

struck her bilge and helped her over. I should think there were between three and four hundred tons of coals in the bunkers when the ship was lost. There were no separate bits fitted on the hurricane deck for the topsail sheets, other ropes leading through the same bits. After I got into the launch from the pinnace I did not hear Captain Burgoyne say anything, but before I left the pinnace he called out to the men in the launch to throw the boat's painter. One of the men in the launch offered him an oar, but Captain Burgoyne said, "Stick to your oar, for you will want it." When Captain Burgoyne was in the sea after the ship had foundered, and before he got on the boat, he begged of me and John Heard to assist him in getting on to the bottom of the pinnace, which we did. He said something about our awful condition, but I cannot call to mind his words.

By Captain Boys: The men saved told me what sail the ship was under when she foundered. The guns in the turrets were secured with chain pennants round the chase and the neck-ring. The pairs of guns were secured together, and the ends of the chains secured to the sides of the turrets. The guns were quite safe. They were secured fore and aft. I have known the turrets revolve of themselves from the roll of the ship when not secured. On one occasion when the dockyard authorities were trying to find the ship's centre of gravity, it occurred, a difference being made in the sit of the ship by her heeling. The turrets were both secured on the evening previous to the ship's loss, with hooks and screws to prevent them revolving. The ship's complement of projectiles was short by 104 Palliser 12-inch shot and nineteen Palliser 12-inch shell. As a practical seaman, I consider the *Captain* to have been overmasted.

By Captain May: I consider the gale in which the ship was lost to have been heavier than the gale in May. The sea in the May gale was a long sea. The sea in the September gale, as far as I could judge from the boat, a short sea.

By Captain Commerell: I have never heard of any water being in the *Captain's* stokehold during the May gale. On one occasion, when preparing to try the rate of sailing, Captain Coles discovered that the ship was not in proper trim. He consulted Mr. Rock, the chief engineer, the carpenter, and myself as to the stowage of weights, and asked whether any of our heavy stores had been shifted. None had, and it was then thought there might be some water in the double bottom, but I cannot say whether water was there. I do not remember the exact date when this occurred. I never heard from Captain Coles or any other one, the results of the trials made in Portsmouth Dockyard to ascertain the ship's stability. I never heard Captains Coles or Burgoyne say anything that could lead me to suppose they knew these results.

By Captain Brandeth: The *Captain's* yards braced up much sharper, I think, than is usually the case with Her Majesty's ships.

By the Judge Advocate: I joined the *Captain* at Birkenhead in November, 1868, and served in her to the time of her loss.

By the President: In my written statement I have said that we were on the bottom of the pinnace when the ship, supposed to be the *Inconstant*, passed us. That is correct. Afterwards myself and the others got to the launch from the pinnace. We were on the pinnace's bottom from five to ten minutes, and it was while there I saw the ship go down. Captain Burgoyne was

next to me on the pinnace. The launch drifted past the pinnace at an angle, I believe, of forty-five degrees. When I got into the launch from the pinnace I could touch her. The conduct of the men saved in the launch was such as it should have been under the circumstances, rendering me the implicit and ready obedience it was their duty to do, and I do not think it would have been possible for any men to have behaved better. The gunner's mate, who was next me in command of the boat, gave me every support, and I wish specially to mention the admirable manner in which Charles Tregenna managed the steer oar.

JAMES ELLIS, the gunner's mate, had nothing to add to his disposition bearing upon the loss of the *Captain*. By Admiral Yelverton: The watch was not really relieved on board the *Captain* when she turned over. I heard the order given to let go the fore-topsail halliards. The topsail did not come down. Hands were on the weather braces. The arrangements on the hurricane deck for shortening sail were sufficient to enable sail to be taken off the ship in a hurry. They were the same I had been used to in other ships.

By Captain Hancock: I have always thought her very heavy rigged. The ship usually rolled very little. I heard Captain Burgoyne order the lee topsail sheets to be let go, but I believe they were not.

