

(1)

Inventory of precognition
death of
William James & Joseph Evans
1868

Tobermory Argyll

(2)

Inventory of Precognition
sudden death
of
William James & Joseph Evans
Tobermory 20 August
1868

- 1. Precognition
- { 2. Schedule for Registrar death of James }
- { 3 Evans }
- 2. Copy Schedule for registrar revised by Crown counsel as to death of William James
- 3. Joseph Evans
- 4. Copy Entry made in Register on 29 August as to William James
- 5. Copy Joseph Evans
- 6. New schedule for Registrar death of James
- 7. Evans

(3)

Copy No 3
SCHEDULE FOR REGISTRAR
revised by Crown Counsel
1868

Death of Joseph Evans

(4)

Copy

TO THE REGISTRAR OF the Islands and parish of Tyree

=====

RESULT of PRECOGNITION touching the Death of the undermentioned Person: -
(17 and 18 Vict. cap. 80, § 40.)

- 1. *Name* Joseph Evans
- 2. *Age and Sex* aged 60 years male
- 3. *When died* 8th August 1868
- 4. *Where died* Balefuil Bay Island of Tyree
- 5. *Cause of Death ; how long Disease continued ; Medical man by whom certified, and when he last saw Deceased.*
Drowned on wreck of "Maria Fanny" of Milford Devon Wales in which he was serving as cook & Seaman
- 6. *Burial Place, and Undertaker by whom certified.*
Body not found.

(signed)

Will Sproat

Procurator- Fiscal

Procurator Fiscal's office

20 August 1868

(5)

Copy No 2

SCHEDULE FOR REGISTRAR
revised by Crown Counsel
1868

Death of William James

(6)

Copy

TO THE REGISTRAR OF the Islands and parish of Tyree

=====

RESULT of PRECOGNITION touching the Death of the undermentioned Person: -
(17 and 18 Vict. cap. 80, § 40.)

1. *Name* William James
 2. *Age and Sex* 26 years male
 3. *When died* 8th August 1868
 4. *Where died* Baleful Bay Island of Tyree
 5. *Cause of Death ; how long Disease continued ; Medical man by whom certified, and when he last saw Deceased.*
Drowned on wreck of "Maria Fanny" of Milford Devon Wales in which he was Master
 6. *Burial Place, and Undertaker by whom certified.*
Body not found.
-

(signed)

Will Sproat

Procurator- Fiscal

Procurator Fiscal's office

20 August 1868

(7)

No 5

Copy

Entry in Tyree Register
Death of Joseph Evans
29 Aug 1868

(8)

Name and Surname. Rank or Profession, and whether Single, Married, or Widowed
Supposed Joseph Evans. Sailor on the "Maria Fanny" Schooner of Melford South Wales

When and Where Died

Found Cast ashore on the Shore of Balphuill Tyree

Sex

M

Age

about 50 years

Name, Surname, Rank or Profession of Father / Name and Maiden Surname of Mother

Not known

Cause of Death, Duration of Disease, and Medical Attendant by whom certified

Supposed drowned by the sinking of the "Maria Fanny" Schooner on the 8th Augt near Kinavarahead South of Tyree

Signature & Qualification of Informant, and Residence, if out of House in which the Death occurred

(Signed) Donald McDougall Crofter Balephuill (Present when found)

When and where Registered and Signature of Registrar.

1868 29th Augt at Tyree John McFarlane Registrar

(9)

1868
Edin 24/26 August
Crown Counsel
Returning Precognition
Death of
Joseph Evans

No proceedings
No 8

Death of Joseph Evans

Crown Office
Edinburgh 24th Augt. 1868

Sir,

I return this Case & annex copy Crown Counsel's notes to which I refer you.

