turned them out without a chance to take a moment's rest or to get even a drink of tea?

Was it commendable zeal that caused Kean to overlook the fact that men cannot travel as rapidly, in the evening as they could in the morning, especially after having been fasting all day, or at best with only a mouthful of hard tack to eat?

(To be continued)

## KEAN MUST STAY ASHORE

(Editor Mail and Advocate)

Dear Sir.—Please accept a few lines from this Local Council re the Bowring-Kean question. This Council strongly protests against Capt. Abram Kean commanding a sealing ship to the ice this spring, or any other spring. We are of unanimous opinion that Capt. Kean was no person to be blamed for the loss of the seventy-eight heroes who died on the ice-fields last spring.

The people are indignant over the way in which the Bowring-Kean matter is being handled so seriously in connection with the people in attempting to put Capt. Kean in the Florida as master this spring. After the Liverpool Era informing President Coaker by wire they would withdraw Capt. Kean from the ice-fields this spring and a few hours after to take such a turn, this thing has caused the greatest uproar among the people that has taken place since the F.P.C. started. Perhaps they may imagine it is only President Coaker that is after this thing, but we can assure them it is the people who is driving at the back of President Coaker to see the question carried through in regards to Kean commanding a ship to the icefield this spring. This Council again protests through the columns of your paper that Capt. Abram Kean should not command a ship to the ice in defiance of the people.

PORT REXTON LOCAL COUNCIL, F.P.C.

Per Walter Randall, Secy.

PORT REXTON,  
Feb. 27, 1915.

## BAY-DE-VERDE

### COMPLIMENTS PRES. COAKER

(Editor Mail and Advocate)

Dear Sir.—Will you kindly allow me space in your valuable paper to make a few remarks regarding the way President Coaker is handling the Sealing Disaster.

It is astonishing to the whole world to say that any man could come forth to take such interest in the working classes. Why is it that mostly all the moneyed men of this country are working hand in hand against this one lone man? Do they imagine for one moment that he has beaten him his twenty thousand of Newfoundland's bread-winners, whose determination will be for nothing but the three loving letters, "F.P.C." as long as they can find a man as worthy as President Coaker to fill the position of President, as he is a man that gives every man his due.

Some people imagine that he is trying to oust Captain Abram Kean as a sealing captain, but I say no, he is only trying to protect the lives of those that have to go from home in mid-winter, to try and keep the wind from the door, which is blowing around so many homes in Newfoundland today.

They say British laws are the laws in the world, if that is so, they would be the laws of the world, but one time, and any man with common sense can't deny this.

No matter what a certain man does in this country, no law will interfere. But there is another class that have to keep themselves upright and straight. If not they will soon be brought before the bar of Justice to answer for their behaviour. Do these ruling lords think that we can't see further than our eye can reach to-day. Yes, the time is not far distant when there will be a ruling power in our country that will treat each according to his deeds. Any man with brains can see the way we have been treated the last hundred years. Where did all these mess with their thousands of dollars get their money if not from our hard toil. They never earned it any other way. Much of it came from the men that are lying in their graves. Woe be to him that robbed them of their hard earnings.

Trusting that our President will come out victorious.

M.P.

Bay de Verde,  
Feb. 27, 1915.

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