

THE CASE OF MURDER AND PIRACY ON THE HIGH SEAS.

Yesterday being the day appointed for the further hearing of the charge against the ten seamen for piracy and murder on the high seas, a crowd assembled all the morning in front of the Bow-street Police-court to await the arrival of the prisoners, who in passing from the prison van to the door of the court were hissed and hooted by the people. At 11 o'clock the case was called on.

Mr. Welsby again prosecuting for the Treasury; and Mr. Beard, instructed by the Spanish consul, appearing for the prisoners Williams, Santo, Lopez, Lyons, Blanco, and Ambrosio Durranio. The other three were undefended.

Mr. Burnaby, the chief clerk, read over the evidence of James Early.

Mr. Welsby said he would call one witness to a formal point, in order to let him leave.

Mr. Strugnell was then called, and Mr. Rosenberg was sworn to interpret his evidence into German, and Mr. Paskiewitch to interpret it into Greek.

Mr. Welsby observed that the prisoners who were undefended were two Greeks, Carlos and Watter, and an Austrian (Radack, alias Powell). As all the Spaniards were represented by Mr. Beard, a Spanish interpreter would not be required.

Mr. Strugnell deposed—I am clerk in the office of the Registrar for Seamen, and produce a copy of the register, which is kept in the office, under the direction of the Board of Trade, which I am not at liberty to have. I produce the register of the ship Flowery Land, owner William Wemyss Kerr. (This was translated to the prisoners in Greek and German.)

Mr. Henry then instructed the Greek interpreter to ask Carlos and Watter if they wished to put any question.

Carlos asked when he should make his defence?

Mr. Henry told him in due course he should have a full opportunity, but that would be after the case was completed.

The prisoners said that they had no questions to put to the witness.

Mr. Strugnell also produced a certified copy of the ship's articles, in which the names of the prisoners appeared, though some of them not exactly as they were afterwards known by them.

William Taffir deposed—I am a Scotchman, and shipped on board the Flowery Land as boatswain and second mate. We left London on the 28th July. John Smith was the captain, and his brother George Smith was a passenger going to Singapore. The first mate was John Carswell. The steward was a Malay named Abo. The cook was a Chinaman, and so was the lamp trimmer. He was a man. I do not know their names. The lamp trimmer was called Casap. The carpenter was named Michael Anderson, and there was a Frenchman named Candereau, an able seaman. The ten prisoners were all seamen, able or ordinary. There was some grievance on account of their not being qualified to do their duty. I never saw him use any violence to them. I have heard him call them "Coolies" and "Sons of bitches." I have heard them complain of not having water enough.

Mr. Welsby—Who was the spokesman?

Witness—Francisco Blanco, once only.

Mr. Welsby—Were those complaints attended to?

Witness—Yes. About the 1st September Carlos was wanted on deck, but he went and turned into his bed. He said he wanted his watch below, and he was not very well. All the watch, seven in number, then refused to come on deck. They were George Carlos, Marco Watter, Marcellino, Francisco Blanco, and three others whose names I do not positively know. I and the chief mate, Mr. Carswell, came down to Carlos and told him to come on deck to his duty, which he refused to do, saying that he was sick. The mate took hold of him and pulled him out of his bed, and gave him several blows with his fists. He was made to go on deck, but he would not turn to. The mate ordered me to make him fast to the rigging. I did so, and he remained bound about five minutes. The captain came out of the cabin and told me to loose him which I did, and the captain gave him some medicine, and he went and turned in. A few days afterwards Francisco Blanco and Carlos were fighting. The mate and I interfered to stop them from fighting. The mate took hold of Carlos and struck him I believe. On the night the captain was killed I had the first watch from 8 to 12. The mate relieved me at 12, and I turned in. There was a house on the deck, in which there were four compartments. On the port side forward these ten men lodged together in one compartment. On the starboard side forward, lodged the carpenter, the witness Early, and Candereau; on the starboard side, aft, was the cook's galley, and the other was the boatswain's store. Below on the port side of the companion the first berth was that of the mate; next to that the captain's brother, and next mine, and the captain had all the starboard side to himself. The main cabin was between, with a skylight opening on the poop. About 3 o'clock a.m., I was awakened by a noise on deck as if people were beating on the companion with handspikes. I ran up to try to get on deck, but I could not get up for a person lying on the companion, on his face, with his head on a parallel with the top steps, and a number of persons beating him with handspikes. I don't know how many. I recognised one—Francisco Blanco. I heard his voice, and looked up. It was pretty dark, but I could see his face. I got a blow with a capstan bar. I tried all I could to draw the man down from the ladder but could not move him. I called to the captain for help but got no answer. I went to his berth. He was not there.