I am Sir,

Your most ob. Sert
Thos Shillinglaw

For the Crown Agent

The Procurator Fiscal
Tobermory

(10)

Copy C.C. Notes

24 Augt 1868. No proceedings -

Schedule revised - The P.F. will intimate to the Witness Archd Brown Mannal & the other volunteers that in the opinion of Crown Counsel their conduct on the occasion was most exemplary & praise worthy, as it appears to have been owing to their courageous exertions that there was not a greater loss of life.

(11)

Death of Joseph Evans

Crown Office
Edinburgh 15 Oct. 1868

Sir,

I return this case Crown Counsel having revised the Schedules Nos 6 & 7 which you will communicate to the Registrar, and there will be no farther proceedings.

I am
Your mo. obed. St
Thos. Shillinglaw
For Crown Agent

The Procurator Fiscal
Tobermory

5.67.2000

(12)

1868
Edinburgh 221/24 Sent crown Agent
Returning Precognition
death of
Joseph Evans

Farther Enquiry

Death of Joseph Evans &c

Crown Office
Edinburgh 21st Sept. 1868

Sir

I return this Case & annex copy Crown Counsel's notes to which I refer you.

I am Sir,
Thos. Shillington
For the Crown Agent

(13)

Copy C. C. Notes

12 Spt. 1868. - The P.F. will ascertain & report whether the entries in the Register have been already made in accordance with the previously revised schedules and have been signed. He will also report a copy of the schedules formerly revised & sent to the Registrar. -

(14)

Additional
Precognition of Witnesses
as to Death of
William James and Joseph Evans.
1868

(15)

Balephuill 2 Sepr 1868

Angus MacArthur crofter residing at Balephuill in the Island of Tyree - aged 43 years - Says on the morning of
28th August 1868

my son Donald MacArthur aged about 11 years told me he had been to the sea shore of Balephuill and there saw the dead bodies of two men lying on the beach - Alexander MacDonald residing at

Balephuill and several others of the neighbours were informed of the fact and accompanied me to the Beach. The boy went along with us and pointed out the places where the bodies lay. We found the two about 300

(16)

2 Angus McArthur

300 yards apart on the sea shore at Balephuill - We lifted them from the beach and placed them on the grass above high water mark - I went home for a horse and cart and removed the bodies to an outhouse at Balephuill where they were laid out and Coffined -

Next day Saturday 29 August 1868

both bodies were interred in the burying ground at Soraba Balemartin Tyree

One of the bodies appeared to be that of a young man - The face was disfigured and the hair all away so that the body by these could not ~~

(17)

3 Angus McArthur

not be identified -

On the right arm there was the mark of a flag or tree - The body was clothed with a flannel semmet a Crimean shirt, a brown Vest and Trowsers and blue pilot cloth Jacket - On one of the feet there was a large Sea boot - The other foot was naked - The body was 5 feet 11 in length - From the general appearance of the body its length and clothing as described by the Survivors of the wreck of the Maria Fanny which was wrecked at Balephuill bay on

7th Augt. 1868

This body was that of the Captain whose name they said was William James ~

(18)

4 Angus McArthur

James who was said to have been drowned off the wreck at the sametime -

In the Trowsers pocket a leather purse with

5 Half sovereign coins

2 Half crown coins

4 Two shilling coins

& one half penny

was found, - all of which was handed to Archd. Campbell Receiver of wrecks at Balinoe Tyree in order that he might take care of them - The beach where the bodies was found is opposite the rocks on which the Maria Fanny struck and was wrecked. -

The vessel had broken up and the beach is strewn ~~

(19)

5 Angus MacArthur

strewn with pieces of the wreck and the two bodies were found among a portion of these pieces -

The second body also wanted the hair and the face was disfigured also. It appeared to be the body of an old man. It was clothed with a canvas Jacket, dark Trowsers, a striped cotton shirt and a flannel semmet and from the description given by the survivors of the wreck this body appeared to be that of Joseph Evans one of the hands on board the vessel who was said by them to have been drowned at the same time with the ~~

(20)

