

## THE GREEN HILL PARK DISASTER

### John Stanton

Early in 1945 explosions and fire ravaged the S.S. *Green Hill Park* in Vancouver harbour, killing two seamen and six longshoremen instantly.<sup>1</sup> Ironically, this ship of death had been named after a peaceful picnic ground at Alma, a village in central Nova Scotia. As a result of the disaster, the International Longshoremen's and Warehousemen's Union (ILWU) Local 501 and the Canadian Seamen's Union (CSU) catapulted into public prominence as they helped to expose lax ship-loading and port management practices.

A mile from the scene, the sturdy building in which I worked shook from a powerful initial rumbling, followed by two strong shocks and then a lesser one. Smoke rose over rooftops from the direction of Canadian Pacific's wharves. Emergency vehicles roared by, responding to a general alarm. The media quickly reported that a ship had blown up and was burning fiercely as tugboatmen struggled to tow her away from the docks. Unknown numbers were dead or injured. Thousands of downtown windows were shattered, and flying glass slashed many on the busy streets.

Nothing like this had ever happened before on the British Columbia coast, and public reaction was swift. The mayor and the Attorney-General made immediate demands on the federal government for a full and open enquiry. They wanted no part of what one client of mine called "a heavy veil of secrecy" that he feared from shipping and harbour officials.<sup>2</sup> The unions began collecting evidence from witnesses, and the media, normally indifferent or hostile to union activity, gave good coverage to a number of highly pertinent questions. Why had those in charge of loading the ship failed to observe the safety regulations? Why were tonnes of explosive and inflammable cargo illegally stowed together? And why was no one warned of the danger?

Ottawa promptly appointed three former maritime men as a Commission of Inquiry. The first phase was secret. Justice Sidney Smith presided, assisted by Captain Samuel Robinson and Steamship Inspector Hugh Robinson, both retired. The latter two, who were unrelated, played inconspicuous parts. Smith was dominant. A disarmingly bland man, he had been a sea captain, a marine lawyer, and a Liberal politician. His soft-spoken Scottish burr cloaked canniness and an iron will. It was inadvisable to try to cross Justice Smith.

Fortunately, Ottawa appointed a dynamic, non-establishment lawyer to act as counsel to the inquiry. Dugald Donaghy worked long and hard to prepare for the two-phase hearings. The unions instructed me to represent them and to cooperate with Donaghy. He and I worked well together.

From a number of witnesses, I found out everything I could about the *Green Hill*

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*Park*: her cargo, the method of stowage, and about some men's attempts to fight the fire and then escape. Two longshoremen described how it felt to be trapped aboard, facing what they believed to be certain death. The slipshod way some companies and government agencies (to say nothing of the Port Warden of Vancouver) treated their responsibility for the safety of ships, cargoes and men, became increasingly apparent to me.

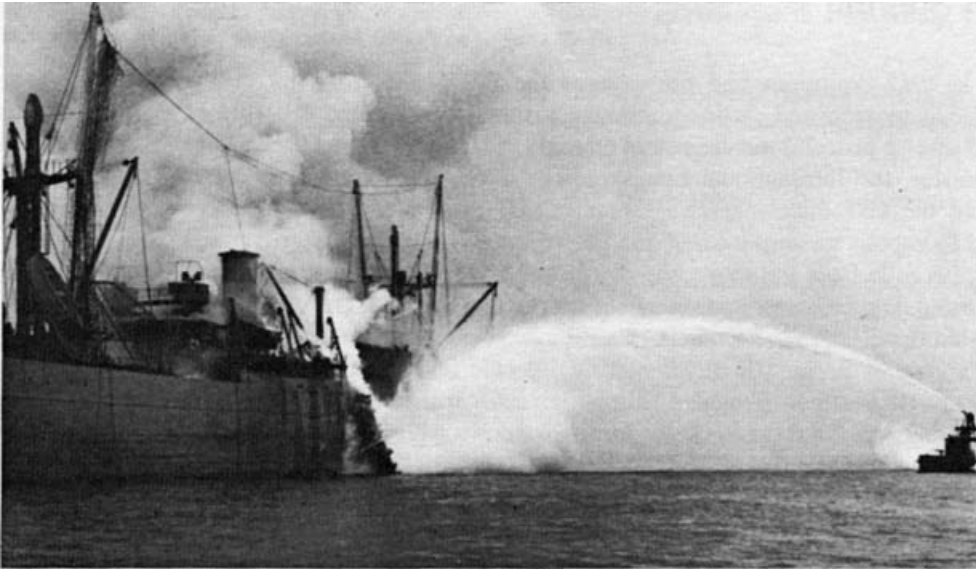


Figure 1: Vancouver Fireboat Pour Water into the Stricken Ship.

