

THE CASE OF MURDER AND PIRACY ON BOARD "THE FLOWERY LAND"

Yesterday having been appointed for the trial at the Central Criminal Court, before Mr. Baron Bramwell and Mr. Justice Stobbs, of the eight prisoners charged with the murder of the captain and five other persons on board the Flowery Land merchant ship, the greatest interest appeared to be excited, and the court was filled at an early hour.

The prisoners, John Lyons, 22; Francisco Blanco, 23; Ambrosio alias Mauricio Duranno, 25; Basilio de los Santos, 22; George Carlos, 20; Marcus Watter, 23; Marchino, 22; Miguel Lopez alias Joseph Chances alias The Catalan, 22; all sailors, were charged with the willful murder of George Smith, upon the high seas.

The charge was explained to the prisoners through the medium of an interpreter, and they all pleaded not guilty. The Solicitor-General, Mr. Walsby, Mr. Gifford, and Mr. Beasley appeared on behalf of the Crown. The prisoners were defended by Mr. Sleight, Mr. Metcalfe, Mr. Ribton, Mr. Bat, and Mr. Kemp, instructed by Mr. Beard on behalf of the Spanish, Turkish, and Greek Consuls.

The prisoners elected to be tried by an English jury, and Watter, when he was asked whether he was guilty of murder, or not, replied, "They made me stab him." These preliminary proceedings occupied a good deal of time, and it was nearly 11 o'clock before the trial commenced.

The Solicitor-General, in opening the case for the prosecution, gave a narrative of the circumstances under which the charge was preferred against the prisoners. The principal facts will be fresh in the recollection of the public as they have appeared recently in the Bow-street police report. It will be remembered that the prisoners formed part of the crew of a vessel called the Flowery Land, which sailed from the port of London on the 28th July on a voyage to Singapore, carrying a cargo of wine and other goods. Twenty persons appear to have been on board the vessel, consisting of the captain, John Smith, the first and second mate, the cook and steward, and a boy called the lamp-lighter; there was also a passenger, George Smith, brother to the captain, and the rest, in number fourteen, were seamen, being composed of different nations, there being two Greeks, three Spaniards, one German, a Frenchman, and some English. Most of them understood English to some extent, and some spoke it quite well. The crew, it appeared, after getting to sea, from time to time showed some slight signs of insubordination, and some slight punishment and correction was necessary, the mate having to use the rope's end to some of the crew, and on one occasion punishment of a greater severity was inflicted on the prisoner Carlos, who would not attend to his duty, and was strapped to the rigging; but the captain interposed and caused him to be released. The man said he was ill, and the captain ordered him medicine, and sent him back to his berth. Nothing appeared, however, to have transpired to cause any suspicion that an organised mutiny was afoot—much less such a crime as had been perpetrated. On the night of the 9th or 10th the chief mate was on deck, in command of the watch, and the captain and other officers were below, and about 3 o'clock an attack was made on the first mate, by the crew, with handspikes, and he was killed. He called for help, but was unable to make any communication with the captain. Some of the crew were down below, and the captain left his berth, having probably been disturbed by the noise above, and had reached the cabin where he was attacked, and was killed by stabs from a number of daggers. His brother, hearing the noise, left his berth, and was proceeding up the companion ladder, when he was seized and thrown into the sea. A rope was put round the neck of the captain's body to haul him up and throw him overboard, when the second mate interfered, and asked permission to sew the body up in canvas, and perform as well as possible the last office to the dead. This, however, was denied, and he received a blow which knocked him down. The captain, the first mate, and the captain's brother having been killed, the ship was searched, and all the property, including about 70*l.*, which was in the captain's desk, was brought out for division. The second mate, who had looked himself in the cabin, was made to come out, at first declining, fearing that his life might be taken, but on receiving an assurance that he would not be hurt, he released himself, and he was compelled to divide the property. The prisoner, Watter, it appeared, wanted the spoil to be divided amongst eight of the crew, but Lyons said that it should be divided among seventeen. The second mate, and those of the crew who took no part in the affray, declined to have any portion of it, but the second mate was told that he must divide it amongst the seventeen, which they compelled him to do, and he looked his portion up in one of the captain's drawers. The ship's carpenter also declined to take any, as well as some others of the crew, but they were told that they must have it, and they took it. The second mate was compelled to navigate the ship, he being the only one on board capable of doing so, and on the 2nd October in the day time they sighted land. The second mate, then, as on several other occasions, was threatened with violence, for bringing them so near land in the daylight; but he was spared at the intercession of Lyons. The carpenter was then ordered to prepare the vessel for scuttling, and then was compelled by means of threats to bore four holes in the fore, and four in the after parts of the vessel, after which the boats were taken to the cook and the boy were left on board and allowed to go down with the vessel, and the steward appeared about that time to have met with his death. The crew afterwards landed at Monte Video, where a story was told that the ship had foundered some 500 miles out at sea, and that the captain and some of the crew had gone off in one of the boats and had not been seen or heard of since. The second mate and one of the crew, a Frenchman, then managed to make their escape to a settlement, where they found some one who spoke English, and gave information of what had occurred, and the result was that the eight prisoners and two other men were apprehended and taken before the Naval Court, and afterwards brought to England. The two others, who were named Frank Howell, or Paul, and Joe Williams, were discharged, there being no evidence to show that they were in any way connected with the crime.