6 Angus McArthur

the Captain - I saw the survivors of the wreck frequently and they told myself and in the hearing of others the appearance of the two men lost off the wreck of the Maria Fanny and this corresponds so far as regards the clothing and size of the bodies and this coupled with the fact that the beach where the bodies lay when found was strewn with the wreck leaves no doubt in my mind that these were the remains of the two men drowned on the occasion of the wreck of the said Vessel as reported ~~

(21)

7 Angus McArthur

reported by the survivors -

This opinion is shared in by all I have spoken to on the subject Truth

(22)

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(23)

9 Malcolm McArthur

2 Sepr. 1868

Malcolm MacArthur Crofter (aged 40) reading at Balephuul Tyree aforesaid -

I saw the two bodies being taken from the shore in a cart by Angus MacArthur and I concur with him as to what occurred afterwards, - and agree with him in thinking & being of opinion that the bodies were those of the two men lost off the Schooner Maria Fanny - I was present at the interment on the 29 August 1868 which took place at Soraba Balemartin in the Island of Tyree

(24)

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(25)

Balephuill 2 Sept. 1868

Alexander MacDonald Fisherman residing at Balephuill Tyree says. I concur with Angus McArthur as to the finding and removing of the two bodies from the Beach and I concur with him in his opinion that the two were the bodies of the men drowned off the Maria Fanny which was wrecked in Balephuill Bay on Friday

7 August 1868

I was not present at the funeral - Truth

(26)

12 Page left blank

(27)

13 Donald McArthur

2 Sepr 1868

Donald MacArthur (aged 11 years) son of and residing with Angus MacArthur crofter residing at Balephuill in the Island of Tyree - On Friday last

I went to the seashore of Balephuill in the morning

On my way home and as I was looking at pieces of the wreck of the Maria Fanny which afterwards wrecked on the rocks in the entrance to the bay some time ago, I came across the body of a man - I got afraid and went off immediately to my fathers house walking along the beach which was strewn with pieces of the wreck - A good distance from

(28)

14 Donald McArthur

from the place where I saw the first

about 300 yards *(Distance pointed out)*

I saw the body of another person among pieces of the wreck -

I went home immediately and told my father and he and Alexander MacDonald a witness with a number of others went to the shore - I went with them by desire of my father and pointed out the places where I saw the bodies - The bodies were still there and were removed as stated by my father Truth -

(29)

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(32)

Sudden Deaths

William James and Joseph Evans

[in margin, faint pencil writing]

Capt face disfig & not capable of identification. One Bod. long and one ... feet. All body whole with excep. of one of hands whole - Lenth about 5-11. No hair on head The body 51..... young man

other had all clothes on face also disfig unfit for The body appearing to be that of an old man Both were about 4... yds apart when found. Pieces of wreck atwith bodies

Angus MacArthur Crofter Ballyphuil Says, I was at the finding of the two bodies washed ashore on the 28 Aug. ult they were found about 600 yards south from the houses of the village of Ballypuil I brought them both to my barn with my cart. I went with them both to the Churchyard at Ballymartin with my horse and cart by the description given they appeared to be the bodies of those lost from the Schooner Maria Fanny, there was the mark of a flag or tree on the right arm of the Captain he was dressed in a blue pilot Cloth jacket a brown vest brownish Trowsers crimson Shirt and flannel semmet. he had in a leather purse five half Sovereigns in gold 2 half crowns and four two shilling pieces in silver - and one half penny in copper in all £3 .. 3 & ½ The other seamen washed ashore had on a canvas jacket dark trowsers and a chequered cotton shirt and flannel semmet
The money was delivered to Archd Campbell Receiver of Wrecks Ballynoe Tyree

(33)

Malcolm McArthur crofter Ballypuil

Says I accompanied the bodies of the two men washed ashore at Ballyphuil from Ballyful to the church yard at Soraba Ballymartin on Saturday the 29th August 1868 and waited untill they were both buried

Donald McArthur son of and residing with Angus McArthur crofter Ballypuil says I am eleven years of age I went to the shore on the morning of Friday the 28 Aug and found the bodies of the men on the shore I came home and told my father - he and Alexr McDonald and Archd McLean and others went for the bodies and brought them home

Tyree 2d Sept 1868

I am your Obt Servt
Duncan Cameron
Constable

To the P.F.