Source: Vancouver Maritime Museum

During World War II, Canada had built nearly four hundred merchant vessels at public expense, including the *Green Hill Park*.<sup>3</sup> Completed in November 1943, the ship belonged to the Park Steamship Company Limited, a corporation wholly-owned by the federal government. Park's general manager was Vancouver shipping magnate Ernest Farquhar Riddle. He was also owner and director of Canada Shipping Company Limited, based in British Columbia. The other owners and directors were Sherwood Lett, a lawyer (later a chief justice), and D.E. Harris, a grain broker. Acting as Park's general manager, Riddle gave Canada Shipping (i.e., himself) a contract to operate, manage and control the *Green Hill Park*. The actual job was entrusted to businessman Kenneth Montgomery, who hired Empire Stevedoring Company to load the vessel. The longshoremen were its employees. The seamen worked for the Park Company.

The ship, which began loading cargo for Australia on February 27 at Canadian Pacific Pier B, a hundred metres from major downtown buildings, was divided into six compartments, five for cargo and one for the boilers and engines. Each had a lower compartment (hold) some thirty feet deep and an upper one only eight feet deep called the "tween decks." No. 3

hold was amidships, under the bridge and forward of the engines; it measured about fifty feet square. The explosions occurred in the 'tween decks of No. 3, near the starboard side of the ship and away from the pier. The bulkhead (a steel wall) separating No. 3 from No. 2 was torn out, killing five longshoremen who were still in No. 2 and one man trying to escape from No. 1. The two seamen perished in a cabin above the site of the explosions.

Less than three weeks after the disaster, the commission's secret sessions were over, and the public phase of the inquiry began. The commission had power to impose penalties on anyone named as a party if they found him at fault. The transport ministry initially named twenty-two individuals as parties, three being senior personnel from Canada Shipping, two from Empire Stevedoring and two from Canadian Pacific. Six ship's officers, four longshoremen and five others, including the Port Warden, Captain Carl R. Bissett, were also named. The unions and the Harbours Board became active parties "by voluntary appearance;" watching briefs were held by the Shipping Federation, the employers' organization, and the Canadian Merchant Service Guild, a union of ships' officers.

Three key men and two key companies were *not* made parties. These were significant omissions because only parties could be punished. If there were to be a cover-up, this was where to look for it. One non-party was John A. Wright, captain of the *Green Hill Park*, who was found "gravely in default."<sup>4</sup> Two other non-parties were Riddle and his company, Canada Shipping. The failure to name them was particularly strange because three of Canada Shipping's senior men in Vancouver were all found blameworthy. The other non-parties were the CPR and its pier superintendent, Arthur Willoughby. Ultimate responsibility for deciding who would, and who would not, be named as parties lay with the Minister of Transport, a Liberal politician.

Eleven lawyers were on the case. Apart from Donaghy and myself, they were the bluebloods of British Columbia's legal profession, true members of the establishment, including four future judges, a future tycoon, and a future Lieutenant-Governor.<sup>5</sup>

The commission had to answer twenty-seven questions. Most were directly in point and made white-washing of any party difficult. Non-parties were something else. The unions were particularly interested in five questions: 1) how was dangerous cargo packed, labelled, and stowed?; 2) were sufficient instructions issued by Canada Shipping to the ship's officers, the longshoremen, and their employer, to take precautions against fire and explosion?; 3) were all, or any, of those involved in loading fully aware of the danger of the cargo?; 4) what caused the fire, explosions and loss of life?; and 5) was anyone careless, incompetent or lax, and if so, who? The public part of the inquiry lasted eighteen days. It disclosed some disturbing facts.

Months earlier, the Australian government had begun acquiring items of cargo for shipment on the *Green Hill Park* and sent a detailed list to Canada Shipping. Lumber, newsprint and tin plate comprised the great bulk, but there were also many other goods, among which three should have attracted special attention: ninety-four tonnes of sodium chlorate, lesser amounts of overproof whisky, and distress flares.

The sodium chlorate and the whisky were particularly dangerous. Charles Hazen, a chemist, insisted the chlorate was not responsible for the explosions. G.S. Eldridge, a chemical engineer, declared that it seldom caught fire. These men were witnesses for Canada Shipping and the ship's officers. Minimizing the importance of the chemical was in their interest. The commission reported that it was "not impressed with...Eldridge and still less with Hazen.

These two gentlemen...were wedded to their own views and were less than convincing."

The commission did accept evidence by three other scientists, including chemistry professor M.J. Marshall, who explained that sodium chlorate is "similar to gunpowder in effect and does damage at a distance out of proportion to that at the scene." This is why downtown buildings shook and windows broke.



Figure 2: Ship Engulfed by Thick Smoke Soon after Explosions.

*Source:* Vancouver Maritime Museum

The whisky was not, said one witness, what "you gentlemen drink." It was sixty per cent proof, and its vapour was highly explosive. It came from a distillery in eastern Canada. "When you get whisky into a ship, you have trouble," testified George Hayes, a marine surveyor. He considered it more dangerous than the chemical, as longshoremen are always tempted to "get at" it, and if there are leaks (for whatever reason), the fumes are extremely inflammable. Sodium chlorate and overproof whisky are not good travelling companions.

