

A

FULL AND PARTICULAR ACCOUNT

OF

ALL THE CIRCUMSTANCES ATTENDING

THE LOSS OF THE STEAMBOAT

LEXINGTON,

IN LONG-ISLAND SOUND,

ON THE NIGHT OF JANUARY 13, 1840;

As elicited in the evidences of the witnesses examined before the
Jury of Inquest, held in New-York immediately
after the lamentable event.

A portion of the profits of this work will be appropriated to the benefit of the
destitute families of those who were lost.

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“With noiseless tread Death comes on man;
No plea—no prayer delivers him;
From midst of Life’s unfinished plan,
With sudden hand it severs him;
And ready or not ready, no delay,
Forth to his Judge’s bar he must away.”

SCHULTZ.

PROVIDENCE:

H. H. BROWN AND A. H. STILLWELL.

1840.

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List of Passengers, &c. of the Lexington,

(As near as could be ascertained)

Capt. C. Hellara, only passenger saved.
 Mr. Isaac Davis, of Boston.
 Mr. John Corey, of Foxborough, Mass.
 Mr. Charles W. Woolsey, of Boston.
 Mr. John Brown, of Boston.
 Mr. J. Porter Felt, jun. of Salem.
 Mr. Abraham Howard, of Boston.
 Mr. H. C. Craig,* New-York.
 Capt. J. D. Carver, of Plymouth, Mass.
 Alphonso Mason, Esq. of Gloucester, Mass.
 Mr. Charles Brackett,* New-York.
 Capt. Benjamin F. Foster, of Providence.
 Mr. Robert Blake, of Wrentham, Mass.
 Mr. ——— Fowler, of New-York.
 Mr. William A. Greene,* of Providence.
 Mr. Samuel Henry, Manchester, Eng.
 Mr. R. W. Dow, of New-York.
 Mr. Charles H. Phelps, of Stonington.
 The widow of H. A. Winslow, N. York.
 Mr. John Winslow, of Providence.
 Mr. John L. Winslow, do. father of the above. Three last mentioned persons were returning to Providence with the corpse of Mr. H. A. Winslow, deceased.
 Rev. Dr. Follen, of Cambridge.
 Mr. Adolphus Harnden, superintendent of Harnden's express. He had in charge \$18,000 in specie and \$20,000 in bills.
 Mr. ——— White, of Boston.
 Mr. Pierce, Portland, mate of the Brantes.
 Capt. E. J. Kimball.*
 Mr. ——— Everett, of Boston.
 Mr. Royal T. Church, of Baltimore.
 Mr. Richard Pickett, of Newburyport.
 Capt. John G. Low, of Boston.
 Mr. Ballou, or Bullard, of N. York.
 Capt. Theophilus Smith, Dartmouth, Mass.
 Mr. Charles S. Noyes, N. York.
 Mr. Albert E. Harding, N. York.
 Mr. Wm. H. Hoyt, mail contractor.
 Mr. Henry J. Finn, Comedian, Boston.
 Mrs. Russell Jarvis, N. Y. & two children.
 Mr. John W. Kerle, Baltimore.
 Mr. ——— Weston, do.
 Mr. James G. Brown, N. Orleans.
 Mr. Walker, of Baltimore.
 Mr. Stephen Waterbury,* N. York.
 Mr. J. A. Leach,* Boston.
 Mr. E. B. Patten, N. York.
 Mr. N. F. Dyer, Pittsburg.
 Mr. Nathaniel Hobart, Boston.
 Mr. H. C. Bradford, Boston.
 Mr. Charles Lee, Barre, Mass.
 Mr. John Lemist, Roxbury, Mass.
 Mr. Jonathan Linfield, Stoughton, Mass.
 Mr. Philo Upton,* Egremont, Mass.
 Mr. Van Cott, Stonington, Conn.
 Mr. Stuyvesant, Boston or N. York.
 Capt. Mattison.
 Mr. Robert Williams, Cold Spring, N. Y.
 David M. Farlane, mate of brig Clarion.
 James Walker and John Gordon, seamen, of Cambridgeport.
 Mr. Wm. H. Wilson, of Williamsburg, I. I.
 Patrick McKenna, N. York.
 Mr. Charles Eberle, of the Theatre.
 Mr. Thomas James, of N. York.
 Mr. P. O. Swan, supposed to be a passenger.
 Capt. Smith, Dedham.
 Mr. Benjamin D. Holmes, Boston.
 Mr. Wm. Dexter, Boston.
 Mr. T. H. M. Lyon, Boston.
 Mr. James Ray, Kennebunk, Me.
 Mrs. Lydia Bates, her daughter Lydia C. Bates, and son James C. Bates,* Wife and children of Mr. James Bates, of N. Jersey.
 Miss Sophia T. Wheeler, Greenfield, Ms.
 W. G. Davenport, Middletown, Conn.
 Mr. George O. Swan, Columbus, Ohio.
 Mr. Wm. Cowen, N. York.
 Mr. John Martin and Gilbert Martin, father and son, lately from England.
 Mr. David Greene,* of Philadelphia.
 Mrs. Mary Russell, of Stonington. She had been married the day before.
 Thomas James, tailor, of N. York.
 Elias Brown, Jr. Providence.
 Wm. Price, Portland.
 Mr. Lawrence, N. Y.
 Charles Boswell, do.
 George Brown Smith, Brooklyn, L. I.
 Richard Pierpont, N. York.
 Mr. Phipps, or Philips, of New York.
 Mr. Carey, New York.
 Mr. Peck, Southington, Conn.
 Mr. Bosworth, Roylton, Vt.
 Mr. William H. Townsend, New York.
 Mr. Otis Eldridge, of Boston.
 Two children, names not given.
 John Brown, a colored man.
 William Nichols (colored) of Providence.
 Joshua Johnson, do.
 William Symes, a colored boy of N. Y.
OFFICERS, &c. OF THE BOAT.
 George Child, Captain.
 Mr. Jesse Comstock, Clerk.
 Edward Thurber, 1st Mate.
 David Crowley, 2d do. (saved.)
 Cortland Hemstead, Chief Engineer.
 William Quimby, 2d do.
 S. Manchester, Pilot, (saved.)
 Martin Johnson, wheelman.
 H. P. Newman, steward.
 R. B. Shultz, fireman.
 Benj. Cox, do.
 Charles Smith, do. (saved.)
 Charles Bow, do.
 Charles Williams, deck hand.
 Benj. Laden, do.
 C. Humber, do.
 Joel Lawrence, do.
 Silas Thurber,* do.
 Three others, do.
 Two wood passers.
 One boy, deck hand.
 Joseph Robinson, cook, colored.
 Oliver Harwell, 2d do.
 Robert Peters, do.
 Susan C. Holcomb, colored, chambermaid.
 Joel Sands, do. head waiter.
 Daniel Aldrich, do. waiter.
 G. Gilbert, do. do.
 King Cade, do. do.
 J. Roslin, do. do.
 John B. Tab, do. do.
 E. Parkson, do. do.
 John Masson, do. do.
 Sol. Ashons, do. do.
 Isaac Pitman, do. do.

*The bodies of these persons have been recovered.

LOSS OF THE LEXINGTON.

The 13th of January, 1840, is a day that will never be forgotten in this country—associated as it is with a calamity scarcely paralleled even in the mournful catalogue of steamboat disasters. And while we are called to drop the tear in memory of those who were summoned so suddenly from time to eternity—where man in his strength, decision and intelligence—with woman in her gentleness and loveliness—and childhood in its innocence—sunk together into the arms of death—we can only bow in humble acquiescence to His will, without whose permission not even a sparrow falleth to the ground. May the bereaved surviving friends be enabled to look to Him who doth not willingly afflict nor grieve the children of men, and thence find that consolation which the world cannot afford.

In presenting the following pages, it may be proper to state, that it was thought best, in giving a full account of the disaster, to copy entire the testimony produced before the Jury of Inquest, which was held in New-York immediately after the recovery of some of the bodies, as by this course, the fullest testimony is obtained, and the Transportation Company, who have been severely censured by some, have thus an opportunity, through the evidence of their officers, to be heard in their own behalf.—We copy from New-York papers of January 20 to 29.

THE INQUEST UPON THE BODIES.

The steamboat *Statesman*, which arrived on Saturday morning, from a cruise in the sound; near where the ill-fated *Lexington* was lost, had on board a large quantity of baggage, trunks, &c. and also the bodies of five individuals, which were found floating along the Long-Island shore. Of these bodies, one was that of Mr. Stephen Waterbury, of the firm of Mead & Waterbury, of this city, and another that of Mr. Philo Upson, of Egremont, Mass. The two were delivered up to their friends for interment. Of the three remaining bodies, they were removed to the dead house, Park, in charge of the coroner. One of them has since been recognized as that of Benj'n Laden; another that of Silas Thorburn, both deck hands on board of the *Lexington*; the other body is that of a boy about four years of age, and has not as yet been recognized. The bodies of the two former will be buried by the friends of the deceased, at the expense of the steamboat company, and the latter will for the present remain in the charge of the coroner, in order that if possible it may be recognized.

The coroner yesterday summoned twelve of our most intelligent citizens, for the purpose of investigating the causes which led to the death of the three persons whose bodies were in the dead-house.

The first witness called was—

Cornelius Vanderbilt, who being duly sworn, deposes and says, he was the owner of the *Lexington*, but has had no interest in her since December, 1838; she was launched in April, 1835—has built four or five and twenty steamboats. My instructions in building the *Lexington* were given from day to day—all my boats were thus built under my directions. The *L.* was built of first rate materials, chestnut, cedar, oak, yellow and white pine; she was fastened in what we thought the best manner—I think she had 50 per cent. more fastenings than any other boat—as an evidence of her strength, she has navigated the Sound four years, and never id aside for the weather. I had so much confidence

in her strength, that I always instructed my captains never to stop for foul weather, but if they could see to go ahead, to always go. I was on board of her when she was being repaired, about six weeks ago, and in looking over her I could not perceive a place about her started—she was sound. I did not go below, however, to look at the boilers. When I owned her we frequently burnt coal in her.

I don't recollect whether she ever took fire—it is so common a thing for a steamboat to take fire, that I cannot really remember about the Lexington. I own a boat which was on fire the other day—I think if there had not been a fire engine on board, she would not have been burnt. I judge of this from what Capt. Hillard told me—if they had thrown their water first, and not waited to get the engine ready, I think that the fire would have been put out. There were about four dozen fire buckets on board. I have not seen the boat since I was aboard of her when she was repairing. The Transportation Co. always keep their boats in as good order as any other in America. My brother, who was Captain, would never have gone in her if she had not been in first rate order. The owners generally consult their own convenience about the time employed in repairing, but I do not think but that she would have run all winter without farther repairs. Her shape is very peculiar; the deck is arched from stem to stern, and is built on the plan of Town's patent for bridges—was the first boat built in that manner—now all boats are built in that way. She has an outside coating for her smoke pipe—there was eight inches space, which was filled with steam, between the pipe and the coating. From the description I have heard of the fire, I should say it took from a spark below—it could not take from above. Of course, I only give my opinion—it may be wrong. The fire might have kindled from hemp around the machinery. From my knowledge of the boat, I should have thought her one of the best boats in New-York. I used often to burn coal in her when I was her owner. I never gave my men any different directions on these occasions. I did not consider it any more dangerous to burn coal than wood in her. Of course we had to alter her furnace. I should not consider it more dangerous to burn coal than wood in a steamboat like her. None of the wood work of the Lexington was exposed. The boiler was in her hold, and was about 18 inches from floor timber, and under it was a lining of bricks and cast iron pans filled with water. The wheelhouse was from 16 to 20 feet from front of boiler. I do not know what was used for tiller ropes; I always used rods and chains in her. The rudder head reached above the promenade deck; there was a place for a tiller, and a tiller always there when I owned her. The width from the wheel-house to the enclosure of the engine was 7 or 8 feet. My brother told me that, on one occasion, when she was going 15 or 16 miles an hour, she ran upon a bed of rocks, and took a piece out of her keel, and caused her to leak badly, but did not materially injure her. If she had been built of ordinary timber, she would surely have sunk on that occasion; the timbers were Jersey white oak; any other timber would have given way and she would have sunk.

