

FALKLAND ISLANDS.

No.

63/16

WAR/PRI/1#21

Governor's Office.

From

SUBJECT.

Secretary of State for the Colonies.

PRIZE SHIP "FANGOR".

Was du Boulay examined?.

No.

Date

Telegram 19th Feb., 1916.

Colonial Secretary's Record No.

MINUTES.

Requies

Please report.

Registered Number of last Despatch.

If Lieut Comdr. du Boulay was not

464/16

examined do you know the reason why,

If he was examined how is it his

examination was not forwarded with
record of court's proceedings.

21. 2. 16
17.
Gov

His Honour the Chief Justice,

No. next Despatch.

134/16

Lieut du Boulay was examined
by the Proper Officers of the Crown,
but the record of examination was
retained by the Proper Officers and
was not passed to me. I have
asked

asked the Proper Officer for the
record of examination and
will furnish copies in triplicate.

M. Brajendra Nath
Registrar
22. 2. 16

I have today seen the Registrar with
the Proper Officer. It appears that the
Registrar presided at the Examination of
Candidates De Boulay on the 28th April, 1915. and
that the shorthand writers notes of the
proceedings were retained by the Proper
Officer, and not by the Registrar, and that
through omission, the proceedings were
in consequence not entered on the
records of the Court -

Telegram to Sec of State sent today
Copy enclosed.

M.
22. 2. 16

Despatch to Sec of State No 29 of 22 Feb '16

M.
23. 2. 16

FALKLAND ISLANDS.

No. 29.

Government House, Stanley.

22nd February, 1916.

Sir,

I have the honour to acknowledge the receipt of your telegram of the 19th Instant, inquiring whether Lieutenant-Commander Du Boulay, R.N. had been examined in the case of the Prize "Banger", in accordance with the letter of the Proper Officer to the Registrar of the 29th April, 1915, and if so directing me to send certified copy of record of examination.

2. In reply I have to-day telegraphed to you that Lieutenant-Commander Du Boulay was examined and that I am forwarding certified copy of evidence.

3. I now beg to transmit herewith a duly certified copy of the evidence taken.

4. From inquiry I have made, it appears that Lieutenant-Commander Du Boulay was examined by the Proper Officer before the Registrar of the Court on the 29th April, 1915, and that the Shorthand Writer's notes of the proceedings were handed

to

In Duplicate
THE RIGHT HONOURABLE

THE SECRETARY OF STATE FOR THE COLONIES.

IN THE PRIZE COURT OF THE PORT OF LONDON

to, and retained by the Proper Officer and not by the Registrar. In consequence through a misunderstanding no entry of the proceedings was made on the records of the Court and the proceedings were apparently lost sight of.

5. I regret the omission was not discovered at the time I forwarded, under cover of my despatch No. 74 of the 21st July last, copy of the proceedings in the Prize Court of the ship "Dangor".

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Douglas Young

Governor.

Respected writer 4/10/11.

Dear Sir,

By Capt. ...

I do not wish to see this ... very ...

Witness,

Friday 10th August 1811

By Capt. ...

And your obedt

Witness,

Assistant-Secretary of the Admiralty

By Capt. ...

The name of the "Prize" at the ...
the original of the "Prize" ...
at the time, or will you be a justice to me

IN THE SUPREME COURT OF THE FALKLAND ISLANDS

PRIZE COURT

No 2

In prize s.s. "Bangor".

Examination of Lieut.-Commander E. du Boulay, R.N., of
H.M.S. "Bristol".

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Before the Registrar of the Supreme Court.

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28th April, 1915.

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Registrar. As Lieutenant-Commander du Boulay is going
away the Court has met to take his evidence
and I suppose notice has been sent to Captain
Hansen of the "Bangor" so that he may have an
opportunity of being present and of cross-
examining Lieutenant-Commander du Boulay and
hearing the evidence he may give us before
the trial comes on.

Shorthand writer sworn.

Witness sworn.

Mr Goddard. I do not wish to ask this witness very many
questions. Will you give me your name ?

