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**Pirates own book, or authentic narratives of the lives,
exploits, and executions of the most celebrated sea
robbers**

ELLS, CHARLES

New York [u.a.], 1842

History and Execution of the Spanish Pirates.

[urn:nbn:de:hbz:466:1-61163](https://nbn-resolving.org/urn:nbn:de:hbz:466:1-61163)

HISTORY OF THE ADVENTURES, CAPTURE AND EXECUTION
OF
THE SPANISH PIRATES.



The Pirates concealed in the Woods behind Cape Lopez.

In the Autumn of 1832, there was anchored in the "Man of War Grounds," off the Havana, a clipper-built vessel of the fairest proportions; she had great length and breadth of beam, furnishing stability to bear a large surface of sail, and great depth to take hold of the water and prevent drifting; long, low in the waist, with lofty raking masts, which tapered away till they were almost too fine to be distinguished, the beautiful arrowy sharpness of her bow,

and the fineness of her gradually receding quarters, showed a model capable of the greatest speed in sailing. Her low sides were painted black, with one small, narrow ribband of white. Her raking masts were clean scraped, her ropes were hauled taught, and in every point she wore the appearance of being under the control of seamanship and strict discipline. Upon going on board, one would be struck with surprise at the deception relative to the tonnage of the schooner, when viewed at a distance. Instead of a small vessel of about ninety tons, we discover that she is upwards of two hundred; that her breadth of beam is enormous; and that those spars which appeared so light and elegant, are of unexpected dimensions. In the centre of the vessel, between the fore and main masts, there is a long brass thirty-two pounder, fixed upon a carriage revolving in a circle, and so arranged that in bad weather it can be lowered down and housed; while on each side of the deck were mounted guns of smaller calibre.

This vessel was fashioned, at the will of avarice, for the aid of cruelty and injustice; it was an African slaver—the schooner Panda. She was commanded by Don Pedro Gibert, a native of Catalonia, in Spain, and son of a grandee; a man thirty-six years of age, and exceeding handsome, having a round face, pearly teeth, round forehead, and full black eyes, with beautiful raven hair, and a great favorite with the ladies. He united great energy, coolness and decision, with superior knowledge in mercantile transactions, and the Guinea trade; having made several voyages after slaves. The mate and owner of the Panda was Don Bernardo De Soto, a native of Corunna, Spain; and son of Isidore De Soto, Manager of the royal revenue in said city; he was now twenty-five years of age, and from the time he was fourteen had cultivated the art of navigation, and at the age of twenty-two had obtained the degree of captain in the India service. After a regular examination the correspondent diploma was awarded him. He was married to Donna Petrona Pereyra, daughter of Don Benito Pereyra, a merchant of Corunna. She was at this time just fifteen, and ripening into that slight fullness of form, and roundness of limb, which in that climate mark the early passing from girl into woman. Her complexion was the dark olive tinge

of Spain; her eyes jet black, large and lustrous. She had great sweetness of disposition and ingenuousness.

To the strictest discipline De Soto united the practical knowledge of a thorough seaman. But "the master spirit of the whole," was Francisco Ruiz, the carpenter of the *Panda*. This individual was of the middle size, but muscular, with a short neck. His hair was black and abundant, and projected from his forehead, so that he appeared to look out from under it, like a bonnet. His eyes were dark chesnut, but always restless; his features were well defined; his eye-lashes, jet black. He was familiar with all the out-of-the-way places of the Havana, and entered into any of the dark abodes without ceremony. From report his had been a wild and lawless career. The crew were chiefly Spaniards, with a few Portuguese, South Americans, and half castes. The cook was a young Guinea negro, with a pleasant countenance, and good humored, with a sleek glossy skin, and tatoed on the face; and although entered in the schooner's books as free, yet was a slave. In all there were about forty men. Her cargo was an assorted one, consisting in part of barrels of rum, and gunpowder, muskets, cloth, and numerous articles, with which to purchase slaves.

