

ORDER OF REFERENCE (2)

Whether all possible means were taken to warn the staff and the members of the public in the premises of the existence and seriousness of the fire, and whether all possible steps were taken to provide for their safety and escape.

54. No member of the general public was lost.

The following schedule shows the disposition of the staff at the time of the fire :—

DISPOSITION OF EMPLOYEES AT TIME OF FIRE

On the day of the fire there were 432 employees (133 men and 299 women) dispersed in various buildings and floors as follows :—

	Congreves.		Goodmans.		Pratts.		Moules.		Bells.		Lichfield Street.		Total.	
	M.	W.	M.	W.	M.	W.	M.	W.	M.	W.	M.	W.	M.	W.
Basement	1	..	..	..	..	..	..	..	..	..	..	..	1	..
Ground floor	3	2	14	..	13	41	30	46	1	9	2	..	63	98
First floor	..	1	2	..	12	18	7	29	..	8	4	13	25	69
Second floor	..	33	..	12	23	58	..	6	2	10	..	..	25	119
Third floor	..	..	..	12	..	..	..	..	..	..	..	..	..	12
Persons with no fixed position	..	..	..	..	..	..	..	..	..	..	..	..	19	1
Total	4	36	16	24	48	117	37	81	3	27	6	13	133	299
	40		40		165		118		30		19		432	

Of the above persons, 38 lost their lives, the particulars being as follows :—

Department in which Employed.	Department where Perished.	Men.	Women.
Credit office, second floor, Pratts	Accountancy and credit office, second floor, Pratts	4	16
	Jumped from accountancy office window	..	1
Accountancy office, second floor, Pratts	Accountancy and credit office	4	3
Display studio, third floor, Goodmans	Accountancy and credit office	..	2
Millinery workroom, third floor, Goodmans	Millinery workroom	..	7
Telephone-exchange, third floor, Goodmans	Accountancy and credit office	..	1
Total		8	30

In addition to the above, 2 male auditors, not employees, but working in the audit of the firm's books at the time, and also a female employee of the College of Retailing Representatives, were working in offices adjacent to the accountancy and credit offices, and these persons lost their lives presumably in the accountancy and credit offices.

55. Crown counsel construed the word “ possible ” as meaning “ reasonably possible under the circumstances then obtaining.” To take the word “ possible ” in its literal sense would, according to Crown counsel, be setting a standard such as no man could be expected to achieve, and its construction should have regard to the ordinary standards of the ordinary prudent person.

We agree with these propositions, and approach the question on that construction, paying attention also to the included question as to whether the seriousness of the fire was made known to the staff.

56. Mr. Lascelles, who appeared for the municipal body, pointed out that the members of the public would mostly be on the ground floor, in which so many walls had been opened to enable the public to pass easily from one department to another and, from