Five weeks before the explosions, 1785 small steel drums from three Canadian Pacific boxcars were unloaded at the pier. Stencilled dimly on some was a warning: "Sodium-chlorate, highly inflammable under certain conditions. See instructions inside." Arthur Willoughby of the CPR consulted explosives inspector D.W. McNab, who told him that the substance was indeed dangerous and that each drum should have had a yellow warning label attached by the manufacturer, a firm in Buckingham, Quebec. In fact, the shipment had crossed Canada without a single label. Regulations forbade chlorate to remain on any pier for more than forty-eight hours. Since the ship was not due to load for more than a month, Willoughby's superiors ordered the drums taken to freight yards at Coquitlam, some fourteen miles away, where an explosion would do less damage.

The yellow labels were never affixed. Asked if he had told Canada Shipping about the missing labels or about the dangerous nature of the chlorate, McNab gave the normal response of a bureaucrat: "No, that was not my function." Nor did Willoughby pass his information to anyone outside Canadian Pacific. The commission commended Willoughby for his action. Neither he nor McNab was criticized for *inaction*. A word from either of these men could well have altered the course of events.

With the cargo list in hand, Canada Shipping prepared detailed loading plans, showing where each item of cargo was to be stowed. This exacting job was entrusted to Thomas Heward as superintendent of cargo (supercargo). His plans had to be approved by the ship's first officer, whose duty is to see that the cargo is well-balanced ("trimmed") and that incompatible cargoes are not stowed together. The purpose is to ensure safety for ship and crew in port and at sea, and indeed safety for the port itself.

The job of Canada Shipping's manager, Kenneth Montgomery, was to make money to enrich Riddle. According to his counsel, he acted "as any reasonable businessman would." For Montgomery, details of loading were of small concern, but he did know that ships in port earn no dollars. Quick loading was therefore desirable, which may be why he took almost no notice of a recent letter addressed to his company by the British government's Ministry of War Transport. It complained of vessels loaded in Canada that contravened British safety rules, and pleaded that dangerous cargoes be properly handled. With it were regulations<sup>6</sup> and a Ministry "Notice to Shipowners and Ship Masters re Carriage of Dangerous Goods in Ships:"

Not more than ten tons of sodium chlorate must be stowed in any one hold;

Sodium chlorate must be stowed away from explosives (such as flares), with the ship's engine-room compartment separating them;

Sodium chlorate must be stowed away from *any* combustible material.

All Montgomery did was to put these documents on the desk of his marine superintendent, Alexander Gait. The commission later declared that "Mr. Montgomery contended that as head of the firm he could not be expected to attend to details....But this was not a detail. It was a matter of prime importance in the business of a shipping company—the safe carriage of cargoes.... We are unable to see that Mr. Montgomery can be cleared of fault."

Gait, like his superior, was indifferent to the British warnings. He testified in an off-hand manner that "They may have been filed away....I don't know." Yet Gait was once a supercargo himself and should have known that sodium chlorate was dangerous. Donaghy questioned him closely. Asked why he had not warned Heward, Gait explained, "He is a supercargo, same as I am, and ought to know." Donaghy pursued the matter:

Q: Why didn't you call the attention of the ship's officers or the supercargo to (the danger)?

A: I told Mr. Heward it was for 'tween decks stowage and he took it up with the officers.

Q: May I take it you are unable to say why you did not point out the goods were dangerous, to the officers and supercargo?

At this point there were strenuous objections from Gait's counsel. They were overruled because "after all, it's a very pertinent question."

A: I'm not in a position to tell the officers. It's the duty of the supercargo.

Q: Is that your full answer?

A: Yes.

As for stowing many tonnes of a chemical, whisky, flares, and all sorts of wood, cloth and paper together in the No. 3 'tween decks, Gait said it was "perfectly all right." He also complained, "I had only one compartment for this general cargo." The statement was untrue. The cargo plans prepared on Gait's instructions by Charles Heward show Nos. 4 and 5 'tween decks empty. Notwithstanding these facts, Montgomery claimed that "Gait is one of the most competent men on the waterfront." The commission disagreed:

We are not so sure that Mr. Gait was wholly competent in the stowage of cargoes. No doubt he was efficient in the stowage of ordinary peace time cargoes moving through Vancouver... but with respect to chemicals he had little knowledge....We think Mr. Gait should have given the closest attention to the aforesaid circular letter, and drawn it to the notice of Mr. Heward.

If Gait's performance was unimpressive, so was Heward's. He had been told by Gait that the sodium chlorate must be stowed in the 'tween decks (where access is easier in case of fire), but he neither asked, nor even wondered, why.

Heward himself had no idea that the chlorate was dangerous, nor that CPR had sent it to Coquitlam for that reason. He prepared the detailed loading plan. Gait approved it and paid no further attention to the cargo or its stowage. Heward did leave copies of his plan for Captain John Wright and First Officer Alan Horsfield, but had no discussion with either of them and assumed they approved the plan. In fact, Heward passed on no relevant information to the officers. Understandably the commission thought "that...both Mr. Gait and Mr. Heward failed in the reasonable discharge of their duties." In Heward's case the finding was tempered by the comment that "We have a great deal of sympathy for Mr. Heward...almost all others sought to shift the responsibility to his shoulders. We are sure he did his best, but his best, for this cargo, was not good enough."



