

Enclosure No. 2.

MINUTES of EVIDENCE taken on board Her Majesty's Ship "Miranda," in Auckland Harbour, on the night of Monday, February the 9th, 1863, before the Hon. A. Domett, Colonial Secretary; Hon. Dillon Bell, Native Minister; and Hon. Thomas Russell, Member of His Excellency's Executive.

Mr HUNT, midshipman on board Her Majesty's late ship "Orpheus," interrogated, and made the following statement:—We left Sydney on the 31st January, at 4.30 a.m. We had a fair wind down. The Commodore, at starting, intended to go to Auckland, but altered his opinion when he was about three days from the Manukau. By some it was supposed that he intended to hold the Court-martial at the Manukau. We sighted the Manukau Heads at 9.30 a.m. on Saturday morning the 7th of February, steering from East by South to East by North. At 12.30 observed the flagstaff, with what we took at the time to be two balls, but it was the arms extended at each side. It was the signal to pass the Bar, as the Bar was safe. We then steered straight for the entrance, only being a little to the northward of it.

By Mr. Bell.] Were you south or north of the bar at the time you sighted the flagstaff?—*Mr. Hunt* described the position on the chart, and continued—The course we were steering when we sighted the flagstaff signal was East by South, which course we continued until we came to the position marked "O" on the chart.

By Mr. Russell.] Were you outside this shoal (pointing to the chart)?—We must have been southward, for we must have touched slightly before.

By Mr. Bell.] How long was it from the time the vessel first touched till the second touching?—About two minutes. She bounded in and gave another roll, and then stuck hard. When we struck, we steered North-east and by East. I was in the foretop, and could not see exactly the course. The only thing that I can judge from is, that I know so perfectly that the Commodore went in by Drury's Chart. The only thing he had to go in with was the Chart and *New Zealand Pilot*, without the new corrections.

By Mr. Russell.] What edition was it?—The edition of 1859. That was the one we steered in by; but he had a little printed book of four leaves, written by Mr. Veitch, master of the "Niger," warning of the shifting of the bar. I don't know what was the date of Mr Veitch's book.

At this stage it was suggested that *Henry Browne*, Quartermaster of the "Orpheus," be examined.

HENRY BROWNE then made the following statement:—I was at the wheel a few minutes before one—as I allow twenty minutes before she struck. We were at the time going about East and by South, but we had altered our course once or twice, not higher than East by North. I did not know the compass course when I took her. I was under the direction of Master Strong. He was on the bridge at the time. I told the other quartermaster to stand on, and he stood on the course. The master was on the bridge, and his habit was to give the orders to the second quartermaster who was at the conn, who repeated it to the man at the helm.

By Mr. Hunt.] I have heard that when the master told the Commodore the course, that he had to steer by Drury's Chart, and that he would not bring her in; is that true?—No, sir; *Mr. Towzer* was the one that took the helm. He was steering East and by South to East, but he altered the course just before I left to the East. I took the helm, but I could not take her more than half a point near. *Mr. Towzer* then took her, and East was the course.

By Mr. Hunt.] East was the course they were steering when I left the deck at 12 o'clock, the master having asked permission from the Commodore to alter the course as he wished.

By Mr. Russell.] Could you see the signal-staff from where you were steering?—I could.

By Mr. Russell.] When you first saw it, what signals did you observe?—I could not see what signal. I saw it on the port bow. I allowed a point or point and half off. I could see easily through the fore-rigging.

By Mr. Hunt.] The Commodore, the master, myself, the signal-midshipman, and signal-man, all saw the signal "Take the bar."

By Mr. Russell.] During the whole time you observed the signal-staff what signals were flying? Did the signals change?—We did not take notice. Simply when we saw the signal flying "Take the bar." All that I know is that we did take it. The Commodore came in entirely by Drury's Chart, the master looking at it as they came in.

By Mr. Hunt.] All agree that the western end of the middle bank was what we struck upon, and this has been proved to have shifted three-quarters of a mile from where it is laid down in Drury's Chart, unknown to us.

WILLIAM OLEAT, signalman of the "Orpheus," on being interrogated, made the following statement:—The first signal we observed was soon after they went to dinner; it had gone eight bells. I had gone to dinner, and was called to see what was on the signal-staff. I saw two square flags, one at each arm. The Commodore ordered the signal-midshipman to dip the ensign, to show that it was understood. The next thing I saw was the north yard-arm of the semaphore raised straight out. I reported it to the master, who reported it to the Commodore. The master told me to dip the ensign, and I heard the master give the order to keep her to port. I saw one signal afterwards, but that was when we were at the entrance of the breakers. It was the stud-arms out (signal for "Keep back"). The master gave the order to keep more to port again, and then it was a few seconds after when she struck. I was away dipping the ensign when she struck. I ran aft to dip the ensign, and when I was dipping it she struck. Then the Commodore gave the order "Full speed astern." That was the first time she struck. And then we lowered the top-sails, clewed up the top-gallant sails and royals, and took the stern-sails in, and all hands were piped to furl sails. [*Memo.*—The last sentence was by Mr Hunt in the first place, but on being read to William Oleat, he adopted it as his own statement.] They started the engines to go full speed astern, and the engines started to go astern; but the vessel had too much way upon her, having all plain sail set and the starboard foretopmast stunsail, the wind being then on the starboard quarter.

By Mr. Domett.] When you first saw the pilot-signal was it easily discernible?—Yes; they could