Witness. Ernest George Houssemayne du Boulay.

Mr Goddard. And your rank ?

Witness. Lieutenant-Commander of H.M.S. "Bristol".

Mr Goddard. You were on board the "Bristol" at the time
she sighted the "Bangor" ? Were you on deck
at the time, or were you in a position to see

clearly what course she was steering ?

Witness. I was on deck.

Mr Goddard. How did they stop her ?

Witness. Hoisted a signal to stop first of all; apparently she did not stop and then in the ordinary procedure they fired a gun.

Mr Goddard. How many rounds ?

Witness. Two rounds blank.

Mr Goddard. And did she stop after the second round ?

Witness. They went astern after the second round ?

Mr Goddard. Were the ship's papers handed over to the boarding officer ?

Witness. Yes.

Mr Goddard. To whom were they handed over ?

Witness. To Lieutenant-Commander Cornaby and Lieutenant Hodges, R.N.R.

Mr Goddard. After the ship's papers were handed over were you ordered to bring the ship into Port Stanley ?

Witness. To Port Stanley; yes.

Mr Goddard. When you went on board what steps did you take with regard to the ship's papers and the ship generally in the matter of cargo ?

Witness. The papers were taken on board the "Bristol" by the boarding officers and returned me by the Captain of the "Bristol" in safe custody.

Mr Goddard. Did you examine the cargo at all ?

Witness. Yes. I went round with two of my men and the third mate of the "Bangor".

Mr Goddard. Will you look at that Manifest ? It contains the items of the cargo you inspected. Not the coal but the other stores. You found it all in order ?

- Witness. With the exception of parts of the electrical machinery.
- Mr Goddard. Had the ship got wireless apparatus on board ?
- Witness. They had the instruments in the chart house but the aerial was not up.
- Mr Goddard. Where did you find it ?
- Witness. I found it in the chart house. The instruments were in the upper chart house on the top bridge and the wireless apparatus was covered up in the lower chart house.
- Mr Goddard. Were they covered up as though they were intended to remain like that ?
- Witness. I should not think they had been there very long.
- Mr Goddard. Has your work in the Navy brought you much into touch with merchant ships and merchant shipping ?
- Witness. Well, I have met a great many ships and talked to the officers.
- Mr Goddard. Have you ever come across a cargo which has been broached ?
- Witness. It is not customary to do so; only under exceptional circumstances.
- Mr Goddard. The Manifest shows a small consignment of tinned fruits &c. Can you tell me, have you any knowledge of the "Dresden" and the number of men on board her ?
- Witness. I know that they have the same number of men as the "Bristol".
- Mr Goddard. The personnel of the ward room would be about the same number as that of the "Bristol".
- Witness. Yes.
- Mr Goddard. Look at that list of stores. Knowing the ward room of the "Bristol" do you think it

would serve to fill up their storeroom ?

Witness. Yes.

Mr Goddard. How long do you think that would keep them going ?

Witness. At sea it would last three or four months.

Mr Goddard. When you sighted the "Bangor" what was her bearing ? Where was she heading ?

Witness. She was heading for the open sea from the Magellan Straits.

Mr Goddard. Bearing due west ? Or inclined north or south ?

Witness. A little south.

Mr Goddard. In the ordinary trade route ?

Witness. Port Tamar is practically at the entrance of the Straits.

Mr Goddard. While you were bringing the ship in did you mess with the Captain ?

Witness. Yes.

Mr Goddard. Did anyone else mess with you or were you by yourselves ?

Witness. Mr Box, the Boatswain, and Mr Vielmutter the supercargo, and the Captain and myself.

Mr Goddard. Who attended on you ? Your own men ?

Witness. The first steward and a small boy.

Mr Goddard. Have you any idea how many stewards she carried ?

Witness. Two stewards.

Mr Goddard. The second steward, was he in evidence ?

Witness. He did not appear at all.

Mr Goddard. Did you ask why the second steward did not appear ?

