

**DSC05621**

1

Precognition of Witnesses

Henry Nisbet P.F.

as to sudden Death of

Malcolm McKinnon and

Ann or Nancy MacDougall or Burnett

Hector Lamont

Compeared Hector Lamont

who says I am master & owner of the Packet which plies with the Mails between the Islands of Tyree & Coll & Tobermory - I reside at Kirkapoll in the Island of Tyree and am 30 years of age –

Malcolm McKinnon, deceased, my brother in law, & Archibald McFadyen were the crew assisting me in the management of the vessel which is a 20 Ton smack - We left Tobermory on ~~

**DSC05622**

2

Hector Lamont

on Tuesday 2d October 1860 about 10 o'clock AM having the above crew on Board bound for Tyree & Coll with the Mails - Besides the crew we had Five passengers on board including the deceased Mrs Nancy Burnett of Tobermory who was going to Tyree The wind was from North West and light when starting - This wind was adverse - The wind continued [handy] all day and we got on favorably til it became dark - At 5 P.M. we made the East End of the Island of Coll and from that hour was beating up against the wind & Tide to the harbour of Arynagour which is situated in the centre of the Island - At 8 P.M. the wind changed to the South West & began to blow very suddenly - We then ~~~

**DSC05623**

3

Hector Lamont

then took in a double reef in the Mainsail and changed Jibs - The wind continued to increase in violence and at 10 P.M. we took in the third and last reef - We were at this time well up to the harbour at Arynagour and we were striving to make it as the night was very bad, the wind having increased to nearly a hurricane with a very heavy sea. at 11 P.M. we reached the very entrance to Arynagour harbour, but the sea was so heavy, and the violence of the wind so great, that the smack would not answer to the helm in stays, and to save our lives and the vessel we had to [...ear] her & run before the wind shaping our course for Tobermory - During our running the wind continued steadily to increase ~~~

**DSC05624**

4

Hector Lamont

increase, - We stowed the foresail & were sailing under the 3 reefed mainsail & small Jib. We reached the entrance to the harbour of Tobermory about 2 o'clock AM of Wednesday the 3d - The wind was blowing out of it, with great force - The whole sea was white with spray, the wind in its fury lashing the sea into foam. I never experienced anything like it - In pulling the vessel about on the first tack in our attempt to make the harbour our Mainsail blew away in ribbons, and we were compelled to set the vessel before the wind being then at the Mercy of wind and waves - We made Glenmore harbour in Loch Suinart about 3 AM and there brought the vessel to anchor, having ~~~

**DSC05625**

5

Hector Lamont

-ing both our anchors out - I also got ashore to an Island & fastened a hawser to a large rock - being assisted by the boy McFadyen - We couldn't get back to the smack as the wind capsized the Boat & blew the oars away - I remained on this rock till daylight - when the tide having receded I waded ashore to the mainland - About 6 A.M. the wind being still raging like a hurricane the hawser dragged the rock to which it was fastened and the smack began to drive - I changed the hawser to another part of the rock & this held her for half an hour when she again dragged it and her anchors and went ashore at a place called Glenbeg – about ½ past 7 A.M. - She went into a gully behind two rocks - I was at the rock~~~

**DSC05626**

6

Hector Lamont

the rock when she came ashore - Malcolm McKinnon jumped ashore with a rope in his hand to guide the boat bow foremost into the gully. I saw this as I was walking from the Island to the Smack.- The tide was ebbing - Mrs Burnett and the others passengers was on the half deck at the bow, - the vessel being at the time quite close to the rock on both sides - Mrs Burnett called to Malcolm McKinnon to return and assist her ashore -  
(I did not hear this as I was at the time walking round the bay but I was afterwards told it -)  
He did so stepping quite easily from the rock to the deck of the smack - He lifted Mrs Burnett in his arms and stepped ashore with her on to the rock -  
(I saw this quite distinctly - I was about 100 yards from them at the time )  
He carried her a few paces on to the rock when a heavy swell or surge of ~~~

