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Ryan's Son

A commentary on the evidence in *Ryan v. Oceanic Steam Navigation Co. Ltd.*

by Senan Molony

FRESH evidence from *Titanic's* surviving officers and crewmen is so rare that its discovery or rediscovery is always important. It is most strange, then, that such testimony from 1913 has been perpetually overlooked in the *Titanic* canon.

That evidence now appears in a full legal report, republished for the first time in over 90 years, to be found on the Home Page of this site. *Ryan versus the Oceanic Steam Navigation Company Limited* is the "Third Inquiry"... and the last piece of group testimony in a courtroom setting by those who were aboard the RMS *Titanic* that notable night in 1912.

The evidence was given in June 1913 in a case for negligence brought by the father of a deceased steerage passenger. The statements made by Lightoller, Boxhall, Pitman, Lowe, et al, are subject to the usual caveats, perhaps magnified in this case by the lapse of over a year since the event described.

For the serious student of the first two Inquiries (the US Subcommittee on Commerce investigation, under Senator W. A. Smith, and the Wreck Commissioner's Court under Lord Mersey), there is now a third measure by which the tragedy can be assessed.

Judge for yourselves... but here, in the writer's opinion, are some of the new salients thrown up by the *Ryan* evidence:

1. HAZE – Lookouts Fred Fleet and Reg Lee spoke of a haze enveloping the horizon before the berg was sighted. It has long been argued whether this was an exculpatory creation or an actual phenomenon.

The Ryan case now hears evidence from Second Officer Lightoller that he had an interview with the lookouts on the *Carpathia* and that they made no mention of haze at the time. All the other officers on duty that night also insist that the night was perfectly clear.

Lightoller makes no secret of his belief that the lookouts are lying. However, for their part, Fleet and Lee (the latter with some forty days to live) cling to the contention that haze *was* present. And they find support, perhaps surprisingly, from lookout George Symons.

2. MYSTERY SHIP – All four of the surviving officers comprehensively contradict the conclusion of the Mersey Inquiry that the mystery ship, seen off the *Titanic's* bow as she was sinking, must have been between eight and ten miles away.

Mersey came up with this idea, despite claiming to “accept” evidence from *Titanic* witnesses in his own court that coalesced around a distance of five miles. This was because of his belief that the Mystery Ship was the *Californian*. The main *Californian* witnesses saw their own nearby ship however as a small to medium tramp steamer and not as the largest ship in the world. They estimated her to be as little as four miles off. But such proximity to the *Titanic* would have made Mersey's ‘solution’ unsustainable.

It is thus extremely noteworthy that in the 1913 case the officers consistently refuse to entertain the Mersey Inquiry's conclusions on this critical point.

Boxhall reiterated that the Mystery Ship was approximately **five** miles away. Lowe, judging the distance for the first time in evidence, said it was **four** miles away. And Pitman, doing likewise, estimated that the separation was just **two** miles.

The enormous significance of these estimates should be immediately apparent. They destroy the contention that the *Californian* could have been the Mystery Ship, mistaking the far-off *Titanic* for a close-in tramp vessel.

3. CAPTAIN SMITH – New evidence emerges which suggests that Captain Smith paid far closer attention to the *Titanic*'s navigation than has hitherto been apparent in testimony.

Lightoller expanded on his famous bridge conversation with the Master to introduce the new element that the two men “agreed that they would be able to see ice three or four miles away.”

As the Captain left, Lightoller said that he [Smith] mentioned that he would be “just inside his navigating room,” whereas the previous quote was “just inside,” which may have suggested that Smith was retiring to his own cabin for the night.

Boxhall supports this point and says he saw Smith in the navigation room with the chart before him during his watch. Smith was pricking out the ship's position at 7.30pm based on stellar observations made by the Fourth Officer.

Lightoller meanwhile amends Captain Smith's parting injunction that he should be alerted “if it becomes at all doubtful,” which has been represented as the Master's imprimatur for a continuation of full speed that he knew was risky.

The Second Officer now says that Smith wanted to be told immediately “if the weather became dull.” This is a very different proposition, as the two men had been remarking on the clarity of the night and the perfect visibility for seeing icebergs at a great distance. Smith's remark now appears to be highly precautionary.

As he left, Lightoller also cites Smith as saying: “If it is going to be hazy, we shall have to go very slow.”

This is a repeat of a fragment of conversation that Lightoller only belatedly recollected and gave to the British Inquiry in response to question 14191.

4. PRIOR ICE - There are now specific denials that ice was seen prior to the impact, even though it had been expected for two hours, according to Lightoller. Lookout Symons said he had “smelt ice” at 9pm. There was no diminution in the ship’s speed, a factor held to constitute negligence in the unusual circumstance of there being so many ice warnings that day.

5. BINOCULARS – There is again a variation of opinion about the wisdom of lookouts having glasses. It is clear the lookouts wanted them, and had asked for them. Lightoller said in the British Inquiry that he knew of “no complaint” and did not know why they were not provided. He clashed with Symons, who said Lightoller had gone into another officer’s room, he presumed that of Murdoch, to raise the lookouts’ concern to return with the words “Symons, there are none.”

Now Lightoller confirms that he did indeed report the matter to his “senior officer” and was told that there were none available.

There is much else besides, including two claims that the iceberg was 50-60ft above the waterline. And there are interesting statistics cited, as a result of experiments with the turning circle of the *Olympic*, that the *Titanic* would have advanced 440 yards forward by the time the stem crept two points to port.

This suggests that the berg was indeed around 500 yards away (as elsewhere cited in evidence) when first sighted. This is just less than one quarter of a nautical mile (1nm = 2026.66 yards).

In the words of lookout Reg Lee, another thirty seconds’ notice would have been enough for the ship to have evaded the danger and saved the lives of all on board.

An earlier end to the coal strike might meanwhile have saved Ryan. He was originally booked to sail from Queenstown on the *Cymric*, a voyage cancelled for want of solid fuel.

(More about Ryan and the other Irish passengers can be found in [The Irish Aboard Titanic](#) by the present author.