The *Panda* sailed from the Havana on the night of the 20th of August; and upon passing the Moro Castle, she was hailed, and asked, "where bound?" She replied, St. Thomas. The schooner now steered through the Bahama channel, on the usual route towards the coast of Guinea; a man was constantly kept at the mast head, on the lookout; they spoke a corvette, and on the morning of the 20th Sept., before light, and during the second mate's watch, a brig was discovered heading to the southward. Capt. Gilbert was asleep at the time, but got up shortly after she was seen, and ordered the *Panda* to go about and stand for the brig. A consultation was held between the captain, mate and carpenter, when the latter proposed to board her, and if she had any specie to rob her, confine the men below, and burn her. This proposition was instantly acceded to, and a musket was fired to make her heave to.

This vessel was the American brig *Mexican*, Capt. Butman. She had left the pleasant harbor of Salem, Mass.,

on the last Wednesday of August, and was quietly pursuing her voyage towards Rio Janeiro. Nothing remarkable had happened on board, says Captain B., until half past two o'clock, in the morning of September 20th, in lat. 38, 0, N., lon. 24, 30, W. The attention of the watch on deck was forcibly arrested by the appearance of a vessel which passed across our stern about half a mile from us. At 4 A. M. saw her again passing across our bow, so near that we could perceive that it was a schooner with a fore top sail and top gallant sail. As it was somewhat dark she was soon out of sight. At daylight saw her about five miles off the weather quarter, standing on the wind on the same tack we were on, the wind was light at S. S. W. and we were standing about S. E. At 8 A. M. she was about two miles right to windward of us; could perceive a large number of men upon her deck, and one man on the fore top gallant yard looking out; was very suspicious of her, but know not how to avoid her. Soon after saw a brig on our weather bow steering to the N. E. By this time the schooner was about three miles from us and four points forward of the beam. Expecting that she would keep on for the brig ahead of us, we tacked to the westward, keeping a little off from the wind to make good way through the water, to get clear of her if possible. She kept on to the eastward about ten or fifteen minutes after we had tacked, then wore round, set square sail, steering directly for us, came down upon us very fast, and was soon within gun shot of us, fired a gun and hoisted patriot colors and backed main topsail. He ran along to windward of us, hailed us to know where we were from, where bound, &c. then ordered me to come on board in my boat. Seeing that he was too powerful for us to resist, I accordingly went, and soon as I got along-side of the schooner, five ruffians instantly jumped into my boat, each of them being armed with a large knife, and told me to go on board the brig again; when they got on board they insisted that we had got money, and drew their knives, threatening us with instant death and demanding to know where it was. As soon as they found out where it was they obliged my crew to get it up out of the run upon deck, beating and threatening them at the same time because they did not do it quicker.

When they had got it all upon deck, and hailed the schooner, they got out their launch and came and took it on board the schooner, viz: ten boxes containing twenty thousand dollars; then returned to the brig again, drove all the crew into the fore-castle, ransacked the cabin, overhauling all the chests, trunks, &c. and rifled my pockets, taking my watch, and three doubloons which I had previously put there for safety; robbed the mate of his watch and two hundred dollars in specie, still insisting that there was more money in the hold. Being answered in the negative, they beat me severely over the back, said they knew that there was more, that they should search for it, and if they found any they would cut all our throats. They continued searching about in every part of the vessel for some time longer, but not finding any more specie, they took two coils of rigging, a side of leather, and some other articles, and went on board the schooner, probably to consult what to do with us; for, in eight or ten minutes they came back, apparently in great haste, shut us all below, fastened up the companion way, fore-scuttle and after hatch-way, stove our compasses to pieces in the binnacles, cut away tiller-ropes, halliards, braces, and most of our running rigging, cut our sails to pieces badly; took a tub of tarred rope-yarn and what combustibles they could find about deck, put them in the camboose house and set them on fire; then left us, taking with them our boat and colors. When they got alongside of the schooner they scuttled our boat, took in their own, and made sail, steering to the eastward.