Figure 3: Tugs Tow Away Blazing Lumber Barge (CPR Dock behind Crane).

*Source:* Vancouver Public Library, No. 45869

Chief Officer Horsfield had authority to overrule Heward's plan, but his powers meant little to him. He visited No. 3 once but "...did not realize that the ship was loading dangerous cargo. [He], like the Master, left stowage to the supercargo [and so] failed to realize his duties." With regard to the whisky, "...apart from...the other dangerous cargo, there should have been a fully competent person in the 'tween decks watching stowage all day.... Herein the Chief Officer also failed in his duty." As for punishment,

Horsfield's default...would have obliged us to [suspend] his certificate...[but] we took into account his gallant conduct after the explosions and also the fact that the system under which he worked left stowage almost wholly in the hands of the supercargo....[As] we were unable to deal with Captain Wright's certificate, we thought it fair [to let Horsfield's stand].

Then what of Captain Wright? He was not on duty at the time of the explosions but volunteered a very strange story to the commission. He said he spent "hours" studying the cargo list, Heward's stowage plan and two books on stowage. He learned that sodium chlorate was dangerous. He overlooked a warning that the chlorate must not be stowed with any combustibles and wrongly decided that the sodium could be stowed with the flares, which were explosives. When it was pointed out that, contrary to everything stated in the books and the rules, he was preparing to load an unholy jumble of chlorate, silicide, flares, whisky, drugs, bronze powder, pickles and quantities of inflammable materials all in one hold, Wright admitted he knew the danger. But, like Montgomery, he claimed that wartime meant taking cargoes as presented, dangerous or not: there was no option.

He went much further. Once at sea he planned to watch No. 3 'tween decks very carefully. If fire broke out, he would order the crew to abandon ship, after which he and a few officers would close all apertures and try to douse the fire with steam. The officers were then to take to the boats and observe the results from a safe distance. That a captain could concoct such a plan shows a lively imagination, but the commission was far from enthusiastic: "Captain Wright was fully alive to the potential danger...but we are unable to accept his evidence at face value....[If he was so apprehensive] as to contemplate...such extreme measures...at sea, he should have taken steps to mitigate the danger,...but he did nothing...."

As for the notion of Wright, and also Montgomery, that wartime justified acceptance of needless dangers, the commission thought "such a proposition has only to be stated to be refuted." It was "...impossible to acquit Captain Wright of default. On the contrary...his indifference to the nature and stowage of the cargo constituted grave delinquency on his part.... We reject at once his reason for putting all this inflammable material into No. 3 'tween decks [so they would] be accessible during the voyage."

Retired sea captain Carl R. Bissett, who also testified, had two jobs. He was a private marine surveyor, and for nineteen years also worked for the federal government as Vancouver's Port Warden, responsible for checking the seaworthiness of certain ships before allowing them to go to sea. His dual function caused confusion. With regard to the *Green Hill Park*, he considered himself an adviser to Canada Shipping, although it never relied on him. When No. 3 'tween decks was being loaded, Bissett found out from Heward what was in the steel drums, checked two books on stowage, and thought all the cargo well-stowed. He even assured the commission that if and when loading ended, he would have certified the ship as seaworthy. Strangely, the books consulted by Bissett say exactly the opposite of the conclusion he drew from them. Even after eight men had died he still insisted that the No. 3 'tween decks was well-stowed and ignored repeated opportunities to retract.

Another peculiar thing about Bissett was that, as Port Warden, he had no authority at all to issue certificates of seaworthiness for ships with cargoes like the *Green Hill Park*. Yet for nineteen years he had done so. The commission was "...at a loss to understand how Bissett could come to the conclusions he did (about the stowage being safe)...in the teeth of all the



authorities. Although in fact he had neither authority nor duty to inspect stowage and give certificates, having assumed such authority, lie failed, and must be held gravely in default."

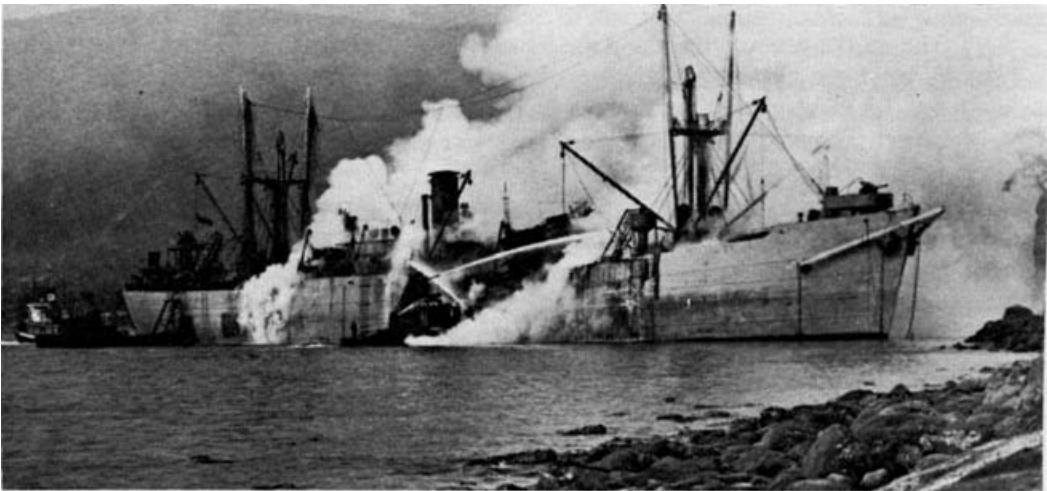


Figure 4: Ship Still Burning.