William Taffer said—I was second mate on board the Flowery Land when she sailed on the 28th of July last from London. The captain was John Smith, and his brother sailed in the vessel as a passenger. The first mate was named Camwall, and the carpenter's name was Anderson. The prisoners were all seamen on board the vessel. A Chinese lad, named Abo, was on board the vessel as lamp-trimmer, and the cook was a Chinaman. Shortly after the vessel sailed the prisoners neglected their duty, and I have heard the captain call them names. I heard some of the prisoners complain of not being well treated. On one occasion Carlos did not come upon deck when he was ordered to do so, and the chief mate ordered me and another of the crew to go and pull him out of his berth, and place him on the quarter deck, and the chief mate then ordered me to make him fast to the rigging, and I did so, and he remained in that position for five minutes. The captain then came up and inquired what was the matter, and ordered me to loose him and give him some medicine. A few days after this Carlos and Blanco quarrelled, and I and the mate parted them, and the mate struck the prisoner Carlos. I remember the night the captain was murdered. I was relieved by the chief mate at twelve o'clock on that night. All the prisoners slept in the port compartment of a house on the deck, and the remainder of the crew slept in another compartment. The captain, his brother, and the chief mate and myself had berths below. I turned in after I had been relieved, and about three o'clock I was awoke by a noise on the deck like beating or hammering. I got up and tried to get on deck, but could not do so, in consequence of some person being on his face on the companion ladder, and a number of people were beating him with handspikes. Blanco was one of the men who was beating him. At this time I received myself a blow from a handspike, and I called to the captain for assistance, but could not get any answer, and on my looking in his berth I found he was gone. I trimmed the lamp, which was burning very dim, and I then saw the captain lying dead, covered with blood, and a number of stabs on different parts of his body. I afterwards saw the dead body of the captain's brother lying in the cabin. All this time the noise continued on the deck, and I heard some one call to me to come upon deck, but I could not recognise the voice of this man. In about three quarters of an hour the prisoner Lyons and several of the other prisoners came down to me. Lyons was spokesman. I inquired if they were going to kill me, and Lyons said, "No, they had killed the captain and the mate, and the captain's brother had got away from them," and they wanted me to navigate them to some port. He gave me to understand at the same time that there was no one else on board who could navigate the vessel. The whole of the prisoners were present when this occurred, and heard what Lyons said. I am sure Duranno, Lopez, Watter, Carlos, and Santos. I am sure were present. I asked them what port they wished me to take the vessel to, and Carlos said to the River Plate, and he said it was a good country, and there were plenty of Spanish people there. I then saw the prisoner Watter put a rope round the captain's neck, and his body hanging out of the cabin on to the deck. I begged of them to allow me to sew the body in canvas, and they did so, and I sewed up the body, and it was then thrown overboard. About five o'clock the same morning I saw the prisoner Santos on deck. He had a large knife in his hand, and he threatened me with it. About eight o'clock Lyons told me that they wanted to go into the captain's berth to see what money and clothes he had got, and he said Santos, Carlos, and Lopez went into the cabin and rummaged all the desks and boxes, and a quantity of money was put upon the table in the cabin, and a proposition was made that it should be divided into seventeen parts. Watter objected to this, and said that