**DSC05627**

7

Hector Lamont

of a wave raised over the rock rising nearly to his armpits lifting him off his feet, and in its fall carrying him & Mrs Burnett with it - (I was within a few yards of them at the time - The Witness Archibald McFadyen being near me at the time) He did not come up, but Mrs Burnett floated near the smack with her head downwards - I along with a lad from Glenmore who had come to the shore picked her up and lifted her shore before she was three minutes in the water - she was then dead and lay as if asleep - I got a plank ashore from the smack, laid her on it and turned her on her right side - She put up a great deal of water - I opened her dress and rubbed her body which was quite warm to restore animation but could not succeed - She shewed no symptoms of life after ~~~

**DSC05628**

8

Hector Lamont

after being taken out of the water - I continued to work at her for about 15 or 20 minutes, - during which time others were searching for my brother in law Malcolm McKinnon who had disappeared.

I assisted in the search for him, and succeeded in raising the body with a drag about 12 noon. I found her body near the Smack -

I then brought the two bodies to Tobermory where they were laid -  
There were no marks on Mrs Burnett at all - on Malcolm there was a small mark of injury on his forehead and a fracture of his left arm -

Malcolm was a tall powerful man, aged 37 years –

It is my intention to take his ~~~

**DSC05629**

9

Hector Lamont

his remains to Tyree to be there interred in Kirkapoll burying ground -

In connection with this drowning no wave or swell raised over the rock either before or afterwards except the one which carried them away - Truth -

Tobermory 16 October 1860

Recompeared - The remains of the deceased Malcolm McKinnon were Interred in Kirkapoll burying ground at Tyree in the parish of Tyree & Coll on the Twelfth Instant - I was present at the Interment - Truth

Hector Lamont

**DSC05630**

10

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**DSC05631**

11

Archibald MacFadyen

Compeared Archibald McFadyen aged 16 years, - says I reside at Kirkapoll on the Island of Tyree parish of Tyree & Coll & County of Argyll - I am a seaman on board the Tyree Packet, and was on Board of her in the last outward trip to the Islands of Coll & Tyree - Besides the crew we had 5 passengers, vizt 3 males & 2 females, of the latter was Mrs Burnett of Tobermory. The three men belonged to Coll and I do not know their names. On our last outward passage we left Tobermory on

Tuesday 2d October 1860

and experienced no difficulty till about 10 P.M. when we had to bear away from the entrance of the harbour of Arynagour for Tobermory - The gale was so great and ~~

**DSC05632**

12

Archibald MacFadyen

and the sea so heavy that the vessel then refused the helm in stays and we were compelled to bear away - The wind in running from Coll to Tobermory increased in volume to a hurricane, but under close canvas the smack wrought well till we reached the point at Ardmore, and in running from thence for Glenmore harbour in Lochsuinart the main sail was blown away, and we then ran under the foresail & small Jib, - the wind was getting stronger every minute and the sea very deep, & heavy - In passing the sturk rocks at the entrance to Lochsuinart, Malcolm McKinnon and I were on the outlook at the bow, - Hector Lamont & one of ~~~

**DSC05633**

13

Archibald MacFadyen

of the passengers were at the helm - a heavy sea broke over the bow nearly carrying Malcolm off the half deck. We reached Glenmore harbour about 3 A.M. of Wednesday morning and came to anchor inside the Island which forms the harbour - After getting the anchor down and the sails stowed Hector Lamont and I went ashore in the little boat with a Hawser which we fastened to a rock on the Island - The oars of the little boat blew away and we could not in consequence return to the smack - The wind was South West when we first came to anchor, - and it shortly afterwards veered to the North West blowing much stronger than before - The vessel rode out well till about 7 A.M. when the hawser drew ~~~

**DSC05634**

14

Archibald MacFadyen

drew away the rock and the vessel then began to drive - We were on the Island at the time and the vessel went ashore on the opposite side of the bay at a place called Glenbeg - Hector Lamont & I were on the Island at the time, not being able to get off - The vessel was ashore about 7 and when the sea ebbed we got off about 8 & went where it was - We found the smack aground between two rocks in a sort of gully and Mrs Burnett laying on the shore dead - Two men belonging to Glenmore were beside the body doing nothing - I learnt that Malcolm McKinnon was also drowned, - but that his body was not found - The men told us that Malcolm was trying to ~~~