Thomas E. Shaw being duly sworn, says he lives at 234 Rivington-street, and is a carman. Has seen the bodies now in the dead-house, and identifies one of them. His name was Benjamin Lader, a deck hand on board the Lexington. He was born in Albany or Schenectady, was 26 or 27 years of age, had no family, and lived on board the boat.

William Johnson being duly sworn, says that he lives at 55 Washington-street, near where the Lexington used to start from. I recognize two of the bodies now in the dead-house. One of them is that of Benjamin Laden, and the other that of Silas Thorburn, both deck hands. Both have been in the habit of coming into my store, and I have known them for two or three years.

Joseph Bishop being duly sworn, says he is a ship-carpenter, and one of the firm of Bishop & Simonson, of this city; we built the Lexington in the year 1835. She made her first trip in July of that year. We have no record of the time we launched her. Her floor timbers and futtocks were part oak and part chesnut; her floor timbers were 16 inches in width, and 6 inches in thickness; at amidships, they were about 6 inches apart; they would range from 6 to 16 inches; she was planked with oak; waist was pine. She was 205 feet from stem to stern post; breadth of beam 22 feet; she was butt bolted and fastened in the best manner; the butts were three quarters of an inch. There was a great quantity of iron screw bolts used, more than was ever put in a boat of the description, before or since, that I have heard of. Her deck was white pine, two and a half inches thick, and five inches in width. She was about 46 feet across from outside to outside her guards. Charles Simonson did the joiner work upon her. I put up her gallows frame. We built her for Capt. Cornelius Vanderbilt. His instructions were to make her as strong as possible. There was no written contract, no price agreed upon beforehand. The model was furnished in our office, and the instructions were to build the boat as strong as possible. We always considered her a very strong boat. She had three kelsons, and bilge kelson besides; they were about 14 inches square. About the chimney there was all the precaution against fire usual. We repaired her about two months ago. We mended her copper; there were some pieces of plank put in the waist, above her water mark. When she was taken off the dock, we considered her a strong, safe boat. Ceiling of the boat was yellow pine, two inches thick. She was not ceiled on the timbers. The clamps were made of yellow pine, four inches thick. Deck beams were 6 inches square; the beams attached to the engine were 14 inches square. I am somewhat acquainted with the other boats attached to this line—the Rhode-Island and Massachusetts; know the manner in which they are built; none of them are stronger than the Lexington was. Consider the L. was a perfectly safe, strong and sea-worthy boat. The iron work was done by Mr. Secor. I don't remember her precise tonnage—it was over 400 tons.

Elihu S. Bunker, sworn. Have for many years been commander of steamboats running on the Sound. I commanded the first boat that ever ran on the Sound. I am a steamboat inspector, appointed under the law of Congress. I inspected the Lexington on the 1st of October last. I am required to inspect the machinery of boats once and the hull twice per year. From the statement of Capt. Vanderbilt, she was built in 1835. I saw her several times on the railway; I considered her sound in every respect; I gave her a certificate of her good qualities. The purport of the certificate is that the boat is sound and sea-worthy in every respect.

The Massachusetts is the strongest one on the Sound, and perhaps the Lexington was the next strongest. I think it would require as strong a boat to run to New-Haven, as any distance on the Sound,

even to Providence. The boats running to New-Haven are not built so strong as those running to Providence. The Lexington was a very strong boat, though much narrower than the Massachusetts.

The change of fuel from wood to coal is not productive of additional danger; it is even less dangerous than wood; it requires less care to burn coal than wood in a boiler furnace; wood is more dangerous than coal, from the fact that sometimes in opening a furnace, an eddy from the fire will carry the light cinders among combustible materials. I have seen sparks fly out among the wood, frequently, on opening the furnace doors. In changing from wood to coal fuel, there is no material alteration in the fire apparatus required.

The Lexington was steered fore and aft with iron rods running under the promenade deck, until coming near enough to the wheel to turn the same, and also near enough to the rudder for it to turn. The rods ran within about 10 feet of each end. The remainder of the distance was made up of some kind of rope. I considered the steering apparatus fitted up according as the law required. She had a preventer or extra steering apparatus—a wheel and chain ast—which could be attached to the tiller in a moment. The steering apparatus fitted wholly in accordance with the intent and meaning of the law. My associate inspector is John Clarke. He is a blacksmith, and is acquainted with steamboat machinery. I saw the Lexington on the stocks before she was planked. I do not consider that the law prohibits the use of ropes for steering. I concur with the Hon. Mr. Webster in opinion, that the intent of the law is, that "rods or chains" shall be used instead of ropes, for the distance running past the boilers—that is, in case of fire from the furnace, the steering apparatus may not be burnt off.

On inspecting the boat, I did not bore her bottom or inspect her planking. I did inspect her fire room, and have done so repeatedly. I saw the Lexington when she left here last Monday. I did not notice her lading; I did not notice that she had any cotton on board. The manner in which she took fire is a mystery, and the more I reflect upon it the more I am in doubt. It is not possible, that, as coal was used, a spark from the furnace could have caught anything about the boiler. The steam chimney was about a foot above the promenade deck. This was cased with wood. It ran about a foot from the boiler. I have run boats on the Sound for 25 years. It was not a very uncommon thing for a boat to take fire about her ceiling. I think that had any one on board had presence of mind enough, with a bucket of water he might have put out the fire. I don't know where the Lexington's buckets were kept.

In case of a boat taking fire, I would not stop her engine unless I found the fire had got too far ahead to admit of its being extinguished. I should then stop her, in order to lower the boats and save the passengers. A suction pipe could not be effectually used by throwing it over the side. It must be passed through the boat's bottom from the inside. I knew Capt. Child; he has had a good deal of experience. I never saw any thing about him that would prevent my going in a boat with him.

The inquest was here adjourned.

SECOND DAY'S PROCEEDINGS.

Capt. William Comstock, examined. Resides at 234 East Broadway—is 53 years old, and general agent and superintendent of the

New-Jersey Steam Navigation and Transportation Company, formerly called the Boston and New York Transportation Company—charter obtained from the New Jersey Legislature last year. Knows most of the stockholders; the stock book is at the office of the Company. C. O. Handy is the name of the President—the Directors are, Charles H. Russell, E. Townsend, Moses H. Grinnell, Charles O. Handy, and Moses B. Ives, (Providence.) I am principal superintendent of boats. There are some records on the Company's books relative to the orders to me, but I receive no orders relative to the boats. When there is to be an expenditure of money, I consult them, but not for small sums. There is one resolution that not more than \$1000 shall be expended on any one boat, without the special resolution of the Board of Directors being passed to authorize it. The Company have now five boats on the line, viz. the Massachusetts, Rhode-Island, Narragansett, Providence, and Mohegan. They run from New York, Stonington, Newport and Providence. I was employed by the Company from the time of the organization of the Company. Took charge of the Fulton in 1823—was in the different Companies since that time, but on the same rout. Have built and run several boats, among others the Mohegan.

Robert Schuyler, the then President, purchased the Lexington for \$50,000, and it cost ten more, or about \$72,000, before her first trip for our company. Can't say whether part of this money was paid to induce Capt. Vanderbilt to take his boat off that station; such a boat as the Lexington was worth 60,000. She had not been running in opposition to us at the time we bought her, but when first she came on the line she ran in opposition to us; does not recollect to have expressed any opinion as to the Lexington's strength when the company was going to purchase her. I was not asked to examine the boat prior to her being purchased. I was never on board of her until after her boiler was in, when she was a new boat, and I did not then examine her particularly; the Massachusetts was going to be built, and I went on board the Lexington to see if there was any thing in her build which might improve our boat. When I then saw the boat, the plan was new, combining strength and lightness, but I did not adopt the plan in the Massachusetts. I did not like the shape of the deck, but I thought her a strong boat; she had no more keelson than any boat I had seen. The Lexington first run for our company about the last of March. Adam Hall has a drawing of her boiler. Before putting her on her winter route, I had her completely overhauled. Capt. Jacob Vanderbilt superintended her for me. Had her on the marine railway, examined her bottom; found her keel roughed in one or two places, had a new piece put in, 16 to 18 feet long—none of her plank started. Had some new plank put in, and some new brazier's copper put on forward, wherever she came in contact with the ice, near her water line. Considered her, on the whole, perfectly competent to contend against the elements, in the winter, on the Sound, better than some of the boats they had. She had a more powerful engine, and we could depend upon her better than any other boat. Ran an opposition in 1837 for five or six months. I commanded the Massachusetts at that time.—The opinion of the company and others, was, that she was the fastest and surest boat that ran through the Sound. The Massachusetts, I think the best boat that was ever built in North America. She was built by Brown & Bell, of live oak and cedar, and cost \$110,000.—The company paid 71,000; the boat was worth at least, when bought,

full 45,000. Bought the boat to make peace; examined the engine after the purchase; went through the boat, took an inventory of every thing on board of her; found the engine wanting repairs in several particulars, which were made. The boiler was repaired at an expense of \$4,800, by Secor & Co.; entirely new flues were put in the boiler, which is of Pennsylvania iron; there was a new fire engine, with 60 feet of hose, in addition to the other, put on board perfectly fit for use; the engine was strong for its power, and never gave out in four years. One half of the business of the boat is to take freight; they advertise for freight and passengers. The only alteration made for burning coal was, that the grate bars were raised up 18 inches, the flues contracted, and the insides of the furnaces were filled up with fire brick and iron pans, that always had water in them, and the whole width of the boiler at the after end was filled up with brick and iron.

Thought we should lessen the danger 50 per cent. by burning coal instead of wood. Had several consultations about burning coal, and it was the general opinion, the danger would be greatly reduced.—Never saw any artificial or return draft when the doors were opened. There is a regular damper in the chimney: on the top of the boiler I had placed a coating of zinc, and thought the boat more secure than any one in New York.

The statements of Captains Bunker and Vanderbilt, as to the steam chimney, and the aperture of 9 inches steam around the chimney, were perfectly correct. Took extraordinary precautions against fire, as I had had boats on fire two or three times while I commanded.—There were six stoves on board the boat, burning coal generally—the cooking apparatus are chiefly supplied with wood. I had the Washington set on fire by a passenger with a lamp, when I commanded her, by upsetting it—passengers all use lamps. Had several consultations as to the best means of getting clear of the cinders, instead of passing them up on the deck, to obviate this, and for greater safety, we put a pipe 16 inches in diameter, passing through the bottom of the boat into the water, with a tunnel top, into which the cinders were poured, and thus passed down into the water.

We generally burn from 10 to 12 tons of anthracite coal in going hence to Stonington, and from 2 to 3 cords of wood. She has ever averaged from 8 to 12 inches of steam, which would carry her from 12 to fourteen miles an hour. The boat had two separate steering gears, with other apparatus, both connecting with the rudder at different places. She had iron rods extending fore and aft, along the promenade deck. This was the one they usually steered with. They had rods as far as they could, passing the boiler about 14 feet, and then cords made of rawhide ropes, chains might be substituted, but could not be trusted, as they would be likely to snap, particularly if there was any frost in them; a chain would be very apt to ride and kink, and we should then be likely to go ashore—considered the hide ropes much better and safer than chain. The other steering apparatus, tiller running through, and chain running outside of the promenade deck, and across the deck, the whole of it visible, so that the person at the wheel would have the means of steering safely until the fire should reach him. Witness was in the act of going himself, and had his baggage on board, but other business called him, and he remained. Witness has the general superintendence of loading the boat—the loading all being on the main deck which is covered with the promenade deck to protect it from the sparks. The goods are carefully stowed away to the best advantage.