it ought only to be divided among eight. He spoke in Spanish partly, but I understood what he said. I objected to receive any share of the money, but Lyons insisted that I should, and divided the money into seventeen parts, and I put my portion into a writing desk, and I afterwards saw the captain's watch in the same desk, but I do not know who placed it there. He stated that the watch was to be sold, and the proceeds divided among some of the time. The cargo consisted principally of wine and bottled beer, and there was a good deal of champagne on board. I saw several of the cases of champagne broken open, and lying about the deck. Shortly afterwards we sighted a vessel making the same course as our vessel, and I asked Lyons if they would permit me to speak to her, and compare the longitudes. Lyons at first refused; but he consulted the others, and he then said I might speak to her, but I was not to say anything about what had happened. He then said I was to talk to our vessel, and he said Lyons, for Valparaiso, forty-seven days out. I steered to the ship, and did as I was directed. I did so through fear. Shortly afterwards I heard a great noise, and some of the prisoners looked very angry, and Lyons told me that they thought I had given information to the people on the other vessel. He then asked me to take place. On the 30th of September I saw the prisoner Watter stab the steward with a knife in the arm. About the same time I saw the ship's papers torn up by some of the prisoners, and they were thrown overboard. On the 2nd of October we made land, and were about ten miles off, and the prisoners ordered me to go down to the stern of the vessel, and then the ship was about forty miles from the land, Blanco came down into the cabin and ordered me upon deck, and I saw that the sails were clewed up and that they were getting the boats out. I asked Blanco and Marchino what they were going to do with the ship, and they made me no reply. I afterwards saw Marchino and Blanco were going to kill me, and he said he was not, but he thought Blanco was. About three-quarters of an hour afterwards, I and some of the prisoners got into one of the boats, and the remainder and the rest of the crew got into another, and when we had about a hundred yards from the ship, afterwards I saw the captain and the rest of the crew were on board when the vessel went down. We then made for the land, and arrived at a port called Cape St. Mary, in Monte Video, and Lyons told me to say that we belonged to an American vessel, and that she had foundered five hundred miles at sea, and that we had been five days in the water, and that we were in the boat. He also told me to say that the captain and the rest of the crew had got into another boat, and that we did not know which way they went. I did not tell this story to any one, because there was no one that could speak English at this time. I, and Candereau, a Frenchman, who was one of the crew, afterwards left the prisoners, and made a statement before one of the courts at Monte Video, and the prisoners were taken into custody and sent to this country.

Cross-examined—The captain was not addicted to the habit of drinking immoderately. There were complaints by the crew of the insubstantiality of the food, and Blanco also complained of the want of fresh water. I never heard the captain say that if they had not enough fresh water they must drink salt water. Lyons spoke the best English, and Carlos was next to him in this respect. The orders were given to them in English, and Lyons translated them to the other men. The same practice continued after the death of the captain. After I heard the hammering noise on the deck, I observed that the prisoner Lyons had a cut on the face, and was bleeding. He had evidently received a very severe cut. They told me they would not hurt me, and I put my hand round Lyons's neck, and implored him to save me. All my hopes were put in him. I cannot say positively whether Lyons said "we" have killed the captain, or "they" have killed the captain. After the death of the captain Lyons seemed to take the command, but all the others appeared to have an equal share. When the prisoners seemed to be angry with me after I had spoken the vessel, Lyons appeared to me to be endeavouring to appease them, and to explain what had really occurred. I have not the slightest doubt that he saved my life. The first mate was rather a strict man, and when he ordered anything to be done, he expected it to be done quickly. He made use of harsh language to the crew, but I never saw him strike any of the crew. Lyons appeared to me to be endeavouring to appease them, and to explain what had really occurred. I have not the slightest doubt that he saved my life. The first mate was rather a strict man, and when he ordered anything to be done, he expected it to be done quickly. He made use of harsh language to the crew, but I never saw him strike any of the crew. 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