**DSC05635**

15

Archibald MacFadyen

to save Mrs Burnett by carrying her ashore, when a wave came over the rock and carried them both away - I did not see Hector Lamont or any other person attempt to restore animation in Mrs Burnett - She was laying on a plank on her back when I first saw her - The two Glenmore men told us that the accident had occurred about  $\frac{1}{4}$  of an hour before we came -

We set about searching for the body of Malcolm McKinnon which we found near the rocks about 12 noon, and we then brought the two bodies in a small boat to Tobermory - leaving the packet ashore at Glenbeg - Truth -

**DSC05636**

16

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17

Niel McLean

Compeared Niel McLean Crofter and residing at Ruaig in the Island of Tyree aforesaid who says I am 56 years of age -

I was a passenger by the Tyree packet on its last outward trip to Tyree & Coll. We left Tobermory on Tuesday the

2d October 1860

about 10 o'clock A.M. - we had a light breeze all day from the South West - The deceased Mrs Burnett was a passenger - She was below in the forecastle or den during the whole day - After dark it began to blow and in consequence of the heavy sea, and violence of the wind the vessel refused stays and she was put about between 9 & 10 P.M. & ran for the Sound of Mull intending to ~~~

**DSC05638**

18

Niel McLean

to take the first safe harbour - I thought as the wind was blowing out of Tobermory bay that the vessel would not beat in against it, and it was resolved to run for Glenmore in Lochsuinart - reaching Ardmore point the vessel was steered for Glenmore, - shortly after passing which & when we were nearing the stirk rocks the Mainsail blew away from the hoops of the mast, and we ran then under the foresail & Jib - I was assisting Hector Lamont at the helm and Malcolm McKinnon & the witness McFadyen was on the half deck at the bow keeping a look out - We reached Glenmore about 1 A.M. and brought up the smack under the lea of the Island which forms the harbour there letting down the anchor. We ~~

**DSC05639**

19

Niel McLean

we hadn't been at anchor for more than 10 minutes when the wind changed from south west, to West North West, blowing a perfect hurricane the sea being white with smoke the spray blinding us in its course over the vessel. The vessel rode at the single anchor for about 2 hours without shifting, but the wind becoming more severe she then began to drive when Hector Lamont and the witness McFadyen landed in the little boat with a Hawser which they made fast to a rock on the Island - This Hawser and the anchor held till about 6 am, when the rock to which the hawser was made fast having given way - the vessel again began to drive and she went ashore at Genbeg about ½ past 6 am. Hector Lamont & McFadyen were on ~~~

**DSC05640**

20

Niel McLean

on the Island at the time having been unable to return to the smack - At the time the vessel began to drive Malcolm McKinnon brought Mrs Burnett up from the den - He placed her at the fore shroud which she held with her right hand - Malcolm told her to remain there and that when they got to the shore he would try and land her - On nearing the land the smack was driving broadside on to the point of a rock - Malcolm was at the bow and I was at the stern - There was a gully and we were endeavouring to get the vessel into it so as to make the landing easy - The vessel struck the point of the rock before we entered the gully and we were afraid that she would go to ~~~

**DSC05641**

21

Niel McLean

to pieces in it - Malcolm jumped ashore at once and turned round got Mrs Burnett by the hand & when she was in the act or rather had made the jump ashore, a large wave or rather the swell of a large wave came up over the rock, and in its fall carried them both with it - (This would be about 7 o'clock) Seeing this I ran to the bow got hold of the fish hook, and waited for two or three minutes when Mrs Burnett came to the surface on the outside of the vessel having been carried below the keel - She was too far from me to get hold of her - with the hook, and she sank again - I then leaped ashore carrying the hook with me - Donald a Coll man & a passenger threw me a rope, he fastened the end of it to his daughter & I