By Captain Rice: Little one bell was struck about seven minutes past midnight, and the ship capsized not ten minutes afterwards. The orders were all rapidly given, but I believe the ship capsized before the topsail sheets could have been let go. I came on deck as little one bell was struck, and the ship then seemed to be heeling more than usual. The wind increased, but I think not steadily. The ship appeared to me to be thrown over by the force of the sea and the wind together. She appeared to be thrown over, and unable to recover herself, and it was at that moment that the order was given to let go the topsail sheets. I was in the lee ganway, where there was no rigging or anything that could entangle me. I went down with the ship, and when I rose to the surface of the water again she was bottom up and to windward of me.

By Captain Boys: The launch that we escaped in was stowed between the funnel and the pilot tower on the hurricane deck, and not secured by gripes or lashings. The guns and turrets were secured. We, the gunners' mates, had to go round and report to the officer of the watch. None of the projectiles ever fetched away out of the racks in any roll the ship made.

By Captain Commerell: I heard Captain Burgoyne ask if we were closing the Admiral, and the answer was "Yes." I cannot say what way the ship had on her at the time when struck by the squall.

LOUIS WORREX, captain of foretop, sworn, and deposition made read. Examined by the President: I have been fourteen and a half years at sea, and out of that two and a half years a petty officer.

By Captain Hancock: When I came on deck it was blowing nothing more than an ordinary gale, and I consider the double-reefed topsails were not too much for the ship, according to her heel. I consider the ship to have been overmasted.

By Captain Boys: There was no time to let go the topsail sheets after the order was given before the ship capsized.

By the President: All the men were taken off the bottom of the pinnace except Captain Burgoyne and two others. I heard Captain

Burgoyne tell the two men to jump from the pinnace to the launch, and I concluded, therefore, that he would not jump himself until all the others with him were saved.

JAMES HARVEY, second captain of the foretop of the *Captain*, sworn, and depositions read. In examination the witness gave evidence corroborative of previous witnesses, and stated as his belief that the topsail sheets were clear when ordered to be let go, and also that there was room on the hurricane deck for working the ship under sail.

GEORGE BRIDE, coxswain of the *Captain's* pinnace, sworn, and deposition read. In examination by Captain Hancock the witness said that it was blowing very hard at time the ship capsized. He considered the ship to have been overmasted.

By Captain Rice: When he came on deck the ship appeared to be unusually pressed by the sail upon her. When the men below turned in at twelve, midnight, the ship gave a heavy roll and then righted again. The wind increased very much and suddenly. Did not think the ship was going over until her topsails were in the water.

By the President: Could you say that in the *Monarch* line-of-battle ship (the witness had served in the old *Monarch* line of battle ship) you could have carried double and treble-reefed topsails through the squall which upset the *Captain*, and without danger to the ship, supposing everything to have held on?—Yes, I believe we could.—Could you have carried the foresail in addition?—No, Sir, I don't think we could.

CHARLES TREGENNA, the leading seaman, sworn, and deposition read. In examination by the President the witness said he had been eleven years at sea, and eight months a leading seaman. Had served in the *Cesar* and other ships in the navy. Under the same circumstances of weather in which the *Captain* was lost, he thought the *Cesar* would have carried close reefed topsails, and had seen her carry a reefed foresail in addition in a similar breeze. When the *Captain* was heeling over or capsizing, she made a stop for few seconds, and then another sea struck her, and she turned right over.

By Admiral Yelverton: Did not think the ship would have righted had the topsail sheets been let go when ordered. Thought the pressure of the wind upon the under part of the hurricane deck assisted the sail pressure in turning the ship over.

By Captain Hancock: Before the loss of the ship considered her to be overmasted.

By Captain Rice: When I got on deck the ship appeared to be more pressed by the sails than ever I had seen her before.

By Captain Commerell: In the gale experienced by the *Captain* in the month of May there was more wind than at the time she was lost.

JOHN HIRD, able seaman, of the *Captain*, sworn and examined. By the President: Had served in the *Orlando*, *Prince Consort*, and the *Captain*. Thought the *Orlando* could not have carried treble-reefed topsails through a squall of the same strength as that in which the *Captain* was lost, without injury to the ship, supposing that everything held. She might have carried close reefs, and perhaps, a reefed foresail.

By Captain Hancock: Helped with others to get Captain Burgoyne on to the steam pinnace. Saw him in the water, and moving one arm as if swimming. He, Captain Burgoyne, was afterwards a great deal exhausted by hanging on to the keel of the steam pinnace.

By the President: I was next to Captain