As soon as they left us, we got up out of the cabin scuttle, which they had neglected to secure, and extinguished the fire, which if it had been left a few minutes, would have caught the mainsail and set our masts on fire. Soon after we saw a ship to leeward of us steering to the S. E. the schooner being in pursuit of her did not overtake her whilst she was in sight of us.

It was doubtless their intention to burn us up altogether, but seeing the ship, and being eager for more plunder they did not stop fully to accomplish their design. She was a low strait schooner of about one hundred and fifty tons, painted black with a narrow white streak, a large head with the horn of plenty painted white, large maintopmast

but no yards or sail on it. Mast raked very much, main-sail very square at the head, sails made with split cloth and all new; had two long brass twelve pounders and a large gun on a pivot amidships, and about seventy men, who appeared to be chiefly Spaniards and mulattoes.

The object of the voyage being frustrated by the loss of the specie, nothing now remained but for the Mexican to make the best of her way back to Salem, which she reached in safety. The government of the United States struck with the audacity of this piracy, despatched a cruiser in pursuit of them. After a fruitless voyage in which every exertion was made, and many places visited on the coast of Africa, where it was supposed the rascals might be lurking, the chase was abandoned as hopeless, no clue being found to their "whereabouts."

The Panda after robbing the Mexican, pursued her course across the Atlantic, and made Cape Monte, from this she coasted south, and after passing Cape Palmas entered the Gulf of Guinea, and steered for Cape Lopez which she reached in the first part of November. Cape Lopez de Gonzalves, in lat. $0^{\circ} 36' 2''$ south, long. $8^{\circ} 40' 4''$ east, is so called from its first discoverer. It is covered with wood but low and swampy, as is also the neighboring country. The extensive bay formed by this cape is fourteen miles in depth, and has several small creeks and rivers running into it. The largest is the river Nazareth on the left point of which is situated King Gula's town the only assemblage of huts in the bay. Here the cargo of the Panda was unloaded, the greater part was entrusted to the king, and with the rest Capt. Gibert opened a factory and commenced buying various articles of commerce, as tortoise shell, gum, ivory, palm oil, fine straw carpeting, and slaves. After remaining here a short time the crew became sickly and Capt. Gibert sailed for Prince's Island to recover the health of his crew. Whilst at Prince's Island news arrived of the robbery of the Mexican. And the pirate left with the utmost precipitation for Cape Lopez, and the better to evade pursuit, a pilot was procured; and the vessel carried several miles up the river Nazareth. Soon after the Panda left Prince's Island, the British brig of war, Curlew, Capt. Trotter arrived, and from the description given of the ves-

sel then said to be lying in the Nazareth, Capt. Trotter knew she must be the one, that robbed the Mexican; and he instantly sailed in pursuit. On nearing the coast, she was discovered lying up the river; three boats containing forty men and commanded by Capt. Trotter, started up the river with the sea breeze and flood tide, and colors flying to take the desperadoes; the boats kept in near the shore until rounding a point they were seen from the Panda. The pirates immediately took to their boats, except Francisco Ruiz who seizing a fire brand from the camboose went into the magazine and set some combustibles on fire with the laudable purpose of blowing up the assailants, and then paddled ashore in a canoe. Capt. Trotter chased them with his boats, but could not come up with them, and then boarded the schooner which he found on fire. The first thing he did was to put out the fire which was in the magazine, below the cabin floor; here was found a quantity of cotton and brimstone burning and a slow match ignited and communicating with the magazine, which contained sixteen casks of powder.

The Panda was now warped out of the river, and anchored off the negro town of Cape Lopez. Negotiations were now entered into, for the surrender of the pirates. An officer was accordingly sent on shore to have an interview with the king. He was met on the beach by an ebony chief, calling himself duke. "We followed the duke through the extensive and straggling place, frequently buried up to the ankles in sand, from which the vegetation was worn by the constant passing and repassing of the inhabitants. We arrived at a large folding door placed in a high bamboo and palm tree fence, which inclosed the king's establishment, ornamented on our right by two old honey combed guns, which, although dismounted, were probably, according to the practice of the coast, occasionally fired to attract the attention of passing vessels, and to imply that slaves were to be procured. On the left of the enclosure was a shed, with a large ship's bell suspended beneath, serving as an alarum bell in case of danger, while the remainder was occupied with neatly built huts, inhabited by the numerous wives of the king.