I came back to the main cabin and found him lying dead in a pool of blood on the floor. I trimmed the lamp as the light was dim, and saw that his shirt was cut with knives. He was in his night dress. I went to his brother's berth and found him gone too. I then went to the companion and found that the man lying there was the captain's brother. I went to my berth and shut myself in. The noise continued about 10 minutes. I remained there about three-quarters of an hour. I heard some one during that time singing out to me to come on deck. Then a number of men came down to me—about eight that I saw—John Lyons spoke, Francisco Blanco, Marco Watter, Chances or Lopez, Mamitio Durranio, George Carlos, Brazilio Les Santos. I don't remember any others—Marcellino, I think, but am not sure. Lyons spoke in English. He called me to come out. He said, "Come out of your berth, we want to speak to you." I said, "What are you going to do with me? Are you going to kill me?" He said "No." I came out then. He said, "We have murdered the captain and the mate, and the captain's brother has got away somehow, I don't know where he is gone. We wish you to navigate the ship to some place, so that we can get on shore." The prisoners were ignorant of navigation. The others were present and heard all that he said, George Carlos, Marco Watter, and Chances. I asked where they wished me to go, and Carlos said some where near the River Plata. I agreed to do that. The ship was then 19 deg. South, 36 deg. West. Carlos then proceeded to throw the body of the captain overboard. I asked them to stop and let me sew him up in canvass, for I did not like to see him go overboard like that. I then went to my berth. Witness went on to describe the subsequent proceedings of the men, how they rammaged the captain's effects, and took his money, compelling witness to share the latter amongst them in seventeen parts. They then plundered the cargo; they subsequently sighted an English ship and got the longitude from it. Acting under compulsion he described their ship as the Louisa. In October they arrived at Monte Video, and it was here that the steward met with his fate. The ship went down fast as they got into the boats, and they landed on the shore of the River Plata. A day or two after they got ashore witness and another stole away, and communicated to the people what had happened, when the prisoners were taken into custody.

Cross-examined by Mr. Beard—The crew originally consisted of 19 men. I am not aware of any misconduct on the part of the men prior to the beating of Carlos. Carlos did not appear to go in fear. Lyons was generally spokesman; the others were sometimes present, not always. I can't say which of the prisoners appeared to be the leader.

At this period of the proceedings it was discovered that the Austrian did not speak German, but Slavonic; and it was therefore arranged that the evidence should be translated to him in Slavonic instead of German.

Mr. Henry thought it advisable that a translation should be made in Spanish also.

The deposition of Taffir was then read over by the chief clerk, Mr. Burnaby, and translated into Spanish and Slavonic by Mr. Rosenberg, and into Greek by Mr. Paskiewitch. This process was very lengthy, and occupied the court for a period of nearly two hours.

Mr. Henry desired the interpreter to explain to the Spaniards, that intimation having been very properly made by the Treasury to the Spanish Consul, in case he should think it desirable to take steps for their defence, and a Mr. Beard having been appointed by the Spanish consul to defend them, there was no occasion for them to put any questions to the witness, Mr. Beard having in fact done so already for them.

This having been done, Mr. Henry then desired the interpreter to explain to the Slavonian, Radack, that a similar communication had been made to the Austrian government, but no solicitor attended for him. If therefore he had any question to put to the witness he was at liberty to do so.

Radack had no questions to put.

A similar intimation was made through Mr. Paskiewitch to the Greeks, Carlos and Watter. They declared they were not Greek subjects—Carlos was a native of Cephalonia, and Watter was a native of Marmora, and consequently a Turkish subject.

Mr. Henry said the Greek and Turkish consuls had better be informed that subjects of those countries were under examination here.

Early being recalled corroborated Taffir's statement as to the sharing of the money. Witness had a share. It was 4l. each amongst 17, and there was some over. Did not know what was done with that. Witness took a share, 4l.

Mr. Welsby—You were not very fortunate with yours, I believe.

The witness said he was not, but he believed the rest were nearly all the same. About 1l. 10s. out of his was good money; the rest was bad money or medals. He also gave an account of the murder of the steward, agreeing with the statement of Taffir. The persons in the boat were the steward, the second mate, the cook, Frank Paul, Marcos, Watter, and witness. It was Lyons and Mauritius who pelted the steward with bottles. They were full bottles of champagne. The steward jumped into the sea, and Lyons said it was too easy a death for him. Witness saw him for a little while, but he was soon out of sight. The boat was fastened alongside, and Lyons ordered him into the boat to clear the bottles. He did not go aboard any more, but stopped in the boat. Never saw the captain's brother or chief mate. Blanco said the mate was singing out when thrown overboard.

The whole of Early's evidence on this and the former day was then translated to the prisoners in the three languages. The prisoners were then remanded.