Have never seen any thing stowed nearer than 3 or 4 feet of the casing of the steam chimney, though I should apprehend no danger if it was stowed against it. The space between the wheelhouse and covering of the engine is about 6 or 7 feet; in this they stow freight and passengers' baggage, leaving a free passage way. There was room in the passage way the last trip for two men to pass. There was no cotton stowed near the engine when she left. The fire engine was forward of the bulk head, and the hose hung over it. The engine was a new one with sixty feet of new hose, and all in perfect order. Spoke to the mate 15 or 20 minutes before he started, and asked if the engine and hose were all in good order; he said yes, and that he could rig it in one or two minutes for use. It was a portable engine and nothing to prevent their using it at any moment. The water must be obtained through suction hose, which must be thrown overboard. Could not throw over the hose to obtain water if the boat was going even so fast as four miles an hour. The first thing they should have done was for them to stop the engine when they heard the cry of fire. There would have been no difficulty in passing the hose to the ladies' cabin, in the event of fire, considering the way the boat was headed. There were pump hose within thirty feet of the ladies' cabin that might have been fitted instantly, besides other fire apparatus. She had on board when she went away the last trip, from 24 to 36 buckets—thinks the latter number. Orders of witness was to have these buckets all filled with water ready for use in case of fire. The buckets could be instantly filled from a forcing pump on board. Considered her as well prepared against fire as any boat could be.—Had two quarter boats about 22 feet long, both in excellent order, besides a life boat at least 24 feet long, and capable of saving 40 persons—the builder said 60 persons. The boats were hanging on the quarter. The life boat was forward, near the wheel house on the promenade deck, which was covered with painted canvass. The boats were sufficient, if properly managed, to have saved all the passengers. Knew Capt. Childs 20 years—been with us four years. Had perfect confidence in him. Never saw Capt. C. in any great scenes of danger, but have in his ordinary business. He commanded a vessel for me from Providence hither for several years, and had not a cent of insurance on her. He was well acquainted with the Sound, and an excellent pilot. On hearing of the accident, the Directors who were in the city met, and at the instance of the witness, orders were given to get a steamboat with every necessary apparatus, &c., on board to rescue the sufferers, and to save any who may be found alive. Employed steamer Statesman, and sent his nephew, Joseph J. Comstock, to go and use every exertion to save persons, property, &c. She went, and returned on Saturday morning, at 8 or 9 o'clock—had on board the life boat, five bodies, and a number of packages and trunks. The Lexington was on fire three or four weeks ago, when she lay at the wharf, on the main deck, in boxes in which holes were burnt.—Did not pay the insurance on these goods—one bucket of water put out the fire—that was the only fire that I recollect. I am a stockholder in that Company, and a pretty large one, without a dollar of insurance. There was no marine insurance on the boat, and not more than \$10,000 fire insurance on that or any one of the boats. I represent \$4500 of stock. I think that the boat lies about four miles north of Old Field Light, near Long Island. It is good anchoring ground—had two chain cables, one 75 fathoms and the other about 40, but I

think it would have been the height of folly to have cast anchor there. Cannot satisfy my mind what was the cause of the fire, though I have reflected much upon it, whether it was from a lamp or flue, or what, cannot tell. Capt. Hillard, when he came out of the cabin, said the fire was near the flue. Never has applied for a marine risk on any of the boats, the stockholders being willing to run the risk, as the boats were good. Knows of no application to obtain a marine insurance. Goods are insured on more reasonable terms by 50 per cent. on our boats, than on board sailing vessels running the same route.

THIRD DAY.

Captain Joseph J. Comstock—being duly sworn, deposes that he is, 27 years old, was born in Providence, R. I. and lives there now; I have commanded the steamboat Massachusetts this last three years, and am now captain of that boat. During this time I have commanded several other boats belonging to the company; was here yesterday about three quarters of the time during the examination of Captain Comstock, the agent of the company, who is an uncle of mine; his testimony so far as it went in regard to our orders was true. I know nothing in regard to his orders from the company; nothing in regard to the manner in which the Lexington was loaded on her last trip. I first heard of the accident on Wednesday, by a bar keeper, who had formerly been with me; he said such was the report; upon that intelligence I repaired immediately to the company's office, 22 Broadway; a passenger from the steamboat Nimrod was there; he said that the steamboat Lexington was burned on the Sound, and that three persons only were saved alive. I don't know the man's name. At the time there were in the office the president and agent of the company. I was requested by the agent to remain, as they were consulting what was best to be done.

They concluded to send a boat to the scene of the disaster as soon as possible, and requested me to go in the boat. Arrangements were made to start next morning at 8 o'clock, as no boat could be procured sooner. The steamer Statesman, Captain Peck, was procured. The expedition I considered under my command. I directed all preparations accordingly. Under the orders of the agent, I provided her with a suitable number of men and every thing necessary for the expedition. She had 13 or 14 men, all told—her usual number of hands is 5 or 6. I saw that she was provided with a good boat and oars, sufficient to do all that could be done. The steamer was otherwise well fitted in every respect. We left at 8 o'clock on Thursday morning. We encountered great difficulty in getting through the ice as far as Sand's Point, having spoken every vessel between here and the Point, endeavoring to learn the position of the wreck. We then searched the shore, as closely as we could, not landing from the steamer, keeping at the same time a good look out, from the highest part of the boat, upon the water.—We first landed at Eaton's Neck, 45 miles from New York. Here we could only get information that a vessel of some description had been burnt on Monday night. She was when first discovered by them N. E. by E. six or eight miles distant. For 12 hours after they discovered the vessel on fire the wind was south and west.

We landed at Eaton's Neck, twenty minutes before twelve, on Thursday. I was confident from the information, that nothing could have come ashore here from the wreck, we therefore continued on as far as Old Field Point light, sixteen miles farther east, where I landed with four men beside myself. Previous to landing, I saw several men upon the beach in the vicinity of the point; they, however, left the beach before we landed. The first thing on landing, I saw the body of Philo Upson—it had been drawn upon the beach and was covered with cotton bagging or some sort of canvass. I knew him from a memorandum book which was lying upon his cap, beneath his arm. Inside the book there was nothing intelligible, but on the outside was his address in very legible characters. His countenance was very well preserved and he had on a life preserver. He was dressed in a black body coat and black pantaloons. He had a handkerchief around his body, to which was attached a four inch manilla rope. My reason for measuring the rope was, that I afterwards found a baggage crate with a rope of corresponding description. Nothing about the body indicated that it had been meddled with. We learned that the body had been picked up by the keeper of the light-house at Old Field Point, and his assistants. He told me that he found the body at daylight in the morning in the water at high water mark. It was on Thursday morning that he found it. They had previously sent for a coroner. The coroner did not come and no inquest was held upon the body in that county. I left a man ashore to take charge of the body, and had it conveyed to a barn at the light-house.

All the information I could procure was, that a vessel, supposed to be a steamboat, was seen on fire on Monday night at half past 7 o'clock, bearing W. N. W. The last that was seen of her was between 2 and 3 o'clock in the morning, bearing N. by a little westerly. They knew of no effort that had been made to assist the people on board the boat. It was then coming on night, and I left for a harbor and ran into Bridgeport, leaving a man on shore to make farther inquiries. Another object of my going to Bridgeport was to get news to New York, in order to relieve the anxiety existing here, and I also wished to have plenty of wood on board, though I had then enough to last for three days.

From Bridgeport, I went by land to Southport, 6 miles distant, to see Capt. Manchester.

I left orders with Capt. Peck, to get on board supplies of water, &c, for a three days cruise. I saw Capt. Manchester at Southport. I have known him for ten years. He was the pilot of the Lexington. He informed me that on his first hearing the alarm of fire, he being then at the wheel on the forward extremity of the promenade deck, he opened the wheel-house door and looked out. He saw no fire nor any thing to indicate fire. He stepped out some 12 or 16 feet to a small scuttle in the deck, which looked directly down to the fire room. All that he could see was a little fire; his view was, however, almost entirely obscured by a dense smoke. He stepped immediately back to the wheel-house and hauled the boat's head for the land of Long Island. While in the act of doing this, Capt. Child

came also to the wheel-house and ordered him to haul the boat in for the land. He replied, "I'm doing so." The captain then laid hold of the wheel to assist him. There was also at this time another man at the wheel. Captain Child said nothing to him about the fire at the time, but only said, "Haul her in for the land." The captain came to him very precipitately, and seemed to be out of breath.

Capt. M. said, that when Capt. Childs came up, himself and another man had hold of the wheel, and that Capt. Child taking hold with them, they carried the wheel over so hard, that they carried away *something*. What was carried away, he could not or did not say. By this time the fire and smoke came up from beneath the promenade deck into the wheel-house with such violence, that they were compelled to relinquish their posts. He did not say what time elapsed between the alarm of fire, and the time when they left the wheel. From his manner of speaking, I consider but little time could have elapsed. After this he saw nothing of the captain. Captain Manchester began immediately to clear away the life boat, which was lashed on the larboard side of the promenade deck, near the wheel-house. Having cleared the lashings away, he procured a rope and secured it to the bows of the boat, ordered it to be hauled taut and made fast forward to keep it clear of the wheel. This was as he supposed, done. He then hove his pea jacket and coat into the boat, and threw her overboard. In this he was assisted, but by whom he did not know.

The steamer was at this time under way, and the life boat was taken under the wheel. He thinks that the rope parted or that it had not been made fast upon the forecastle. He knew when he threw the life boat overboard that the quarter boats had been lowered away and lost. He was also of opinion that the life boat having run under the wheel was lost, unless to some one who had previously got overboard, who might possibly have got into her. When he hove her overboard he saw that the fire was already taking hold of her aft. This I afterwards found to be the case when I recovered her, as she was scorched considerably aft. He then went upon the forecastle, and saw that for smoke and fire he could not get under the promenade deck. He supposes that at this time there were with him on the forecastle twenty-five or thirty people, among whom he gave the name of Mr. Hoyt, Mr. Van Cott, William Nichols, a colored man, and several others, whom I do not recollect.

Among the number, he said, were several of the firemen and waiters. He saw that the boat must inevitably burn up, and that no means could save her. I think he said he advised to open the baggage crates, throw out the baggage and make a raft of the crates. This was partially done. The baggage was thrown overboard, and the crates were entirely emptied and thrown overboard. They were run out of the forecastle gangway. The persons who were with him acted very coolly, and made efforts to fasten them together.—These efforts proved of no avail, as the "crates came all sides up at once," and nothing could be done with them. He said nothing of an attempt to get at the steering apparatus aft. He said that on

the main deck all communication aft was cut off by the fire, and I think that he said that the fire was also spreading upon the promenade deck.

While endeavoring to lash the crates, the fore-castle deck became very hot from the fire beneath, and some of the persons were employed in throwing water upon it to keep it cool. The only article they could procure with which to bail water was some specie boxes which they had opened, and thrown the specie overboard. His attempt to get under the promenade deck from the fore-castle, was made to get at the buckets. I think that the buckets must have been used previous to Capt. Child coming to the wheel house, as the buckets were in so convenient a position, that any person could get hold of them. The water used in cooling the deck was got from the hand pump. Seeing that the crates were of no use, they then knocked off the bulwarks and endeavored to make of them a raft, the fire all the while driving them forward, inch by inch. In consequence, they could not make a sufficient raft to hold the persons who were there.

They were compelled to leave and get over until driven clear forward to the night head—the flames then rushing from the fore-castle in a column 10 feet in height. Capt. M. then left the boat, and endeavored to get on whatever came in his way. He got upon some stage or other—he thinks the same they had been forming into a raft. From this he got on a bale of cotton, on which there was already another man. Another person jumped from the boat on the bale of cotton, which knocked Mr. Manchester's first companion off. Manchester hauled this man back again, there being then three persons on the bale. Manchester said that he left the bale, (he did not say what time,) and got upon a piece of the guard. Beyond this Mr. Manchester gave me no particulars relative to the fate of the boat or any one on board, excepting that the wreck sunk about three o'clock in the morning by his watch, which he took out and looked at by the light of the moon. He had a piece of plank from the bulwark, which he used as a paddle by way of exercise. He remained upon the guard until toward noon the next day, when he was taken off by a sloop. On seeing the sloop he put his handkerchief upon the piece of plank and raising it as a signal of distress, he clasped his arms around the plank and remained. Before the sloop reached him he fell over on his face and became insensible, and so remained until after he was taken on board the sloop.