"We sent in to notify him of our arrival, he sent word

out that we might remain outside until it suited his convenience. But as such an arrangement did not suit ours, we immediately entered, and found sitting at a table the king. He was a tall, muscular, ugly looking negro, about fifty years of age. We explained the object of our visit, which was to demand the surrender of the white men, who were now concealed in the town, and for permission to pass up the river in pursuit of those who had gone up that way. He now expressed the most violent indignation at our presumption in demanding the pirates, and the interview was broken off by his refusing to deliver up a single man."

We will now return to the pirates. While at Prince's Island, Capt. Gibert bought a magnificent dressing case worth nearly a thousand dollars and a patent lever watch, and a quantity of tobacco, and provisions, and two valuable cloth coats, some Guinea cloth and black and green paint. The paint, cloth and coats were intended as presents for the African king at Cape Lopez. These articles were all bought with the money taken from the Mexican. After arriving at the Nazareth, \$4000 were taken from the trunk, and buried in the yard of a negro prince. Four of the pirates then went to Cape Lopez for \$11,000, which had been buried there. Boyga, Castillo, Guzman, and the "State's Evidence," Ferez, were the ones who went. Ferez took the bags out, and the others counted the money; great haste was made as the musquitoes were biting intolerably. \$5000 were buried for the captain in canvass bags about two feet deep, part of the money was carried to Nazareth, and from there carried into the mountains and there buried. A consultation was held by Capt. Gibert, De Soto, and Ruiz, and the latter said, if the money was not divided, "there would be the devil to pay." The money was now divided in a dark room and a lantern used; Capt. Gibert sat on the floor with the money at his side. He gave the mate about \$3000, and the other officers \$1000, each; and the crew from \$300 to \$500, each. The third mate having fled, the captain sent him \$1000, and Ruiz carried it to him. When the money was first taken from the Mexican, it was spread out on the companion way and examined to see if there was no gold amongst it; and then put into bags made of dark coarse

linen; the boxes were then thrown overboard. After the division of the money the pirates secreted themselves in the woods behind Cape Lopez. Perez and four others procured a boat, and started for Fernando Po; they put their money in the bottom of the boat for ballast, but was thrown overboard, near a rock and afterwards recovered by divers; this was done to prevent detection. The captain, mate, and carpenter had a conversation respecting the attempt of the latter, to blow her up, who could not account for the circumstance, that an explosion had not taken place; they told him he ought to have burst a barrel of powder over the deck and down the stairs to the magazine, loaded a gun, tied a fish line to the lock and pulled it when he came off in the canoe.