*Source:* Vancouver Maritime Museum

Theories about the cause of the fire were suggested by some witnesses: sabotage, an incendiary bomb, spontaneous ignition, and friction. These were rejected on the spot. As for a cigarette, there was much evidence. The employers spoke of the difficulty in getting men to stop smoking. Union witness George Sickavish, who barely escaped from the *Green Hill Park* with his life, told of a recent union meeting deciding that anyone who smoked in a ship's hold would be fined a hundred dollars and lose his job. Percy Cavanagh, working on deck, had a good view into much of No. 3 'tween decks and was "completely satisfied in [his] own mind that no one smoked in the 'tween decks the day of the explosion or the day before... many of the men below came up on deck to smoke."

Six other longshoremen confirmed Cavanagh's statement. Two neither confirmed nor denied it. The commission did not believe it had been told "the whole story" and believed that "there *was* smoking" and that some men "were not telling the truth." Yet it was not smoking as such that was responsible, but a lighted match dropped into whisky whose fumes ignited. How could that be? Cavanagh and others all saw the whisky stowed far back along the side of the ship and quickly closed in by masses of other cargo. On the fatal day, access seemed impossible. Or was it?

For Russell Drummond, working in the No. 3 'tween decks, the first sign of trouble

came as foreman George Pottinger, on deck, asked if there was a fire. He testified that he "looked up and saw smoke on the starboard side near the corner of the cargo...there was quite a bit of it.... The chief officer came rushing down...two fire extinguishers were used and then the hose."

John Adank was more directly involved. While on deck for a breather, he saw smoke coming from inside the cargo. He hurried back down, removed an item of cargo, emptied a fire extinguisher, and then helped to play a hose towards the smoke. He could tell the place from which it originated, but it was not hot, nor could he see flame:

The smoke got very thick and the hose got out of control, and knocked me down. I got up and asked where the ladder was and someone said, 'Over here.' I climbed out. On the way up I heard a fierce 'sizzling' sound. Just after I got out...the first explosion took place. I was the last man out of that hold.

Those who helped Adank on the hose were Harry Buckholtz, Russell Drummond and Stanley Harris. Robert J. Cripps, another longshoreman from No. 3, noted the great difficulty experienced by these men trying to get to the source of the fire through large amounts of cargo.

While Adank barely made it onto the deck, no one from No. 3 'tween decks was trapped, and, except for Adank, none suffered injuries. However, he and his fellow firefighters got small thanks. The commission viewed their efforts as

...unrealistic and unconvincing. The seamanlike thing to do in such a case is to burrow at once into the seat of the fire and play the extinguisher or hose directly upon that. But they spoke vaguely of pulling one or two cases down, and directing the extinguisher over the top of the cargo.... The impression this evidence left upon us was that some of them at least knew then that the fire was of a serious nature, and could not be quenched. And such, of course, was the fact.

One wonders why the commission expected seamanlike expertise from longshoremen, who are not trained to fight shipboard fires but who risked their lives trying to extinguish this one.

All six longshoremen who died had been working in lower parts of Nos. 1 and 2. To reach the comparative safety of the deck these men had to climb thirty feet up vertical ladders, whereas those in the 'tween decks had only eight feet to climb. There may have been confusion about warnings to those in Nos. 1 and 2, but William F. Lewis did reach deck level from No. 1. His death resulted, in part at least, from a defect in the design of one part of the ship. Sickavish testified that the ladders from Nos. 1 and 2 led to a narrow passageway inside a mast house. When one door was open, the other had to remain closed. It was a "natural firetrap" into which Lewis stepped at just the wrong moment, for the steel door which he was about to open in order to pass onto the deck was hurled inwards by the force of the second explosion. His body was found in the mast house. Behind him on the ladder were Thomas Johnson and N.K. Weir, also from No. 1. Johnson found the mast-house door jammed, so he and Weir retreated down into the smoke-filled No. 1 hold. "I guess," said Johnson, "it's all over for us. We might as well shake hands." They did. Happily, both survived the further

explosions and finally climbed to freedom.

In No. 2, things were far worse. Just before the first explosion there was a call, "Everyone off the ship." Some interpreted it as the lunch break and went for their jackets. It could have cost them their lives. Among the nine who survived No. 2, Sickavish and McLean had particularly narrow escapes. They had to crawl under a dangling load of lumber and across mixed cargo to the distant ladder. McLean was burned on hands and face as he reached the top of that ladder, the last to escape from No. 2.