I returned to Bridgeport, and wrote an account of my progress and my interview with Manchester, to the agent of the company. My letters did not reach here until 24 hours after due time. I enclosed the letters to Capt. Brooks of the Nimrod, to be delivered immediately after his arrival in New York. The letters I gave in charge of the hotel keeper where I stayed in Bridgeport.

At 3 o'clock on Friday morning I went on board the Statesman, and we went off, and at day break we landed again at Old Field Point. It was at this time intensely cold, the thermometer varying from 3 to 4 degrees below zero. We had augmented our numbers

at this time to six additional, consisting of persons who volunteered to assist us, all of whom had friends on board the Lexington. These persons were Henry Ide, James M'Kenna, W. A. Beecher, T. Donnelly, B. A. Hoffman, all of New York, and at Old Field Point we were joined by Mr. Samuel Yeaton, of New York. At the point I now left six men to look out for luggage, as I had heard that a number of trunks and packages had come ashore in the neighborhood. During the night, and a little to the westward of the point, the body of a child about 4 years old had drifted ashore.

The body of the child was found by William Kennedy, the man whom I first left ashore; it was found lying at highwater mark, with no part of the wreck near it. At 8 o'clock A. M. I left in the steamer for the Eastward. Every part of the bank was carefully explored as we progressed, and traced the shore around the bay. I left persons ashore at different points and inquired at all the houses for information relative to property saved from the wreck. After running 7 miles East I learned that three bodies had been found; I understood that they were found in the quarter boat; I sent some men to remove the bodies from the boat, but they had been removed before the men arrived, and taken to a wheelwright's shop, where I found them; I don't recollect the name of the person who first found the bodies. I had the bodies sent to Old Field Point; I here learned that 18 miles farther East a man had got ashore alive.

I then proceeded to explore the beach the entire distance of the 18 miles, until I came to where the man was. During this distance we found numerous portions of the wreck, among which was one piece on which was the entire word *Lexington*, in letters two feet in height. The man came ashore at Fresh Pond landing, just previous to reaching which place I was obliged to go on board of the boat, owing to the large quantities of drift ice, and shoal water and rocky bottom, which abounded. We reached Fresh Pond landing at 4 o'clock on Friday afternoon. Here, in consequence of the ice on the beach, we could not get on shore. We made signals, and drew to the beach some six or eight people, and forced the steamer through the drift ice near enough to hold conversation with those on shore.

From these people we learned that David Crowley, second mate of the Lexington, had come ashore at 9 o'clock on Wednesday night. He stated to these people that he had been forty-eight hours upon the bale of cotton, and had crawled several rods upon the beach through the ice, and after getting ashore he walked three quarters of a mile to the nearest house. They said that his feet and legs were badly frozen. He was bare headed and in his shirt sleeves. He supposed himself to be the only one saved from the wreck. I gave instructions to leave nothing undone to render his situation as comfortable as possible, and to procure for him all medical or other aid that might be necessary. They said he was in the best of hands, and that he was in want of nothing for his comfort.

I also authorized them to search for other persons or property, and to take every care of the same, should any be discovered—and also to take charge and care of any bodies which might come ashore, and to give information of the same to the New York papers.

We then left on our return to Old Field Point, to take on board and bring to New York the bodies and property which were there, having left information at all the places where we had stopped, that a reward would be given for any bodies discovered, and offering also a reward of five hundred dollars for the detection of any persons committing depredations upon the bodies or property which might come ashore from the wreck. I was authorized to do this by the company. I was compelled to relinquish the expedition on account of the severity of the weather, and of the sudden accumulation of ice, which rendered farther efforts useless.

On returning to the light-house, we took on board all the baggage which had been collected by the men in my absence, five bodies and the life boat, which latter was found about two miles to the Westward of the light-house, with the coats therein, as described by Manchester. With all on board, we started for New York about 6 o'clock on Friday evening. In consequence of the ice we were 15 hours in reaching New York, and arrived at 9 o'clock on Saturday morning.

The bodies brought up were those of Mr. Waterbury, Mr. Upson, the child, and of two men unknown, which had the appearance of being those of two of the boat hands.

I was acquainted with the Lexington. She was a good boat, and by many considered one of the best boats running on the Sound.

I was acquainted with Captain Child, and think he was every way qualified for the duties of his office. My brother was clerk of the Lexington.

We carry a great deal of freight on board the Massachusetts.

We as masters of the company's boats, have general instructions to leave nothing undone, without regard to expense, to render every thing as safe as possible, particularly as relates to danger from fire. The Massachusetts has on board a fire engine, which is a patent rotary pump; she has on board about two hundred feet of hose.—The Massachusetts once took fire on the top of the boiler, conveyed by a spark from the flue. We burn wood altogether on board the Massachusetts.

I never heard of the Lexington being on fire till since this accident, since when I have heard of it fifty times. I first heard it stated by my uncle when he was on the stand yesterday. I was informed by Mr. Samuel Yeaton, mate of the ship Helirum, that Capt. William Tirrell, of the sloop Improvement, of Brookhaven, stated to him that at the time the fire broke out on board of the Lexington, (about half past 7 o'clock in the evening,) he was sailing past in the Sound on board of his sloop—he was then about six miles distant. He gave as a reason for not going to the relief of the Lexington, that as she had life boats on board, and being near the shore, the passengers might in all probability get ashore. Another reason given by him was, that if he delayed, he should lose his tide over the bar.* He could probably not have reached the wreck in less than an hour's

* A card signed by Mr. Charles Porter, of No. 147, Maiden Lane, another signed by Henry Rogers, a passenger, and a third signed by the crew of the sloop Improvement, Capt. Tirrell, appear in *Monday's Courier*, fully exculpating Capt. Tirrell from the odium which has been cast upon him on account of not repairing to the assistance of the victims long from the Lexington. At the time the light was seen the Improvement was 10 or 12 miles from the Lexington, and she was dead ahead; and the light was seen by them but a few minutes, when it disappeared.

time. He might then probably have saved many on board excepting those who were lost in the quarter boats.

The boats of the company are better fitted and provided, and better guarded against fire than any others in America.

I was acquainted with the engineer of the Lexington. I was not acquainted with the former engineer. I don't know why he left the boat; but have heard Captain Vanderbilt say that he was discharged on account of his not being acquainted with the burning of coal. It was Jacob Vanderbilt who gave me this information. It was while the boat was undergoing repairs, that I made the inquiry. He had previously been on board the boat for several years. I have been on board of the Lexington several times since the fuel has been changed from wood to coal; and have made one passage in her with my family.

[Signed]

JOSEPH J. COMSTOCK.

The following letter was received by the coroner, pending the examination of the last witness:—

New York, Jan. 21st, 1840.

I. B. Wheeler, Esq.

Dear Sir—You will confer a particular favor by correcting my statement given yesterday, respecting the Lexington.

1st. The repairs on boilers and engine was over \$5000 last winter. 2d. The flue was repaired, and not new. 3d. I am not positive as to the exact height of the steam chimney. 4th. There was \$20,000 fire insurance, instead of \$10,000. 5th. The fire on board the Lexington four weeks since, was discovered under two boxes of goods, after her arrival at the wharf from Stonington. 6th. The damage claimed by the owner was thirteen dollars. Not admitted.

Respectfully Yours,

WILLIAM COMSTOCK.

David Crowley's Statement.

It will be recollected that Mr. Crowley, the 2d mate of the Lexington, after drifting about fifty miles on a bale of cotton, got ashore on Long Island, not far from River Head. The Sag Harbor Coroner of Saturday, gives us the following particulars:—

Mr. Southgate, who returned to this place from River Head on Thursday evening last, has obligingly favored us with the following particulars:—

It appears from Crowley's account, that the boat was first discovered to be on fire off Huntington, at about 7 o'clock on Monday evening last; that he soon took to a plank, but shortly left it for a bale of cotton, on which he drifted until Wednesday evening, when he landed at New Gulley, opposite River Head, and made his way to the house of Matthias Hutchinson; having drifted in that time somewhere about fifty miles, and absolutely *sleeping* at times.

Crowley further states, that the life boat and another were lowered from the Lexington, but were so crowded, that he presumes they swamped before reaching the shore. That on discovering the fire, the Lexington was immediately headed for Long Island, and after running a short time was seen to alter her course, as being evidently unmanageable, and drifted down the Sound; that he often saw the

blaze shooting up from her in columns, lighting the whole Sound, and then dying away in darkness.

From another source we have the following addition to this sombre account. The boat was seen *on fire*, drifting past Stoney Brook, about mid-way of the Sound, and a small boat went off, but returned after going a mile or two, it being too rough to venture farther. The Lexington was seen until shut in by Crane Neck Point—and seen no more! That the life boat belonging to the Lexington, came on shore at Setauket, with her letter bag, which was forwarded by the postmaster at that place to the New York post office.

From her drift, and the place where last seen, she must have been drifting directly for the *light boat* on the Middle Ground, and could not have been more than two or three miles from it when last discerned by her blaze, showing her solitary and sable pipes, standing as monuments over some mighty moving catacomb of death.

FOURTH DAY

As the investigation progresses, the interest increases. The courtroom throughout yesterday was crowded to excess by an anxious auditory.

The testimony taken yesterday will be read with much interest, consisting wholly of the statement of Capt. Chester Hillard, one of the individuals saved from the wreck.

We give below entire the testimony* correctly copied from the official records of the Coroner. The Coroner yesterday, previous to the commencement of the examination of witnesses addressed the jury, and stated that among individuals, and even a portion of the city press, some dissatisfaction had been expressed in relation to the course he had pursued in the investigation, inasmuch as the witnesses as yet examined had been persons connected with or in the interest of the steamboat company. He, however, assured the jury, and wished the public to understand, that it was his fixed determination to examine minutely into all the facts and circumstances of the case; and though the witnesses first examined were those connected with the company, the fact of their having been first called would in no wise operate as a bar to the introduction of adverse testimony; and that whatever facts might be in possession of the witnesses yet to be called, (of whom there are a large number) though tending to the blame and censure of the company, he should spare no effort to bring such facts to light, fall the odium where it might, by the evidence elicited.

Capt. Chester Hillard, sworn. I was born in Norwich, Con. I have followed the sea latterly, for about six years: I am 24 years old. I left Norwich eight years since, and have since made my home at Port Ann, N. Y. I went there to learn the woollen manufacturing, where I remained two years. I then went to sea with Capt. Wm. Stout, in the ship *McClellan*, now belonging to New Orleans; the ship then belonged to Messrs. Howland & Aspinwall. I have only been in the employ of Messrs. Howland, and E. K. Collins, at sea. I first went before the mast as a raw hand; I went five voyages before the mast, which took me in all about three years; I then

went as 2d mate of the ship Sheridan, Capt. Russel, to Liverpool, one voyage. I then went 2d mate of the ship Mississippi, Capt. Davis, to New-Orleans and Liverpool; I then went as chief mate of the same vessel, one voyage, and on the second voyage to N. Orleans in the same ship, under Capt. Beebee. Capt. B. died at New-Orleans, and I brought the ship home. I then made a voyage as master of the Mississippi to New-Orleans and arrived here four weeks ago next Saturday. I took passage on board the Lexington on last Monday week, to go to Stonington on my way to Norwich.

I have no family; I have three brothers and two sisters, two half brothers and one half sister; my parents are both dead; my father was a seafaring man.

