



# The Volunteer Review

## AND MILITARY AND NAVAL GAZETTE.

A Journal Devoted to the Interests of the Military and Naval Forces of the Dominion of Canada

VOL. IV.

OTTAWA, CANADA, MONDAY, DECEMBER 5, 1870.

No. 50.

### HER MAJESTY'S SHIP "CAPTAIN."

PROCEEDINGS OF THE COURT MARTIAL IN THE CAUSE OF HER LOSS.

(From the *Broad Arrow*.)

A naval court, composed of Admiral Sir James Hope, K.C.B. (president), Vice-Admiral Sir R. H. Yelverton; Captains Boys, *Excellent*, Hancock, *Duke of Wellington*, Rice, *Asia*, Comacell, *Monarch*, May, *Northumberland*, Goodenough, *Minotaur*, and Brandeth, *Lord Warden*; with Captain G. F. Blake, R.M., Deputy Judge Advocate, assembled on Tuesday morning, 27th September, on board Her Majesty's ship *Duke of Wellington*, in Portsmouth Harbor, to "inquire into the cause of the loss of Her Majesty's ship *Captain* on the 7th day of September, 1870, and to try Mr. James May, second class gunner, and the surviving petty officers and crew of the said ship, under the 91st and 92nd sections of the Naval Discipline Act of 1866."

The court was opened at nine a.m., and the formal documents from the Admiralty directing the formation of the court were read by the Judge Advocate, with letters from Admiral Sir Alexander Milne to the Admiralty, reporting the loss of the *Captain* which have already been published in the *Broad Arrow* and other newspapers. Besides these documents and the statement sent to the Admiralty by Mr. May, which has also appeared in our columns, the following letter addressed by him to the Secretary of the Admiralty was put in evidence:

"CONCERNION, France, Sept, S. 1870.

"SIR,—It is with great regret that I have to report to their Lordships the total loss of Her Majesty's ship *Captain*, which occurred about 1.15 a.m. on the 7th, the ship at the time being under double reefed fore and main topsails, on the port tack, close hauled, with the wind about north west, very squally, with a rain and a heavy sea. About mid night I went into the after turret, and while there I felt the ship make a heavy roll to the starboard, and before she had time to recover that roll a heavy sea struck her and threw her on her beam ends. She then turned bottom upwards, and eventually sank, going down stern first. From the time of her going on her beam ends to her sinking was not more than ten minutes.

"Myself, Captain Burgoyne, and a few seamen swam to the steam pinnace, which was floating bottom upwards. Shortly afterwards the second launch passed close to the pinnace, when myself and the seamen succeeded in getting on board that boat, but Captain Burgoyne failed in the attempt, although everything was done to try and save him and the other men.

"After getting into the launch we did our utmost to save any others that we could see but the wind and sea were so great that we could make no headway against them in the launch, and we were almost swamped, so that we were forced to bear up and run before the wind, or the launch would have gone from under us.

"When we bore up there were nineteen people in the boat, and I regret to say that one man was washed out of the boat by her shipping a heavy sea, which nearly filled her. We had no sail and only nine oars.

"I knew the land was dead to leeward of the ship, and at daylight we sighted Cape Finisterre. The weather moderated, and we landed at Finisterre about noon of the 7th. I think it possible that there be more survivors in some of the other boats. We are all under care of the Vice-Consul, in good health, but some are very much bruised. The boats of Her Majesty's ship *Monarch* have just arrived under the command of Lieutenant Arundell, to take us on board that ship. I hope soon to be in England to give a more detailed account of this melancholy catastrophe. I enclose a list of the survivors by the launch.

(Signed)

"JAMES MAY,  
Gunner."

Mr. JAMES MAY, gunner, examined by the Deputy Judge Advocate: I have been twenty three years in the navy, about five of which I was a petty officer. I have been a gunner eleven years of the second and third class. In addition to my statement handed into the court, as a practical seaman, I think that the over pressure of canvas and the ship making a very heavy roll to the starboard brought a quantity of water on the lee side of the maindeck. The wind might have had great force on the under part of the hurricane deck, and the sea most likely struck her when she made the heavy roll, and she might then have been in a peculiar position with regard to the crest of the waves. All these circumstances together might have caused the loss of the ship.

By the President: To the best of my belief the *Captain* never stopped heeling over until she was bottom up. During my time of service in the *Captain* the heaviest press of sail I knew her to have carried was all

plain sail and staysails abaft the foremast. On that occasion there was not a very heavy sea, not more than on the 6th of September. The direction of the sea was on the bow. On that occasion she put her lee gunwale under water. When the breeze freshened the crest of the waves reached up the deck to within a foot or two of the turret—the base of the turret. I took particular notice of that. To leeward I have seen a body of water rise higher on the ship's deck than the ship lurched, but it immediately shot off again, sometimes passing right over the deck. The greatest roll I ever knew the ship to make was about fifteen degrees to leeward, and probably not more than one or two degrees to windward. During the course of my service in the ship nothing occurred to give me reason to believe there was a want of stability in her. Until she foundered, I considered that I was in the finest ship in the world. In May of this year the ship was in a moderate gale which lasted twenty four hours. She was under sail then, a close-reefed maintop sail, a reefed foresail and a fore staysail. She was on a wind. Steam was up, and used occasionally to keep station. There was a long heavy sea then. On that occasion the ship did not lurch heavily for a gale of wind. She put her lee gunwale under occasionally.

By Admiral Yelverton: I think there was steam in four of the boilers when the ship was lost, but I do not know whether the engines were in motion. The cover was not on the turret when I got out. It was probably between four and five minutes after I struck out from the ship when I saw her bottom up. The last I saw of her was the prow. I do not recollect it to have been requisite on any former occasion to let go the topsail sheet to ease the ship. I do not think there was room on the hurricane deck for working the ship under sail.

By Captain Hancock: When I got in the launch after the ship foundered I took command, brought her to the wind with the few oars in her, and tried to go in the direction of the steam pinnace, but we found the boat fast filling with water under us, and we bore away reluctantly after a short consultation. The boats were scarcely a minute in such proximity as to give any hope of rescuing more men, as the launch appeared to be passing the pinnace at the rate of four or five knots. The greatest steady heel I ever knew the *Captain* to make was between eight and ten degrees. I never heard that there was a degree of heel beyond which the ship would be unsafe.

By Captain Rice: I felt the ship heave over by the sea. She made a heavy roll, and did not recover, and my impression is that a sea