Tobermory

(34)

No 1

Precognition of Witnesses
sudden death of
William James & Joseph Evans
1868
Tobermory Argyllshire

(35)

13 August 1868

Compeared Thomas Davis, Seaman who says I reside at West Street New Port, Pembroke in Wales
I am 23 years of age

I was mate on board the Schooner "Maria Fanny" of Melford Devon, Wales - of 78 Tons
Register

We had 5 of a crew on board consisting of the Captain whose name was William James, of
Saint Davids Pembrokeshire and aged about 26 years, - Joseph Evans Melford Devon, who acted as
cook and was aged about 60 years, James Bowan, St. Davids an ordinary Seaman and William
Thomas Melford Harbour, Devon Seaman and myself .

(36)

2 Thomas Davis

myself - The vessel was well up in years, but she went under a thorough repair this Summer and
was well found and in good condition -

I joined the vessel nearly two months ago - On
Wednesday last a week

We sailed from Ayr in Scotland with a cargo of Coals bound for Limerick I cant say the day of the
month exactly but I think it would be about the 28 of July 1868

In consequence of contrary winds we put into Lamlash on the following Thursday
On the Monday thereafter
we sailed from Lamlash with

(37)

3 Thomas Davis

with a light breeze of favourable wind, - In the course of the afternoon of that day the wind shifted and
was contrary, we continued beating against the wind until the night of

Friday last (7 August 1868)

The wind increased we put a double reef in all the sails set and continued thin king the wind would
take off, The wind continued to increase and about mid night we observed that the ship was making
a little water - The sea ran very high and when about 19 miles off Torry Island in consequence of the
severity of the Gale and the deep sea running we

(38)

4 Thomas Davis

we put about and ran before the wind which was from the South West close reefed - The weather was rather thick we soon lost sight of Torry Island - On the morning of the following day (Saturday)

8 August 1868

I think between 1 & 2 P.M. we sighted Skerryvore - The wind and sea still continuing high,. We passed Skerryvore light and took a straight course for the Tyree land - About 4 A.M. we sighted the Tyree land, & when about 2 miles distant the Captain ordered me for safety to steer for a bay to the South

(39)

5 Thomas Davis

South west of Tyree which I did when opposite the middle of the entrance to the bay and about ½ a mile distant from the shore the vessel struck on a sunken rock and immediately laid over on her beam ends, - and became immersed in the sea We were all thrown into the sea - I caught hold of a life buoy and was floated by means of it for a few minutes when the tops of the masts appeared above the surface of the water and I got a hold of and climbed up the rigging, - all the other men with the exception of Evans did the same - I did not see him after the

(40)

6 Thomas Davis

the vessel had gone over and he was not seen afterwards - I got to the very top of the mast [insert in margin] *Bowman was close beside me & we locked ourselves together & tied ourselves to the mast with our cravats. William Thomas was below me*

The Captain was under him. A short time thereafter I missed the Captain but said nothing to the other two men at the time in case it might alarm them -

I have no doubt the master was washed off the mast as the sea was heavy and breaking over us - and that Evans was drowned immediately after the vessel struck and before she sank -

We clung to the mast till about 12 noon when we were rescued by a boat and crew from the shore ~~

(41)

7 Thomas Davis

shore - We shouted to the people whom we saw on the shore but we were unable to show any signs other than waving our hands - Truth

(42)

8 page left blank

(43)

9 James Brown & William Thomas

James Brown Seaman residing at St, Davids Pembrokeshire Wales – aged 18 - Says

I concur with the witness Thomas Davis Truth

William Thomas Seaman Melford Harbour Devon says I am about 18 years of age -

I concur with the witness Thomas Davis Truth

(44)

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(45)

11 Donald McArthur

Balephuill 15th August 1868

Donald McArthur says

I am a Fisherman and reside at Balephuill in the parish and Island of Tyree.