I went on board the Lexington at 3 o'clock, P. M. I don't know the number of passengers she had on board; I estimated from the number at the table, that there were 150 passengers; but I have since been induced to believe, that the estimate was too large. I paid no particular attention to the lading of the freight on board. I think the greatest proportion of the freight consisted of cotton; it was stowed under the promenade deck. There might have been boxes of goods on board, but I did not notice.

Between the wheel-house and engine, there was sufficient space for a person to pass; whether more than sufficient for one person or not, I cannot say. There was a tier of cotton bales stowed in the passage—I think on the side next to the wheel-house. I went into the fore-castle. I think there were over the fore-castle three or four baggage cars. The life-boat was on the starboard side of the promenade deck, forward of the wheel-house. I took no notice of the boat, until I saw persons endeavoring to clear her away. She was covered with canvass. I also saw the two quarter boats lowered away, after the fire broke out, but did not notice them before.

We took supper about 6 o'clock. There were two tables set, I should think more than one half the length of the cabin. These tables were filled, and some of the passengers were compelled to wait for the second table. The boat ran perhaps 12 to 14 knots per hour. I think that we must have taken supper somewhat before 6 o'clock. I think that the supper occupied from half to three quarters of an hour. I don't know Captain Child, and cannot say whether he was at the table or not.

It was about an hour after supper that I heard the alarm of fire. I was then on the point of turning in. I had my coat and boots off. I think my berth was No. 45 or 49, the third length aft from the companion way, and very near it on the starboard side. I did not at the time apprehend any thing serious. I slipped on my coat and boots and went on deck. I put on my hat and took my overcoat on my arm. When I got on deck I discovered the casing of the smoke pipe on fire, and I think a part of the promenade deck was also on fire. There was a great rush of the passengers, and much confusion, so that I could not notice particularly. The after part of the casing was burning, and the fire was making aft. I thought at the time that the fire might be subdued. I saw the fire below the promenade deck. I did not notice whether there was any fire below the main deck. I was aft at the time, and could not, therefore, see distinctly. I was never before on board the Lexington, and know nothing of the construction of the smoke pipe.

I saw nothing of the commander, but from what I could hear of the crew forward, I supposed they were at work trying to rig the fire engine; I saw no buckets used, and think they were not made use of; I saw fire buckets on board, but can't say how many; I think the fire engine was not got to work, as I saw nothing of it. I shortly after went on the promenade deck; previ-

only my attention had been directed to the passengers who were rushing into the quarter boats, and when I went on the quarter deck the boats were both filled. They seemed to be stupidly determined to destroy themselves, as well as the boats which were their only means of safety. I went to the starboard boat, which they were lowering away; they lowered it until she took the water, and then I saw some one cut away the forward tackle fall; it was at all events disengaged, and no one at the time could have unhooked the fall; the boat instantly filled with water, there being at the time some twenty persons in her; the boat passed immediately astern, entirely clear. I then went to the other side; the other boat was cleared away and lowered in the same manner as the other, full of passengers. This boat fell astern entirely disengaged, as the other had done; she fell away before she had entirely filled with water.

By this time the fire had got to going so that I pretty much made my mind up "it was a case." I thought that the best thing that could be done was to run the boat ashore, and for this purpose went to the wheel-house to look for Capt. Child, expecting to find him there. I found Capt. Child there. I advised him to run for the shore. The Captain replied that she was already headed for the land. The fire by this time began to come up around the promenade deck, and the wheel-house was completely filled with smoke. There were two or three on the promenade deck near the wheel-house, and their attention was turned to the life boat. I was at this time apprehensive that the promenade deck would fall through. The life boat was cleared away. I assisted stripping off the canvass, but I had no notion of going in her, as I made my mind up that if they got her down on to the main deck, they would serve her as they had done the others. The steamer was then under head way. They cleared her away and I think launched her over the side. Before I left the promenade deck I thought it was time for me to leave; however, as the fire was bursting up through the deck, I then went aft and down on to the main deck. They were then at work with the hose, but whether by the aid of the engine, or not, I cannot say. I did not know at the time that there was a force pump on board.

The smoke was so dense that I could not see distinctly what they were about. I think that the communication with the fore part of the boat was by that time cut off. Up to this time, from the first hearing of the alarm, perhaps 20 minutes had elapsed. The engine had now been stopped about 5 minutes. I then recommended to the few deck hands and passengers who remained, to throw the cotton overboard. This was done, myself lending my aid. I told the passengers that they must do something for themselves, and the best thing they could do was to take to the cotton.— There were perhaps ten or a dozen bales thrown overboard, which was pretty much all there was on the larboard side which had not taken fire. I then cut off a piece of line, perhaps four or five fathoms, and with it spanned a bale of cotton, which I believe was the last one not on fire. It was a very snug square bale. It was about four feet long and three feet wide, and a foot and a half thick. Aided by one of the firemen, I put the bale up on the rail, round which we took a turn, slipped the bale down below the guard, when we both got on to it. We got on to the bale before we lowered it. The boat then lay broad side to the wind and we were under the lee of the boat, on the larboard side. We placed ourselves one on each end of the bale, facing each other. With our weight on the bale it remained about one third out of the water. The wind was pretty fresh, and we drifted at the rate of about a knot and a half. We did not lash ourselves to the bale, but coiled the rope up and laid it on the bale. My companion did not like the idea of leaving the boat immediately, but wished to hold on to the guards. I determined to get out of the way, believing that to remain there much longer it would become pretty hot quarters. We accordingly shoved the bale round the stern. The moment we had reached the stern, we left the boat and drifted away about a knot and a half. This was just 8 o'clock by my watch, which I took out and looked at.

As we left the wreck I picked up a piece of board, which I used as a paddle or rudder, with which to keep the bale 'ad to the sea.'

At the time we left the boat there were but few persons remaining on board. I saw one lady. The ladies' cabin was then all on fire. The reason why I noticed the lady was, that her child had got overboard and was then about two rods from her. We passed by the child so near that I could put my hand on to it as it lay on its back. The lady saw us approaching the child and cried out for us to save it. We then drifted away from the boat, and in ten minutes more we could see no persons on board except those on the fore-castle. I should think the child was a female from its dress. I think it had on a bonnet. The child was dead when we passed it. I don't recollect how the lady was dressed, or what she said. I did not see any other child with the lady; I could not notice particulars, as it was at the time pretty rough, I had as much as I could do to manage my bale of cotton, we were sitting astride of the bale with our feet in the water; I was wet up to my middle from the water which at times washed over the bale; we were in sight of the boat all the time, till she went down, when we were about a mile distant; when we left the wreck it was cloudy, but about nine o'clock it cleared off, and we had a fine night of it until the moon went down; I looked at my watch as often as every half hour, through the night, the boat went down at three o'clock; it was so cold as to make it necessary for me to exert myself to keep warm, which I did by whipping my hands and arms around my body; about 4 o'clock the bale capsized with us; a heavy sea came and carried the bale over end ways; my companion was at this time with me, and we managed to get to the bale on its opposite side; we at this time lost our piece of board, afterwards the bale was ungovernable and went as it liked; my companion had complained a good deal of the cold from our first setting out; he didn't seem to have that spirit about him that he ought to have had; he was continually fretting himself about things which he had no business to. He said his name was Cox,* and that his wife lived in this city, at No. 11 Cherry street. He appeared to have given up all hope of our being saved. On our first starting from the boat, I gave him my vest as he had on his chest only a flannel shirt. He had on pantaloons, boots and cap. He said he was a fireman on board the boat.

Cox remained on the bale after it had, upset about 2 or 2 1/2 hours, until it was about day light. For the last half hour that he remained on the bale, he had been speechless and seemed to have lost all use of his hands as he did not try to hold on. I rubbed him and beat his flesh, and used otherwise every effort I could to keep his blood in circulation. It was still very rough, and I was obliged to exert myself to hold on. The bale coming broad side to the sea it gave a lurch and Cox slipped off and I saw him no more. He went down without a struggle. I then got more into the middle of the bale, to make it ride as it should, and in that way continued until at least for about an hour. I got my feet on the bale and so remained until the sloop picked me up. The sea had by this time become quite smooth. On seeing the sloop I waved my hat, to attract the attention of those on board; I was not frozen in any part.

The name of the sloop was the "*Merchant*," Capt. Meeker, of Southport. I think Captain M. and those on board the sloop are entitled to a great deal of credit, as they did more on the occasion than any one else. It appears that they tried during the night to get out to the aid of those on board the Lexington, but in coming out the sloop grounded on the bar, and they were compelled before they could get her off to lighten her of part of her cargo. It was 11 o'clock when I was picked up. The sloop had, previous to reaching me, spoken the light boat to make enquiries relative to the direction of the fire. On going on board of the sloop, I had every possible attention paid me; they took me into the cabin and then cruised in search of others. They picked up two other living men and the bodies of two others. The living men were Captain Manchester, pilot of the Lexington, and the other Charles Smith, a hand on board.

One of the persons was picked up on a bale of cotton, and the other on the wheel-house. I supposed Captain Manchester was on the bale, but from what Captain Comstock said yesterday, it could not be the case. Captain Manchester was picked up, but I was in the cabin at the time—was below when the other was picked up. They were both picked up within half an hour. When they were brought on board, Captain Manchester was pretty much exhausted; Smith seemed better. They put them both in bed. Smith was a fireman and belongs to Norwich, Connecticut.

* Benjamin Cox, of 11 Cherry-street. He has left a wife and several children in a deplorably destitute situation. The wretched woman has, we perceive, offered her *self* (quite, five dollars) as a reward for the recovery of her husband's body. We hope (and doubt not) that the Company will take into consideration the case of this distressed widow, inasmuch, at least, to see that the body of her husband, if recovered, may be restored to her without expense to herself.

They continued to cruise about three hours longer, and then returned to the harbor of Southport. In the mean time they had picked up two dead bodies—one of them was on a piece of the wheel-house, and the other on a piece of the wreck. When we were about half way from the wreck to Southport, the steamboat Nimrod overtook us, and I went on board of her. She was bound into Bridgeport—we arrived there in about three quarters of an hour. I went ashore and went to the house of Capt. Davis, an acquaintance of mine with whom I had formerly sailed—staid there that night—next morning at 8 o'clock went on board the steamboat Nimrod and came to New York.

At the time I went to the wheel-house and saw Capt. Child, he seemed confused—he said they were running for the land—he then went into the wheel-house, and that was the last I saw of him. I rather think he stayed there until he suffocated, as I don't know that he was seen afterwards. As regards the tiller ropes, I don't know certainly any thing about them, but I had the impression that the tiller ropes were burnt off, but cannot tell positively. Directly over the fire-room was a grating laid across, through which I could see down. I think that after the life-boat was thrown overboard, a person could have passed from the fore to the aft of the vessel on the promenade deck. I did not know that there was any extra steering gear on board. I did not notice whether the tiller was shipped or not.

By a Juror. How near to the smoke-pipe was the cotton or other baggage stowed?

Answer. I don't know, I didn't notice.

Q. After you went to the wheel-house, how soon did the pilot leave?

A. Why, if it was him who hove over the life-boat, he went while I was there.

I don't know that I have had any conversation with Capt. Vanderbilt, relative to what ought to have been done when the fire broke out. I do think, however, that when I first saw the fire, there would have been little difficulty in putting it out with the buckets, if the engine had been stopped. The quarter boats might perhaps have carried safely, 15 persons each.

CHESTER HILLARD.

The inquest was here closed at half past 5 o'clock.

FIFTH DAY.

Theodore E. Secor, sworn. I live at 99 Avenue D. am an engineer and steam engine builder; my factory is in 9th street, near the East river. I did not make the engine for the Lexington, but have several times repaired it. The first repairs I put on her boiler, two years ago this month. The repairs consisted of some small patches, which were put on her leaks. We again made repairs last March, and again some time in November last, repairs were made by us; the repairs to the boiler were similar to those done before. It was then but little out of order. Upon the engine we made some small repairs.