A union request for extra ladders received the support of shipbuilder William McLaren, as did a plea for better arrangement of the mast-house doors. The commission agreed.

Having eliminated the various theories put forth as causes of the fire, the commission decided on a cause that no one had advanced. It held that "a lighted match carelessly dropped by a longshoreman" into spilled whisky was the true cause:

In coming to this conclusion we have kept steadily before us the fact that there was no direct evidence that whisky had been spilled, and none that a lighted match had been dropped. But...we are irresistibly driven to that conclusion. There is no other rational explanation.... There is no evidence that the spilling of the whisky was by broaching; yet we think...such was the case. While we appreciate that it is almost impossible to load a general cargo like this without some damage in the course of handling yet we think that the whisky barrels...were stowed in sound condition. They had not very far to go from the wharf....They would not be damaged in that short journey. If that is so, broaching was the cause of the spilling.

The last conclusion is unreasonable, especially in light of the complete lack of supporting evidence. All it takes is for a winch driver to drop a fragile load a small distance instead of letting it down gently.

The commission's assumption that the whisky cargo had been broached was damaging to the longshoremen. Possible broaching by the crew was rejected for lack of evidence. But how, with the whisky heavily blocked in by other cargo, could access to it be gained? The commission's answer was to argue that "...we think there was a space giving access to the whisky barrels, and here a match was lit and through some unhappy chance was dropped. The ensuing fire must have caught quickly and spread rapidly."

To reach this view the commission had to conclude that there was a passageway giving access to the whisky; that whisky was broached and spilled; and that one man lit a match, dropped it, and ignited the fumes. This line of reasoning relied heavily on evidence that a jacket with hot water bottles sewn inside and lunch pails with soldered compartments for liquids were later found in Nos. 2 and 3.

Those utensils were there for the express purpose of carrying away pilfered whisky. They could have no other purpose. They were direct evidence of preparation to this end, and no explanation was forthcoming.

Years later the commission's reasoning was confirmed. Early in 1980 a ninety-one-year-old

longshoreman told Vancouver newsman Chuck Davis what he learned from another longshoreman back in 1957 when both were in hospital. The other man, called Joe, did not expect to live. He told his friend that a narrow passage had indeed been cleared back to the liquor. One by one men took a drink or filled a bottle. Whisky was spilled. One man, already tipsy, could not see well and struck a match. Joe had kept his own counsel for twelve years. His friend guarded it for another twenty-three.<sup>7</sup>

What then of the cadet who was under orders to watch No. 3 'tween decks for pilferage and breakage but saw none? The commission concluded that "this young lad had never had the job before. He had no instructions to stop the longshoremen from smoking...he did not see the whisky at all."

On these grounds the commission decided that fault lay not only with Montgomery, Gait, Wright, Bissett and Horsfield, but also with "...one or more longshoremen working in No. 3 'tween decks. [They] were guilty of wrongful acts and defaults which contributed to the casualty, and must be censured."

It is a fact, well known to the commission and others familiar with stevedoring, that liquor is broached by longshoremen. As everyone also knew, that is by no means the most important part of the story. No longshoreman could steal a drop without the complicity of other liquor lovers. Among these are foremen, supercargoes, superintendents, guards, ship's officers, customs officers, and even police officers. All know about the business of broaching, and most condone it because they benefit from it. It is a form of corruption that has gone on for a very long time, and in ports worldwide. It is regrettable that the commission did not, in fairness, draw on its knowledge of the actual situation and present a more balanced decision. If longshoremen were blameworthy for barrel-broaching on the *Green Hill Park*, so also were all who would welcome gifts of liquor from the men who have the most direct access to it. And since these practices were well-known, one must question by what reasoning other potentially volatile materials were stowed in the same hold as the whisky.

The commission published its report on May 12, 1945, ten weeks after the event. While the promptness is commendable, the findings have certain negative aspects. One was to excuse the failure to make Captain John Wright a party and thus subject to discipline. The commission said that "this failure was no doubt due to the true facts of his position...only emerging during the course of his evidencce.before us."

That is no justification at all for Wright not having been made a party. He could most certainly have been made a witness at the secret stage of the inquiry, when awareness of his unacceptable behaviour and bizarre plans for the voyage would have destroyed any excuse for not making him a party. A reference by the commission to Wright's undisclosed "private anxieties" suggests that the Department of Transport wanted to be kind to him. If so, it clearly failed in its duty, for the commission thought Wright "unfit to be captain of a ship" and went on to admit that "...upon his own evidence [he] was gravely in default [and we] should have dealt severely with his certificate had he been made a party."

Another omission, for which not even a bad excuse was offered, lay in the failure to name the Canada Shipping Company and Ernest Farquhar Riddle as parties, to say nothing of the CPR. It was inexcusable that a corporation whose three top officials, under Riddle, were found in serious dereliction of duty should escape scot-free after such loss of life, injury and damage to property. With power to impose fines, the commission could have penalized Canada Shipping and Riddle with sums large enough to make sure that they and their associ-

ates would take safety in ship-loading very seriously.