Witness. I asked why he did not appear and the Captain said he did not like to have him about because he was suffering from an objectionable disease

- Mr Goddard. Was there any sign of consternation or anything of the sort when you got on board ?
- Witness. When I got on board it was dark.
- Mr Goddard. And you were received quite courteously ?
- Witness. Very courteously and treated so all round.
- Mr Goddard. Were there any signs that there were preparations being made to conceal anything ?
- Witness. The wireless was stowed in the lower chart house.
- Mr Goddard. And some of the cargo had been broached ?
- Witness. That was a suspicious circumstance but there was no evidence of hurry about that.
- Mr Goddard. There is one other question. About Mr Vielmetter, the supercargo. Did he to your knowledge perform any purser's work ?
- Witness. Not to my knowledge.
- Mr Goddard. How did he occupy himself ?
- Witness. He was nearly all day in his cabin.
- Mr Goddard. Did you make any remark to Captain Hansen with regard to the empty cases on board ?
- Witness. Captain Hansen said he proposed to try the wireless on the way round.
- Mr Goddard. Were there any men on board capable of trying it ?
- Witness. One man on board was a skilled electrician.
- Mr Goddard. Would it not have been a difficult thing to put up the wireless on the ship's mast ?
- Witness. The actual wireless, yes - an expert job.
- The Registrar. Would the ship require to have some fittings on it ? Could they put it up themselves at sea if they had got the expert labour on board ?
- Witness. Yes. A dynamo was on the ship.

(Cross-examined by Captain Hansen, s.s. "Bangor".)

Captain Hansen. You say my ship did not stop when signalled, and did not stop when you fired the first gun ?

Witness. So far as I know. I could only see the speed decreased for the first time when the water was churned up by the ship going astern.

Captain Hansen. About the wireless covered up. For what purpose do you think it was covered up ? It was under a peice of canvas to keep the damp off.

Captain Hansen. How many men would you feed on the stores according to the Manifest ?

Witness. About eighteen or twenty.

Captain Hansen. That is sufficient for eighteen or twenty men for three or four months ?

Witness. Yes.

Captain Hansen. Could I have steered any other course ?

Witness. No.

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The above is a transcript of the Shorthand Writer's Notes, certified by him.

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I Certify that the examination of Lieutenant- Commander E. du Boulay R.N. of H.M.S. Bristol was conducted by the Proper Officer of the Crown before me on the 28th day of April, 1915, and that the foregoing is a true copy of the original transcript of the Official Shorthand Writer's notes of such examination

M. Traiger Harker
Registrar, Supreme Court.

The Registry,
Supreme Court, Falkland Is.
22nd February, 1916.

63/16

His Honour the Chief Justice,

In accordance with Your Honours instructions
I beg to attach herewith copies in triplicate of the
original transcript of the Official Shorthand writer's
notes of the examination Lieut:Gen: E. du Boulay R.N.
of H.M.S. Bristol, taken on the 28th April last.

M. Benjamin Harker

Registrar, S.C.

22.2.16.

*Two copies sent to Sec of State in
desp. N° 29 of 22 Feb 1916.*

Secretary of State to Governor.

Dated 19th February Received 19th February, 1956.

Governor, Port Stanley.

UNEBRIATE NINETYTWO BANGOR WAS DU BOULAY EXAMINED
ABERAMA GODDARDS LETTER TO REGISTRAR OF AMORGAB
SILVERGRAY ICILY SEND CREVASSES RECORD OF ENSHRIVE
SILVERGRAY REMUGIREM BONARLAW.

With reference to your despatch of 17th August
No. 92 Bangor was du Boulay examined in accordance
with Goddards letter to Registrar of April 28th.
If so send certified copies of record of examination.
Report by telegram

Bonarlaw.

Governor to Secretary of State.

Sent 22nd February, 1916.

UNBEATEN BANGOR DUBOULAY ENTOMOLOGY GODDARD FOOTBOY
CREVASSES EVIDENCE DESERTOS YOUNG

In answer to your telegram of the 19th February Bangor
DuBoulay examined by Goddard forwarding by next mail
certified copy of evidence explanatory despatch follows

Young.