We furnished a complete set of sheet iron and brick work for the furnaces. The iron put under the boilers was about one eighth of an inch thick. The furnace was contracted by raising the bars, which was the only contraction made. We furnished a blower for the furnace; the blower was 31 inches by 26. The blower was calculated to make 900 revolutions, at 17 strokes of the engine.

By changing the fuel from wood to coal, the danger from fire is materially lessened. As to the coal there are no sparks, the heat in the neighborhood of the furnace is more intense from coal than wood. I don't know whether the joint where the smoke-pipe shipped into the steam chimney was examined. I don't know whether the sparks could have passed through the joint so as to get to the casing of the chimney or not. I think the joint was, however, quite close. I don't think the blower was strong enough to carry a spark up the pipe.

I have no doubt that if the damper was kept shut a long time, the return draft would throw out fire and coals from the furnace doors.

By a Juror. Are any of the fire-rooms of the steam-boats as safe as they ought to be?

A. That's a question I had rather not answer.

Q. Do you consider all of them safe?

A. Well, I do, as safe as they well can be. The fire-room of the Lexington was as safe as any of them that I know of.

Richard M. Hoe—I reside at 409 East-Broadway. I am a machinist and engineer. I never was on board the Lexington. I have, however, been on board a great number of steamboats, and particularly those running on the Sound. I have examined their machinery closely; I have also examined machinery in Europe. The machinery of our boats, so far as the working part is concerned, compares very well. They are not quite so well finished, nor the weight of metal employed so great. The material is, however, better proportioned for strength; that is, our engineers will take the same weight of metal and make an engine that will bear more strain.

In all the English boats there are more precautionary measures against fire adopted, than I ever saw here. Bituminous coal is there generally used. They generally have but one steering apparatus, which is aft. I never saw but one boat there rigged with a wheel-house like ours. I believe that if a proper chain was used, a steering apparatus might be made of it, to work with the same convenience as ropes, and even better, as there would be less danger of their stretching or breaking. A chain would work quicker and safer in every respect, than a rope, if properly rigged.

The frost or action of the sea water would not have a greater effect upon a chain than an iron rod. I have always thought that our steamboats were very badly secured against fire in the fire rooms. In the small steamers in Europe the fire rooms are floored and ceiled with cast or wrought iron. I have seen the wire tiller ropes in use in England. They appeared to answer the purpose very well.

John Clark called—I live at 83 Essex street. I am a machinist by trade. I am one of the U. S. steamboat inspectors. I was acquainted with the Lexington. I inspected, with Captain Bunker, the Lexington on the 1st of October last. Our practice in inspecting a boat is to go on board and look round, examine into the age and condition of the boat, &c. Our certificates relate to the soundness of the boilers, engine and hull of the boat. With regard to the steering apparatus, I don't consider that we have anything to do with it. I did examine the steering apparatus. It consisted of two long iron rods running under the promenade deck to within about ten feet of both fore and aft, i. e. within ten feet of the wheel and rudder. From the rods to the wheel and round the wheel was a continuation of hide rope, and also the same aft from the rods to the rudder.

We have never condemned a boat or stopped its running. We have restricted boats to the use of a certain amount of steam. Some of the ferry boats and boats on the North river we have so restricted. After looking round and giving our certificate, we receive our fees, on the occasion of inspecting a boat.

The Rhode Island was restricted in the use of steam in consequence of her boilers being rather weak. Our requisition was complied with by the owners of the Rhode Island. It was a year ago last fall that the Rhode Island was restricted. She shortly after had her boilers repaired. The Nimrod was also restricted a year ago last fall, in consequence of her boilers getting weak. All our restrictions have been in consequence of the weakness of the boilers.

We examined the steamer William Young, and found that she was not a safe and seaworthy vessel, but we gave a certificate that she was a suitable boat to run on the route.

The steamer Providence, running to Newport has not been inspected during the past year. We have not been called upon to inspect her. We always wait for the owners to call first upon us.

I think the Lexington was very illy calculated to carry freight. She was too narrow. She was strong enough to carry anything.

Questions by a Juror—How many bales of cotton could the Lexington safely carry?

Answer. She could carry the weight of 200 bales.

Q. Without danger from fire and sea?

Ans. That's another question.

Q. Is cotton suitable freight to carry on board of a steamboat?

Ans. Cotton is not a fit article to carry on the deck of a passenger steamboat. It is in any way dangerous freight.

SIXTH DAY.

Three witnesses were examined yesterday and two of those before examined were recalled.

The first witness was Mr. Charles O. Handy, president of the company. His testimony related chiefly to the mode in which the affairs of the company are managed, the duties of its several officers, &c. We give the only part that seems to be of interest.

Some few weeks since there was a statement in one of the papers about the Providence boat having been on fire. I immediately sent for the captain (Woolsey) of the boat, to ascertain the facts. He stated that a small can of oil left on the stove in the engineer's room, had boiled over into the stove and taken fire, which was immediately extinguished without difficulty—representing it as unfit for a cause of alarm, or as involving any danger to the boat. On that occasion the boat I think, had a very long passage; she was two days getting to Stonington. It was very rough weather. The only other instance that I know of a boat's taking fire was reported to have happened to the Lexington. I should think three or four weeks before her destruction. I again made inquiry

us to the facts, and was informed that part of the combing of the central hatch had taken fire from a spark from the wood in the furnace—the boat then burning wood—which had produced slight injury to this combing, and partially injured a box with some goods in it as freight—that it had been immediately put out without difficulty.

The bill rendered for damages to the goods was thirteen dollars. I called the attention of the general agent and captain immediately to the fact, and directed every precaution taken to prevent the recurrence of a similar accident. I am not cognizant always of the discharge of officers of the boats by the captains and agent. I knew of the discharge of Mr. Vrendenburg. I was informed by the general agent that Mr. Vrendenburg had been discharged, and Mr. Hempstead employed, from his skill in the use of coal, and I think he moreover informed me that it was done at the instigation and request of Captain Jacob Vanderbilt, for the reasons assigned, he then commanding the boat and superintending her repairs. It was never reported to me that Vrendenburg had refused to serve any longer; nor did I ever hear of it until I saw it alleged in a newspaper.

Mr. Wm. Kemble, agent and president of the West Point Foundry Association, stated cost of the Lexington's engine, &c.

Mr. Adam Hall, an engineer, formerly in the employ of the same association, testified respecting the construction of the engine, &c.

Mr. Joseph Bishop, recalled, stated the expense of some items in the construction of steamboats.

Elihu S. Banker, recalled. From statements which have been published of my testimony, I have been made to say that I considered that the law did not prohibit the use of ropes for steering. I did not wish to be so understood. I said that I did not consider that the law prohibited the use of the rope round the wheel. I do consider the use of the rods is required by law, and that the law cannot be complied with without them. The rods were first introduced by myself, some fourteen years since.

I meant to say that I concurred with Mr. Webster in opinion, as to the construction of the law, "that rods were required wherever they could be used, and that from the end of the rods to the wheel and rudder, ropes might be used."

Mr. Cambreleng also told me that he also understood the law in the same way.

By a Juror—When we are called upon to inspect a steamboat we go on board. We examine the boat inside and out to see how she is built; we then inquire of the captain if her hull is perfectly sound and tight in every particular. We are not more particular than this. I do not mean to say that I can see through a stick of timber. We sometimes take the certificate of a carpenter as to the soundness of the timber; and sometimes we take the certificate of a carpenter to the effect that the boat has recently hauled up and repaired, what repairs were done, what new timbers were put in, &c. We take these certificates and statements, because we have no other means. Not having these means at hand, we examine the hull in the best manner we can from looking at it. We never put an auger in. I have taken my knife and put it into the timber through the air seams in the ceiling. I never have taken a boat to go round the hull on the outside.

I wish it to be understood that there is not in New-York a steamer that Captain Clarke and myself have not seen on the stocks, as well as when on the rail-ways or otherwise, in the most difficult situations they could be placed in. I think there could not be found in the United States two other inspectors possessing the information that we happen to possess. I have never seen a plank upon a boat through which you might, in three years after, run a broomstick—not unless you might have done so before the plank was put on. A good whiteoak plank, put upon the bottom of a boat, will last forever, in regard to rotting. I mean, provided the hull be salted. In examining the hull of a boat we make the most minute inquiries as to the state of the timber; we generally have dealt with men with whom we were acquainted.

We always inform the officers of the boat that to give us wrong information is an indictable offence. We have never had occasion to put a master or officer of a boat under oath. There is not a boat that we have inspected, but what I would purchase at a fair valuation, did I wish to purchase, without farther examination.

In examining a boiler, we go all round it, and have something to strike upon it. We call always upon the engineers, and inquire into every particular touching the condition of the boiler; we procure from them such information as we cannot otherwise procure; we have never put an engineer under oath. I never have been inside the boiler of but one boat; I don't think it necessary; I can tell from the thickness of a boiler, the exact amount of pressure it will bear to an ounce.

I have never seen the hydraulic test applied to a boiler on any account, as it might weaken it in some particular point where it would not be affected by ordinary use. There was once a law proposed, requiring a test of the application of double the pressure to be put upon a boiler which would be required by its use. This, it was found, would not answer. Some of the North River boats carry forty inches of steam, and to put on a pressure of eighty inches must ruin the boilers. When I commanded a boat I was constantly in the practice of going inside of the boilers to examine them. The reason of this was, that we were not then acquainted with the mode of clearing off the sediment, and of ascertaining the defects of the boilers.

SEVENTH DAY.

Capt. Stephen Manchester, examined.—Lives at Providence, R. I. I followed the water as a business about twenty years, as a master, mate, and pilot; have been pilot five years; my first boat, the steamboat Boston, two seasons, and three years in the Lexington, except about half a month. I piloted her all the month of December, and in January until she was lost. I thought her as good a boat as they had on the line. She had iron rods fore and aft, except rope enough to go thru' the blocks and round the wheel. I never saw a boat steered altogether with chains, without any ropes; never knew the Lexington to be on fire except when she was lost, but heard she took fire one morning at the dock; is not an engineer, nor professes to know anything about it; has nothing to do with stowing the cargo. My duty is, when the boat is ready to start, to go into the wheel-house and stay there until she arrives at her destination; have been in the habit of stowing cargo in ships, and know how it ought to be stowed in order to trim a ship properly. Don't recollect having made any particular observations relative to the stowing on board the Lexington. Her cargo consisted principally of cotton and a small quantity of dry goods. The mate said he had 150 bales of cotton on board. The mate's name was Thurber. Did not particularly observe how it was stowed on the last trip. It was stowed I believe as usual. There was some of it in the boiler hatch, which was a general practice. We had very little wood, and it was in two little rooms on each side of the engine. There was room in each of them for five or six cords. Believes there were carpenters at work on her the trip previous to the last. Thinks they were making a baggage room.—There were men fixing the blowers the last time he was in her. Is not competent to decide on the engine, but always considered it a good one. The fire engine was on the forward part of the promenade deck where it was easily got at; the access to it was always clear; was in the wheel house when I first heard the alarm of fire; about half past 7 o'clock, some one came to the wheel house door and told me the boat was on fire; I don't know who it was; did not observe the size of the man; it was not Capt. Child; he appeared to belong to the boat. My wheelman was in the house with me; my first movement was to step out of the wheel-house and look aft; saw the upper deck burning all round the smoke pipe, blazing up two or three feet; the flame appeared to be in a thin sheet all around the smoke pipe, coming up through the promenade deck. I returned into the wheel-house and put the wheel hard-a-port to steer the boat for the land. I then thought it was very doubtful whether the fire could be extinguished. We were then about fifty miles to the east of this, and about four miles from Long Island shore; at the rate we were then going, it would take about twenty minutes to go to shore; from the way she was heading it might have taken three or four minutes to turn her. The highest land to us bore about south.