On Saturday morning the 8th Instant and about 4 A.M. I was walking along the shore at Balephuill. About 5 minutes after going down to the shore I saw a Schooner under sail about a mile and a half out from the shore coming in towards the Bay. Immediately after I saw her I ran into the house of Donald Kennedy and told him that a vessel was coming into the Bay and that I thought something was wrong with her. I stood about 3 minutes in the house and when I came out I saw her striking on Bo-more a

(46)

12 Donald McArthur

a sunken rock which lies about a mile out in the bay. In about 5 minutes after she struck she got off the rock and came closer to the shore and in less than 5 minutes sunk in deep water leaving nothing but the tops of the masts visible I did not observe any crew on board. Shortly after she sank a crowd of people gathered to the shore and were looking at the vessel. Archibald Brown Mannal came to the shore about 7 A.M. and he said he saw some of the crew clinging to the masts. There was a gale of wind from the west and the sea in the Bay and particular at the place where the vessel sank was running very high. We were debating whether it was possible for

(47)

13 Donald McArthur

for an open Boat to live in it - Brown called for Volunteers and offered himself to go. After some time 7 men volunteered and a boat was launched which was pulled to the vessel and returned with 3 of the crew. We watched them from the shore and thought several times that the Boat was swamped as she disappeared from our view in the trough of the sea. The risk the men ran in saving the crew was very great and accomplished at great peril Truth

(48)

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(49)

15 Archibald Brown

Balephuill, 15 August 1868

Archibald Brown, Farmer, Balephuill Island and parish of Tyree says

On the morning of Saturday 8th August 1868 and about 4 A.M. Donald McArthur came and informed that a large vessel had struck on the rocks and was in the bay of Balephuill on the west side of Tyree and a short distance from my house. I immediately got up and went to the shore. I then saw the tops of two masts above the water in the Bay near a sunken rock called Bo-more. There was a gale of wind from the west and the sea was rising very high. I thought I saw the appearance of some men clinging to the mast. We remained looking at the vessel for

(50)

16 Archibald Brown

for several hours till Archibald Brown Mannal came down He then said that he saw several men clinging to the masts. This would be about 10 o'clock A.M. The Sea was running so high that we thought a small Boat could not live in it. Brown volunteered to run the risk & asked for others but at first no one seconded him. He however repeated the offer and a crew of 7 volunteered also of whom I was one. We got a skiff about 2 miles from the vessel and had her launched & pulled her through the surf at the imminent risk of our own lives. We succeeded in reaching the vessel and found three of the crew clinging to the masts, whom with difficulty we rescued by means of

(51)

17 Archibald Brown

of ropes from the wreck.

The vessel was under water and only the tops of the masts were visible. Their names are Thomas Davis, mate : James Bowman Seaman, William Thomas Seaman whom we took ashore. They were very much exhausted. They informed us that the vessels name was the "Maria Fanny" bound from Ayr to Limerick with a cargo of coals. They informed us that the Master William James, and Joseph Evans one of the crew were washed off the ship after she struck on the rock and were drowned. –

Since the wreck I have watched the shore of the bay but neither of the two bodies have been found. - Truth -

(52)

18 page left blank

(53)

19 Archibald Brown

Archibald Brown Mannal Tyree says. I am a seaman. I concur with the preceding witness in his statement, after the mention of my name. On getting to the shore I saw that nothing but the tops of the masts were visible. The vessel was about a mile from the shore. I however saw two or three men clinging to the mast and I succeeded in getting volunteers and we rescued them with difficulty. A very heavy sea was running and there was a perfect gale from the west. I have never been out in such a sea in an open Boat - Truth

(54)

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