**DSC05642**

22

Niel McLean

and I dragged her ashore - I then threw the rope to him and he fastened it to himself & drew him ashore - I don't know how the other passenger got ashore - After this was done I went round the gully looking for Mrs Burnett & Malcolm who had disappeared - About 30 yards from the smack I saw clothes floating near the shore - By this time some of the people from the place came up - one of them cut a stick from the wood with a crook on it, and with this the body of Mrs Burnett was pulled ashore - She was about two hours in the water - Hector Lamont wasn't present when the body was found - Mrs Burnett was quite dead when taken out of the water - The people of the ~~~

**DSC05643**

23

Niel McLean

the place attempted to restore animation without effect - I never saw Malcolm after he was carried off the rock till 12 noon at low water when his body was fished up - Immediately afterwards both bodies were brought to Tobermory - I only once in my life saw such a gale - Truth -

**DSC05644**

24

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**DSC05645**

25

Niel McKinnon

Niel McKinnon residing at Arynagour on the Island of Coll in the Shire of Argyll who says I am 55 years of age.

I was on Board the Tyree packet on its last trip to the Islands of Coll & Tyree as a passenger - We left Tobermory on Tuesday

2d October 1860

about 10 am & had weather moderate till about dusk being then well up to the Coll shore - It came on to blow about 8 P.M. and continued to increased in violence We kept at it till between 10 & 11 P.M. when in consequence of the violence of the Wind & sea the smack refused stays & she was then [wore] & was borne away for the Sound of Mull. We reached Glenmore bay about 3 AM. ~~

**DSC05646**

26

Niel McKinnon

3 am and came to anchor under the lea of the Island. The smack rode to her anchor without driving till about 5 am when with a change in the wind & being more exposed she began to drag the anchor. [Seeing] this Hector Lamont & Archibald McFadyen landed in the little boat with a hawser which they made fast to a rock, but neither of the two returned to the smack - I don't know the cause of their not returning - This rope in addition to the anchor held the vessel till between 6 & 7 or nearly 7 am when she dragged the rope from the shore, - and also the anchor - Malcolm McKinnon deceased was the only one of the crew on Board, and he and the passengers got on to ~~~

**DSC05647**

27

Niel McKinnon

to the deck after she began to drive - We were being driven down upon the rocks at Glenbeg and when we were near the shore Malcolm went below and brought Mrs Burnett also deceased on deck & placed her near the shrouds of the main mast - The smack struck the rock and Malcolm immediately jumped ashore, - He turned round got hold of Mrs Burnett by the hand, and she leaped ashore - Immediately on landing I think she slipped and fell and a sea came up and washed both Malcolm and her into the sea - I did not see Malcolm afterwards till his body was found about Midday, - but I saw Mrs Burnett floating outside the smack ~~

**DSC05648**

28

Niel McKinnon

smack but too far out for any on board to be of any service - We on board were afraid the vessel would break up and Niel McLean who had also landed got a rope passed on board which I fastened round the waist of my daughter Mary also a passenger and she was by means of it drawn on shore -

She was in the water - By this means I was also drawn ashore - The smack after this got into a gully and fastened in it quite safe - Hector Lamont and the lad McFadyen came up at this time & I saw the body of Mrs Burnett in about an hour afterwards - It was then quite dead ~~~

**DSC05649**

29

Niel McKinnon

dead - I did not assist in the search for it, as I was engaged with my daughter who was in delicate health & much exhausted - Truth

**DSC05650**

30

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**DSC05651**

31

Alexander Campbell

Alexander Campbell Inland Revenue Officer Broadford Isle of Skye says the deceased Mrs Ann or Nancy McDougall or Burnett was my sister in law I came to be present at her Internment and she was on the 10th Inst buried in the burying ground of Tobermory in the parish of Kilninian & Kilmore Island of Mull - She was aged 29 years Truth

**DSC05652**

Index

|                        |      |    |
|------------------------|------|----|
| 1. Hector Lamont       | Page | 1  |
| 2. Archibald MacFadyen |      | 11 |
| 3. Niel McLean         |      | 17 |
| 4. Niel McKinnon       |      | 25 |
| 5. Alexander Campbell  |      | 31 |

**DSC05653**

No. 1  
Precognition of Witnesses  
Henry Nisbet P.F.  
as to sudden Death  
of  
Malcolm McKinnon & anor  
1860