We had not yet headed to the land, when something gave way, which I believe was the tiller rope; thinks she was heading about south-east, and Long Island bore about south, when the tiller rope gave way; the engine was then working; don't know where the engineer was at that time. She then fell ahead more to the eastward. Captain Child, then came into the wheel-house and put his hand to the spoke of the wheel, and as he did so, the rope gave way; presumes it was the rope attached to the wheel; it was the larboard rope gave way; and at the same time the smoke came into the wheel house, and he was obliged to go out, and I went out too. I suspect he went aft, but I never saw him afterwards; when he went out he went down on the forward deck; don't recollect whether he expressed any alarm. I then called to them on the fore-castle to get out the fire engine and buckets; the engine was got out, but they could not get at the buckets, or at least I only saw a few. I am of opinion the wheel ropes burnt off, but I could not have stood it longer even if there had been chains round the wheel.—Thinks there was then an opportunity to go from the wheel-house aft, where there was another steering apparatus, a good tiller with chains which ran through blocks; all boats are so rigged, in order that if any thing happens to the rudder this can be used in its place. I did not go aft to it, because I thought my

services would be more useful forward. After calling to get out the engine, I went to the life boat, and found some persons taking the tarpaulin off it; don't know who they were; did not then know Capt. Hillard, and would not know him now if he were in the room. I caught hold of the lashing of the boat, and requested them not to let her go until we got a line fastened to her. I called to those at the fore-castle to pass a line to make fast to her, which they did, and we fastened it to her bow. I think I called to them to make it fast to prevent the life boat going under the wheel, and it was made fast. The fire was then burning through the promenade deck. I cut the lashing, and told them to launch the boat. I jumped from the promenade deck down on the forward deck, took hold of the hawser, and found it was not fastened to the steamboat. I told them to hold on to the rope, but they all let go one after another; the engine was still going, and I was obliged to let it go myself also; amongst those who held it were some of the waiters and passengers. We then found two buckets and commenced throwing water with them and the specie boxes; we got the water from over the side of the boat, which was then pretty much stop; while doing this some others took the flagstaffs and parts of the bulwarks and made a raft, to which we made a line fast and hove it over the side of the boat; we then threw the baggage overboard from four baggage cars, and made them fast with a line; the engine was then entirely stopped; it worked from ten to fifteen minutes and kept working gradually slower until it stopped; we threw out every thing by which we thought any person could save themselves; we continued throwing on water in hopes that some person might come to our relief.

The main deck now fell in as far as the capstan; the people had by this time got overboard, some of them drowned, and others hurrying on to the baggage cars, the raft and other things. What was left of the main deck was now on fire, and got us cornered up in so small a space that we could do nothing more by throwing water. There were then only eight or ten persons astern on the steamboat, and about 30 on the fore-castle. They were asking me what they should do, and I told them I saw no chance for any of us; that if we stayed there, we should be burned to death, and if we went overboard we should probably perish. Among those who were there was Mr. Hoyt and Van Cott, another person named Harnden, who had charge of the express life. I did not know any one else. I then took a piece of spun yarn and made it fast to my coat, and also to the rail, and so eased myself down upon the raft. There were two or three others on it already and my weight sank it. I held on to the rope until it came up again—and when it did, I sprang up and caught a piece of railing which was in the water, and from thence got on a bale of cotton where there was a man sitting; found the bale was made fast to the railing; I took out my knife and cut it off. About the time I cut this rope off, I saw some person standing on the piece of railing—asked me if there was room for another; I made no answer, and he jumped and knocked off the man that was with me; and I hauled him on again. I caught a piece of board which was floating past me and shoved the bale clean off from the raft; and used the board to endeavor to get in shore at Crane Neck Point, but I could not succeed; but I used the board as long as I could, for exercise. When I left the wreck, I looked at my watch and it was just twelve o'clock. I think the man who was on the bale with me said his name was McKenny, and lived at New York; he died about three o'clock.—When I hauled him on the bale I encouraged him and told him to thrash his hands, which he did for a spell, but soon gave up pretty much. When he died he fell back on the bale and the first sea that came pushed him off it: My hands were then so frozen that I could not use them at all; while I was on the cotton I looked at my watch; two o'clock and three miles from the wreck when she sunk; the last thing I recollect was seeing the sloop, and I raised my handkerchief between my fingers, hoping they would see me; I believe they did. I was then sitting on the cotton, with my feet in the water. The cotton never rolled at all, although there were some heavy seas; the man who was on the bale spoke of his wife and children, that he had kissed them the morning he left home, that he was never before through the Sound, and said he feared he would die of the cold. Has heard Captain Comstock's evidence read; there are parts of it not essentially correct. Was taken off the cotton by Captain Meeker, and brought to Southport, where I received every possible attention. Knew Captain Child ten or fifteen years. He and I were packet masters for several years, and since then he has commanded the steamboats Providence and Narragansett, in this line; he was a man of considerable decision of character and commanded a steamboat for four years. When he came to the wheel, he appeared to be agitated, but there was too short time for me to remark much. Was never with Captain Child when the boat was in any danger. Knows the situation of the life rooms; knows some wood was in

the fire rooms; thinks the fire originated from the smoke pipe; it was very red that night; the cotton was most likely piled within two feet of the steam chimney. The tiller was always left shipped. There was no wheel ast— The boat was going about 12 knots an hour, but the engine went gradually slower until it stopped, about twenty minutes after the first alarm.

The Coroner here read a letter from Mr. Hall, who constructed the engine, to one of the jurors, stating that she had the strongest engine he had then put in any boat. The writer closes his letter by attributing the fire to one of the following causes: "It must have taken place from opening the fire doors when the blast was on, or shutting the damper and the sparks getting out between the bottom and steam chimney; or from the chimney getting red hot, and the wood or goods being piled so close to it."

Examination resumed. Thinks a boat could go through Hurl Gate with chains, but thinks they would be more likely to part in frosty weather.— Never saw a steamboat steered altogether by chains or rods. My impression is, that if we had chains instead of ropes, we could not have made the land.— Received \$60 per month for his services. Never had more apprehension of fire in the Lexington than in any other boat.

Capt. Curtis Peck, was next examined. Resides near Hallet's Cove; owns a steamboat; has been in the habit of running steamboats for many years; owns the steamer Fairfield; was formerly in the habit of steering with an iron rod along midships, with a rope to each end. This was in the year 1823; never used any chains at that time. Afterwards took off the rods and used ropes in preference; took down the rods because I thought the ropes were more convenient. The next boat I built I had the rudder head extended from the lower through the promenade deck; does not think that a boat would be as safely steered with a chain as with a rope, because you can steer more easily with ropes than with chains; has tried steering, altogether with chains and iron rods, and made the experiment on the Comet, a boat of his brother's, and he took them out because the chains parted from the rods oftener than ropes did, and were not so conveniently steered with. Would rather risk his boat or himself with ropes than chains; thinks coal can be used with as much safety as wood, where the boilers are properly adapted to it.

The inquest was adjourned to this day, at 10 o'clock.

EIGHTH DAY.

John Vrendenburgh, sworn. I live at No. 90 avenue; am engineer, have been acting as fireman and engineer eight or ten years; have been an engineer on board the Lexington; first went on board of her in the fall of 1837, and continued acting the principal part of the time as engineer. She had a perfect engine, and her boiler was a good one; we had it repaired last winter; we put on a new shell and chimney legs and new bridge wall, and put a new course of boiler iron on the bottom of the smoke pipe. I stayed on board of her until the third of November last; believe Capt. Vanderbilt got dissatisfied with my services, was the reason I left, but he gave me no reasons until a day or two after I left the boat, when I saw him. I then asked him the cause of my removal, and he gave me to understand that it was something about the discipline of the men; he did not think that it was thorough enough, and thought I had not control enough over the men; the reason I thought very insufficient, after being there so long a time.

That was all that transpired between us; he did say something about altering the boat to burn coal, but nothing else; don't know what wages he gave the next engineer; he paid me fifty dollars a month; have never known the Lexington to be on fire while I was on board of her; have used coal, but never used a blower; have seen a blower used with wood on board the North America, and when the furnace door was opened, the flame would come out four or five feet, and would knock a man over; have seen some communications in the papers which were not true, as regards my leaving the boat. The articles I allude to were in respect to my leaving her because I was afraid of her, and saying she was a dangerous boat.

Frederick Hempstead, sworn. Lives in Brooklyn, in Front-street, near Jackson; am an engineer; have been acting in that capacity seven or eight years, in several boats; was engineer of the David Brown, which ran between shore and Charleston. We burnt coal on board of that boat with a natural draft; we had no blowers. I considered the David Brown's fittings for the furnace as safer than those of the Lexington. The reason I think them safer, is, because they did not use any blowers; consider blowers as dangerous, unless they are put up sufficient; if the sheet iron and bridge work is strong enough, it is not dangerous; have been an engineer on board the Lexington one trip, and that was the trip but one before she was lost; was afraid of fire, because my brother told

me that the boat had been on fire the trip before; he told me to look out for fire along side of the boilers, and said we should be troubled with the blowers.

When I was in her we had a good deal of difficulty with the blowers, and my brother told me they were also troublesome to him, and had been ever since they had used them. The wood was stowed along side the boiler, and was on fire several times during the trip I was in her. When the blowers were in full operation, the coals in small pieces would come out of the furnace doors, if they were open, and that was what set the wood on fire; I have heard my brother say that he considered her a dangerous boat, and cautioned me before I went up, to look out for fire; said he could not stand it long, the work was so hard. I consider the more revolutions the blowers make the more danger there is of fire.

The brick work on the corner of the bridge wall fell down several times, as my brother told me; considered the blower the cause of their falling down; think it was the wind, for when the furnace is full of coal the wind must go somewhere, and it forced the wall out; did not sleep any all night, because of my brother's caution; there was no difficulty in extinguishing the fire; there was a tank in front of the boiler which would hold five or six pails of water, which was placed there for that purpose, and also to cool off the slice bar which they clear the clinkers with; would consider myself safe on board of the boat after the blowers were altered, provided I was there to keep a good look out.

I should consider the boiler on board the Lexington as safe as any other, after her alterations for burning coal, with the exception of the blower. On our return trip we did not use the blower, because the wheel was broken. We had from 10 to 12 inches, and up to 21 inches steam coming down, without the blower; don't think that so much steam can be made with a blower as without; the reason of it, I think is, because it blows the heat clear off the top of a smoke pipe 5 or 6 feet high. Have seen the smoke pipe red hot within about 2 feet of the promenade deck. The chimney was red hot most of the time on the trip. When I went on board there was a joiner at work on board; asked my brother what he was doing there; my brother said the boat had been on fire, and he was repairing the damage, he was repairing the casing of the steam chimney on the larboard side down on the boiler hatch.

Charles B. Smith called.—Lives in Norwich, Connecticut; was a fireman on board the Lexington on the 13th of January. The first time I heard the alarm of fire, was about half past seven o'clock in the evening. I was in my room asleep, on the guard;—there was a man came in and told that the boat was on fire; his name was Henry Reed, he was a coal heaver; he did not say where the fire was, but said the boat was all on fire. I got out of my berth; the door of the room was open, directly opposite the steam chimney, and I saw the promenade deck and part of the casing around the chimney on fire; went immediately into the crank room and put on the hose, opened the cocks, and tried to get to the end of the hose to play on the fire, but the fire and smoke prevented me. The hose was lying alongside of the bulkhead, alongside of the air pump. I went aft of the shaft to get breath, then I tried to get the buckets down that hung over the shaft, which the fire prevented me from doing; then I went aft with the intention of getting into the boat, when I got aft I saw Capt. Child standing on the rail, by the crane of the boat, on the starboard side, and heard him sing out for the engineer.

The engineer answered, the captain asked him if he could stop the engine; he replied it was impossible, as the fire prevented, and I then got to where Capt. Child stood and saw the bow tackle of the boat cut away, with the boat full of passengers—the bows of the boat filled with water, and she swung round on her stern tackle. Capt. Child sung out, hold on to the boat, he slipped down to the fender, outside of the bulwark. I slipped over after him, he stepped into the stern sheets of the boat, and I put my foot on the stern of the boat and hauled it back and just as I got my foot back the stern tackle was let go, but whether it was cut or not I don't know. That was the last I saw of the boat or Captain. Capt. Child was in the boat at the time. I got over the stern then with the intention of getting on to the rudder; I hung by the netting, kicked in three cabin windows, and lowered myself down and got on the rudder.

