

The Morning Chronicle (London),
Saturday, January 24, 1857

THE AFFRAY IN THE MERSEY.

LIVERPOOL, JAN. 22.—The adjourned hearing of the case in connection with the collision between sixteen seamen and the first and second mates of the American ship James L. Bogart, while lying in the Mersey, was resumed this afternoon at the Birkenhead Police-court, before the Rev. R. M. Fielden, Major-General the Hon. S. E. Cust, and other magistrates.

Mr. Harmer appeared for the American Consul; Mr. Campbell and Mr. Snowball for the coloured prisoners; and Mr. Conway, barrister, for the shipping master.

John Robinson, the boatswain (a coloured man), was brought up under a warrant. Being sworn, he said on Saturday he shipped on board the J. L. Bogart for Mobile, as an able seaman. He signed the articles in the office of Mr. Martin, shipping master. Went on board on Sunday morning, the vessel then lying in the Mersey. On Monday morning, about half-past six, the crew turned to, witness then having been made boatswain. On mustering the men he found that there was a crew of eighteen, with himself, but not including the captain and two mates. The first mate (O'Furber) told him to take what men he wanted forward, and to order two others to the foretop-gallant rigging. At this point two men, one of whom was James Christie, the wounded man at the hospital, were complaining to the first and second mate that they had not shipped for the James L. Bogart, but for the Robin Hood, bound for Antigua. Those two men were brought aboard on Sunday night, in a boat, the hands in which hailed for the Robin Hood, and the second mate of the J. L. Bogart hailed back "This is the Robin Hood." When the two men complained on Monday morning the two mates began to ill-use them and others with their fists and the butt-ends of their pistols. The captain was not on board. The men had not refused to work. They ran on the fore-castle, and the second mate followed, and shot at them with the revolver. They each fired three shots. Campbell (the second mate) shot Christie in the thigh. The mates, after firing six times, went aft, reloaded, and commenced firing again. O'Furber loaded both the pistols, and gave one to Campbell. There was no resistance by the men until the mate shot Christie. Campbell's pistol snapped four times, and the fifth time he shot Christie. O'Furber then went up to Jeremiah Jones (a negro), and shot at him, but the contents of the pistol missed. Jones then struck the first mate with a capstan-bar, which he picked up after he had been shot at. (The capstan-bar was produced. It was stained with blood.) Campbell was armed with a cutlass as well as a revolver. In going forward he dropped the cutlass, and Lott Hyatt (a Malay) picked it up. I saw the mate ill-use John Battise (a fine-looking negro), and they afterwards put him in irons. Joseph Williams (a negro), one of the prisoners, was kicked, knocked down, and stamped upon by the second mate before the affray commenced.

Mr. Snowball contended that Jones used weapons only in self-defence, and that, under the circumstances, he could not be held responsible, even if the first mate died.

James Harrison, the pilot, confirmed the statement of the boatswain in every particular.

Mr. Campbell, in addressing the Court, asserted that if the first and second mate had been left dead on the deck it would have served them right [applause].

The Bench thought there was no case against Hyatt or Williams, but that Jones should be remanded, seeing that the life of O'Furber was still in danger; they had no doubt that if O'Furber were to die and Jones were to be committed a jury would acquit him. If he should be pronounced out of danger Jones would be at once acquitted, and O'Furber would be charged with feloniously shooting.

Williams and Hyatt were discharged, but Jones was admitted to bail to appear when required.