Another negative aspect of the inquiry was that the tribunal, with extensive powers of punishment, chose only "censure," the lightest of all. Mere wrist-slapping was inadequate. In the same category is the commission's failure to condemn the ship's officers for their collective failure to provide effective watch over the whisky. It is all very well to blame longshoremen for broaching cargo, given that the practice is notorious, but sending a youth of nineteen for a job requiring a mature man not interested in free liquor was just another example of managerial ineptitude.

Hardly had echoes of the explosion died away when many tugboats were on their way to the *Green Hill Park*, as was the city's fire department. The professional efficiency of the firemen and tugboatmen was a refreshing change from the bungling of Montgomery, Gait, Wright and the others. Fire engines poured water onto the ship from every available vantage point and rescued the men who had jumped or been blown overboard, including Herbert Mayhew, who was found in a safety net. They also assisted an officer whose clothing was on fire. The work went on despite the bursting flares, which, as one newspaper wrote, "continued to pour into the sky at intervals."

The small harbour tug *Charles H. Cates No. 5* was first at the scene; her captain, Douglas Dixon, recalls a blazing barge of lumber being towed away with difficulty, while other tugs set to work with hoses. Dixon, near the *Green Hill Park's* stern, saw other tugs hauling away a sister ship to facilitate removal of the burning vessel.

Nine workers, aboard the *Green Hill Park* to check her engines, took refuge with crew members at the stern of the ship, the area least affected. There they assisted Dixon, now joined by the tugs *Kyuquot* and *RFM*, to fix towlines. At the same time the naval tug *Glen-devon* arrived, despite warnings to stay away because more explosions were feared. The *Glen-devon* came alongside several times to rescue men who escaped by sliding down ropes. Once in safety, they were asked to volunteer to return aboard the *Green Hill Park* to help the tugs get her out of the harbour. First Officer Horsfield, Third Officer Stuart S. McKenzie, and crewman Clarence Wallace went back, and from the stern of the ship did what they could. They reported the deck "unbearably hot" a scant twenty feet from their station.

With towlines in place, the dangerous and difficult process of towing the ship began. The tugboatmen did their job, never knowing if more explosions would occur, for cargoes in Nos. 2 and 3 still blazed fiercely. At first it was thought that the ship could be beached on mud flats across the harbour. On the way, however, the vessel seemed to disdain the idea, turning a complete circle. The tugs were having a very awkward time hauling the ship from the stern. The bow was becoming ever lighter, and there was no way of steering from there because of the fire. So the ship kept yawing wildly. Naval officers decided that instead of beaching, she must be taken out into English Bay (the outer harbour) and scuttled. The *Green Hill Park* herself decided otherwise.

The tugs fought their way to Calamity Point in the First Narrows, where the ship again turned full circle and beached herself on the gravel. After much struggle, they succeeded in pulling the *Green Hill Park* into deep water. Passing under the Lion's Gate bridge, the ship was a spectacular sight for those looking down. Fighting strong eddies and currents, the tugs pulled her along the south shore, where she finally beached herself on the rocks. The tugs could do no more for the *Green Hill Park*; but Vancouver's fireboat, *J.H. Carlisle*, had now arrived and began pumping sea water onto fires that still raged. Captain Dixon says that

pressure from the nozzles kept pushing the fireboat away from the ship, so he used his tug to keep them together.

Horsfield, McKenzie and Wallace were taken off by a police boat a couple of hours later, but even after many more hours of intense firefighting no one could get below to begin the task of locating and removing the bodies. That was done the next day. Later the ship was towed to a pier in the harbour. Plans were made to salvage the boilers and engines and to put the hull up for sale as a breakwater.

But those plans were not carried out. Brazilian interests bought the ship from the government for less than nine percent of cost and had it repaired. Renamed *Phaeax II* and flying the Panamanian flag-of-convenience,<sup>8</sup> the ship sailed for twenty-three more years. In the days of a world-wide shortage of merchant ships, Canadian taxpayers were deprived, by their government's generosity to a Brazilian company, of benefitting from a ship that had cost them dear.

Some of the political realities involved in the public inquiry are clear. It was, for instance, a political decision of the Department of Transport to shelter Riddle and his company by failing to make them parties. Riddle was too powerful a figure in Canada's shipping world to be exposed to punishment or even censure for having hired incompetent people—Montgomery and Gait—to run his Vancouver operation, or to be asked embarrassing questions about the conflict of interest arising from chartering the *Green Hill Park* to himself. Riddle was general manager of the entire government-owned fleet. He was also one of three representatives of private shipping interests who had already, in 1944, secretly recommended to the government that the fleet be sold, at low prices, to the private shipping industry after the war.<sup>9</sup> That advice was followed. Riddle had to be shielded.