I had stood there but a minute or two, when several others came on there also; did not know the names of any of them, knew one of them to be a waiter. There was a boy got over the stern and I told him to drop overboard and get on a bale of cotton; he said he could not swim. I then told him to tell some of them on deck to throw over a bale of cotton. Some of them hove a bale over, which I jumped over after, and gave the boy my place. I swam to it, and got on it. I was on it until about half past 1 o'clock. About that time I drifted back to the steamboat and got on her. There were then 10 or 12 persons hanging to different parts of the boat. Mr. Hempstead was one of them, and one of the firemen by

the name of Baum—Job Sands, a waiter—Harry Reed, the man that first woke me, and a small English boy—another coal heaver, his name was William—there was a deck hand by the name of Charles. That was all the names I knew; the rest were, as I suppose, passengers and some waiters—there were no ladies. I staid there until 3 o'clock, when she sunk. I staid about midships, near where the fire originated.

We stood on the top of the hips which are put on the boat to keep her from rolling, and are made of solid timber, running fore and aft the boat nearly the whole length of her, under the guards; but the guards at this time were burnt off. I stood there until she sunk. After she began to fill, the rest jumped off. After she sunk I swam to a piece of the guard and with four others got on it, who all perished before day-light. One of them was Harry Reed, and another, George, the fireman—the other was the boy I had given my place on the rudder—the other I don't know; I think they all perished with the cold. I shook them around and tried to exercise them and rub them. I remained on the piece of guard until 2 o'clock in the afternoon, when I was taken off by the sloop Merchant, Captain Meeker, and was taken into Southport, where I had the best care taken of me possible. I was in my senses all the time. I swung my cap to the sloop, but they had seen me before.

My feet were badly frozen, and my fingers touched a little with the frost; have been in the Lexington ever since she commenced burning coal; have known her to be on fire on the 2d January, on the main deck, along side the boiler; it originated from some sparks which flew up and caught the deck; it did not burn so much as to make a blaze on deck; it burnt a corner of a box which was there, but did not damage the goods which were in it; never knew her on fire at any other time. When the floor of the furnace is opened, the sparks from the coal do not come out, unless the damper is down, which we always keep open and fastened open; never saw the blaze come out of the furnace except when the damper was down: was on board the Lexington on the trip on which Mr. Frederick Hempstead was the engineer. The boat nor the wood on board was on fire during that trip, to my knowledge; was up the last half of the night on that trip on the passage down; we did not have the blower on, because it was broken; saw no bricks blown down at any time.

The joiner that was at work on board at that time, was putting up a baggage room, and at work around the engine; never saw the casing of the steam chimney on fire; should think I should have heard of it if there had been a fire on board; never heard of any cotton being on fire either on the wharf along side or up board the boat; have seen the chimney red hot, and seen a blue flame come out of the top of the chimney, probably as much as six feet; don't consider a boat in any more danger with a blower than without one; have seen the Jackson's pipe red hot from top to bottom, and the flame come out of the pipe 10 or 12 feet; there was a plenty of hose to go around the boat; should think there was about seventy-five passengers on board. We can make more steam with blowers than without; when we are carrying 10 or 12 inches steam, take off the blower and the steam will run down so as to stop on her centre in a short time; have seen the steam run down from 16 inches to an inch and a half in twenty minutes after the blower was taken off.

John Ryno, sworn. Lives in McDougal street at the corner of King; am a cartman, and stand at pier No. 1 North River. The last time the Lexington went out I saw a bale of cotton on fire on the deck, at about from 12 to 3 o'clock; it lay along side of the wood which lay between it and the Lexington; there was one corner of it on fire; it lay by itself; don't know whether they took it on board the Lexington or not; saw the hands from on board the Lexington pouring water on it; did not see them throw but one pall on it; did not hear any remarks made about it at the time.

TERMINATION OF THE INQUEST.

The evidence on this investigation terminated on Thursday afternoon, and the Jury assembled yesterday at two o'clock to determine on their verdict.

The coroner briefly addressed them as follows:

Gentlemen—I have no further witnesses to produce before you, and the investigation has arrived at that stage when it becomes your peculiar province to consider and determine on it. It would be preposterous in me, to attempt directing the minds of this Jury as to the result which they are to arrive at; for each and all of them are as capable of understanding the testimony as I am. I shall therefore use no argument, or in any way attempt to lead you, knowing that you are fully competent to make up your own minds as to what, under all the circumstances of the case, should be your verdict. I however consider it my duty to remark, that my mind remains at this moment as undecided as it was before the investigation commenced, and to me the question remains involved in as much mys-

tary as ever. Nor can I from all the testimony which has been adduced, come to any conclusion, or be satisfied as to the origin or cause of this fire. You gentlemen, however, may be more competent to arrive at some conclusion on the subject. But in doing so, allow me to impress upon your minds the necessity of exercising due deliberation, great care, and extreme caution. For never perhaps, did there go forth to this community, a Coroner's inquest the consequences of which were likely to affect so many, public and private interests. The words of this inquest will reach the bosoms of those whose relatives have perished by this melancholy calamity and may dispose them to resignation, or aggravate their grief, according as your verdict tells them that it was owing to unavoidable accident, or to the negligence of those in whose hands they entrusted their lives. Your verdict may also, in a pecuniary point of view, affect materially, not only the interests of the Company most immediately concerned in it, but also of several others; and hence, gentlemen, the necessity of great caution in determining on your verdict.

You have a right to append to your verdict any opinion you may think proper, and you may either give a verdict simply saying what you think was the probable cause of the deaths of the persons on whom you are holding this inquest, or you may, in addition to such a verdict, state your opinion as to the outfit of the boat and the manner in which she was navigated. You have also a right to express your opinion as to whether the boat was fitted out according to law, and if you come to the conclusion that she was fitted out according to law, it would be but doing justice to the Company to say so. But in directing your attention to those points which it is your duty to consider and decide on, I will again say, that I have not the most remote intention to influence your verdict one way or the other.

The Jury were then left to consider their verdict, and after considerable time had elapsed, without any likelihood of their being able to agree, the Coroner intimated to them that it was not necessary for them all to agree on a verdict, but that in this respect their powers were similar to those of a grand Jury, and that a majority of them might render a decision. The Jury then acted in accordance with this intimation.

The Jury then delivered the following opinion and verdict.

From the testimony adduced before the Court of inquiry by the Coroner's inquest to investigate the causes which led to the destruction by fire of the steamboat Lexington, the inquest are of opinion, that the fire was communicated to the promenade deck by the intense heat of the smoke pipe, or from sparks from the space between the smoke pipe and steam chimney, as the fire was first seen near the casing of the steam chimney, on the promenade deck. They are further of opinion, that the Lexington was a first rate boat, with an excellent steam engine, and a boiler suitable for burning wood, but not coal, with the blowers attached. Furthermore, it is our opinion, that had the buckets been manned at the commencement of the fire, it would have been immediately extinguished. Also, that inasmuch as the engine could not be stopped, from the rapid progress of the fire, with presence of mind of the officers and a strict discipline of the crew, the boats could have been launched, and a large portion of the passengers and crew if not the whole, might have been saved.

It is the opinion of this Jury that the present Inspectors of Steamboats, either from ignorance or neglect, have suffered the Steamboat Lexington to navigate the Sound at the imminent risk of the lives and property of the passengers, giving a certificate stating a full compliance with the laws of the United States, while in our opinion such was not the case.

That the system as adapted on board of the Lexington of using blowers on board of boats, is dangerous, which has been proved to this Jury by competent witnesses. And that the conduct of the officers of the Steamboat Lexington on the night of the 13th of January, when said steamboat was on fire, deserves the severest censure of this community; from the facts proved before this Jury that the Captain and Pilot, in the greatest hour of danger, left the steamboat to her own guidance, and sought their own safety, regardless of the fate of the passengers. Instead of the Captain or Pilot retreating to the tiller, aft, when driven from the wheel-house, forward, and the ropes there being burned off, there being at that time a communication to the same tiller, there appeared to be no other thought but self preservation. And it further appears to this Jury that the odious practice of carrying cotton, in any quantities, on board of passenger boats, in a manner in which it shall be liable to take fire, from sparks, or heat, from any smoke pipe or other means, deserves public censure.

Signed by

James Goadby, Thomas E. Burlew, S. H. Harriott, Tennis Fox-
kes, James Green, P. M. P. Durands, Jr. Edmund B. McVeagh, A.
S. Chase, Abraham Crevelin, Robert Buttle, Richard M. Hos, Henry
V. Davids.

We, composing part of the Jury in the case of the loss of the Lexington, fully exonerate and exculpate Capt. Stephen Manchester from any blame or censure after the breaking out of the fire on board.

Signed BENJAMIN VINCENT, Foreman.
JOSEPH E. MOUNT

January 31st, 1840.

VERDICT.

That Silas Thurber, Benjamin Loden, Philo Upson, Stephen Waterbury, and — Bates, have come to their deaths in consequence of the burning of the Steamboat Lexington, on the night of the 13th inst. in Long Island Sound.

The N. York Courier and Enquirer gives the following as the substance of what Mr. Crowley, the 2d mate, would have stated before the inquest, if the verdict had been delayed for the reception of his testimony.

That on the alarm of fire being given, he immediately proceeded to the spot whence it came, and there discovered six bales of cotton on fire, which had not then spread to any part of the wood work. That he immediately handed up to Capt. Manchester, who was on the promenade deck, three pails of water, and then with the deck hands and waiters continued to draw water and throw it on the fire; they did so without any confusion, and with the most strenuous exertion, until they were driven away by the strength of the flames. That Capt. Child was among them, aiding and directing, and that it was not until all hopes of saving the boat was gone, that Capt. Child, in reply to an inquiry from some of the passengers of "what was to be done," replied in a collected manner, "Gentlemen, take to the boats," and then went aft himself, which was the last time Mr. Crowley saw him. Crowley also states that before leaving the wreck, he saw one of the quarter boats launched by some of the passengers, and called out to them "to put the plug in the boat;" that he assisted one of the passengers to throw overboard the hawser tub, and another the chaffing board; that he himself at last threw over a side plank, and jumped on it; soon afterward, swam to a bale of cotton which floated near him. While on this bale of cotton, he never lost his presence of mind, or his hope of escape, and noted the different points of land which he knew, as he floated past them.

On Tuesday, the morning after the misfortune, he saw the sloop Merchant pick up one or two persons who had been on board, and endeavored, by holding up his waistcoat, to attract their notice, but unavailingly; when the night of that day came on, he thought himself near Falkland Island, and expected to drift ashore there, but finding himself exhausted, he, miraculous to state, composed himself on his bale of cotton, went to sleep, and slept soundly until morning! This part of his story seems almost incredible, but it has been repeated to us by two individuals, who had it from his own lips, and who say that, from his manner of relating it, they have no doubt of its truth. Much revived by his sleep, he continued through the following day to make every exertion his situation permitted, to reach the land, which, however, he did not do until night. When landed, he scaled the high bank on the shore, and was on the point of sitting down to rest himself, when a light at a short distance attracted his notice; he immediately got up, walked in the direction of the light, and reached the hospitable mansion of Mr. Huntingdon, at the moment his son had just arrived there from Huntingdon, and was relating to his parents the particulars of the loss of the Lexington. His unexpected appearance in the little family circle, pale and wretched, with his waistcoat wound round his head, naturally created a sensation; but he had scarce time to tell that he was one who had escaped from the scene of death, ere he received all the care and attention his situation required. His feet were badly frost-bitten, but in a few days he will, no doubt, be sufficiently recovered to reach the city.