The choice of Justice Sidney Smith to head the inquiry was also a political act. From the days of his maritime law practice, Smith had had connections with D.S. Montgomery, a brother of the English Field Marshal, and John Valentine Clyne, who was to become a major tycoon. He was exactly the man to head this inquiry, not so much for his knowledge of ships but because he knew precisely what decisions and penalties would be acceptable to the establishment. I have already noted the praise he gave to Willoughby of the CPR, although the company's failure to pass on vital information was a serious omission. A stiff fine rather than praise would have been more to the point. Yet Smith's political talents were such that he made his accolade of Willoughby (and by inference the CPR) seem just and fair.

When the case was over, I felt a sense of accomplishment mixed with disappointment. It was good to know that I had helped to expose poltroonery in exalted employer and official circles, even though some blameworthy higher-ups went unscathed for political reasons. It was also good to know that the men in the legal profession with celebrated names were not larger than life, as I once imagined.

However, I was disappointed that fault was attached to longshoremen for broaching liquor, with no attempt to put the finding within its real context. This fed the prejudice against waterfront workers in those circles where longshoremen are seen as thieves, thugs, or worse. It is a cultivated prejudice that lingers on and enables employers to drag out union negotiations and Parliament to enact laws taking away normal collective bargaining rights, as was done in 1972, 1975, and 1982. Nonetheless, participation in the inquiry by Local 501 united the membership around serious issues of safety and strengthened the union through an increased public awareness of the realities of waterfront work.

SOURCES

Dixon, Captain Doug. "Interview," June 23, 1981.

*Lloyd's Register of Shipping* (1944-1970).

Province of British Columbia. Registrar of Companies. "Canada Shipping Company Limited, 1928 to 1974."

"Report of the Inquiry Commission," May, 1945.

Stanton, John. "Personal files."

Statements to union counsel by seventeen longshoremen who witnessed most of the events.

NOTES

\* John Stanton is a retired labour lawyer who currently splits his time between Ontario and British Columbia.

1. See Appendix I.

2. *Vancouver Province*, March 7, 1945.

3. The fleet was sold off after the war to private shipping companies at a fraction of cost by the King and St. Laurent governments. After 1949 even the use of the Canadian flag was no longer required, and owners were free to sell to foreign companies or to use "flags-of-convenience." Thus Canada, bounded by three oceans, having more than five hundred ports and the longest coastline of any country, and being dependent on foreign—mostly American—shipping lines. For the third time in our history the Canadian government had done away with a national fleet. See my book *Life and Death of the Canadian Seamen's Union* (Toronto, 1978), 52-73, for a detailed account of the sellout.

4. This and further quotes, unless otherwise identified, are from the Inquiry Commission Report.

5. The lawyers and their clients were: Dugald Donaghy for Ministry of Transport; C.H. Locke and C.K. Guild for Peterson and Pottinger, Empire Stevedore men; J.H. McMullen for CPR; C.L. McAlpine for Gait and Heward, Canada Shipping men; A.C. DesBrisay for Shipping Federation (watching brief); G.L. Cassidy for Canadian Merchant Service

Guild (watching brief); W.S. Owen for National Harbours Board; Sherwood Lett for Montgomery (Canada Shipping) and Hughes (ship's guard); John Valentine Clyne for six ship's officers (not including Captain John Wright); John Stanton for the ILWU, CSU, and four named longshoremen. Note that McAlpine represented two Canada Shipping men, while Lett represented a third as well as a ship's guard. The identity of interests between the ship and its operating company was thus demonstrated.

6. These were not law in Canada but were viewed by the Commission as binding because they expressed rules which were essential to safe stowage.

7. From information provided by Chuck Davis. See his article in the *Vancouver Province*, February 3, 1980.

8. A ship is governed by the laws of the country whose flag she flies. That fact permits shipowners in more developed countries to take advantage of the low wages, low safety standards and low maintenance costs prevailing in third world countries. The owners make more money than if their ships were subject to the laws of the home country with its higher standards. For example, Canadian Pacific has a fleet of some twenty ships using the flag of Bermuda and depriving Canadian seamen of jobs and Canadian shipyards of work.

9. See my *Life and Death of the Canadian Seamen's Union*, 52-73.

## APPENDIX I

**Personal Data, Places and Causes of Death  
of Eight Men Killed Aboard S.S. Green Hill Park,  
Vancouver Harbour, March 6,1945**

**Longshoremen**

Name	Age	Place of Birth	Status	Children	Place of Death	Cause of Death
Donald G. Bell	34	B.C.	married	3	No. 2 lower hold	4th degree burns of entire body
Joseph A. Brooks	51	N.B.	married	3	-do-	complete burning (4th degree)
William T. Lewis	46	Wales	married	0	top of ladder No. 1 hold	4th degree burns (entire body)
Merton McGrath	46	N.S.	widower		No. 2 lower hold	charring of body by burns
Montague E. Munn	57	P.E.I.	married	2	-do-	burning (4th degree)
Walter Peterson	56	N.B.	married	0	-do-	charring of body by burns

**Seamen**

Julius Kern	about 41	unknown	single	0	chief steward's cabin	4th degree burns of body
Donald Munn	54	Scotland	single	0	-do-	burning (4th degree)

*Note:* All causes of death also include asphyxiation.

*Sources:* Death Certificates and union sources.