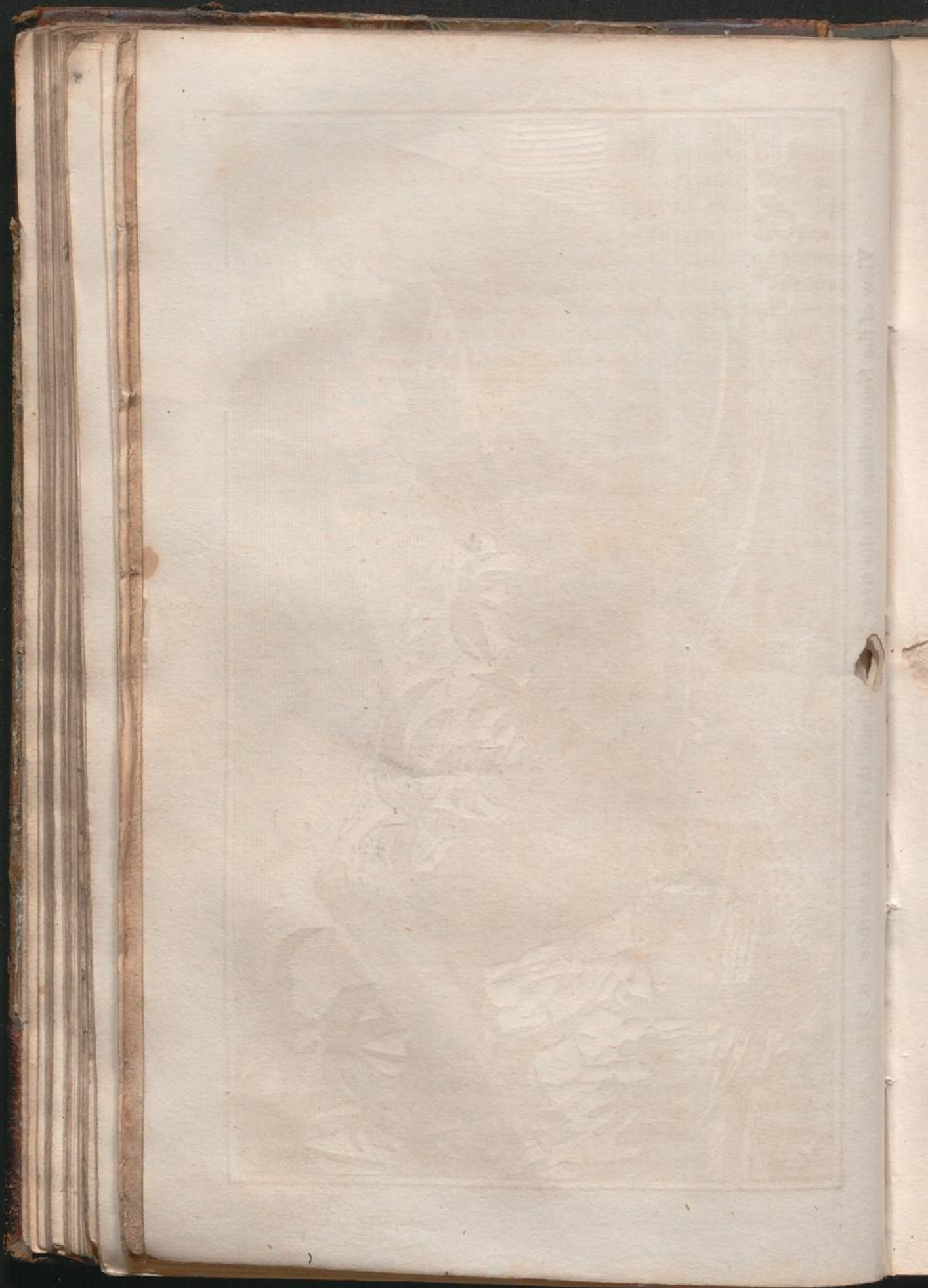
The Panda being manned by Capt. Trotter and an English crew, commenced firing on the town of Cape Lopez, but after firing several shots, a spark communicated with the magazine and she blew up. Several men were killed, and Captain Trotter and the others thrown into the water, when he was made prisoner with several of his crew, by the King, and it required considerable negociations to get them free.

The pirates having gone up the river, an expedition was now equipped to take them if possible. The long-boat and pinnace were instantly armed, and victualled for several weeks, a brass gun was mounted on the bows of each, and awnings fixed up to protect the crew from the extreme heat of the sun by day, and the heavy dews at nightfall. As the sea-breeze and flood-tide set in, the boats again started and proceeded up the river. It was ascertained the war-canoes were beyond where the Panda was first taken; for fear of an ambuscade great caution was observed in proceeding. "As we approached a point, a single native was observed standing near a hut erected near the river, who, as we approached, beckoned, and called for us to land. We endeavored to do so, but fortunately the water was too shallow to approach near enough.

"We had hardly steered about for the channel, when the man suddenly rushed into the bushes and disappeared. We got into the channel, and continued some time in deep water, but this suddenly shoaled, and the boats grounded

View of the Negro village on the river N...
th, and the Panda at anchor - d. 125.





near a mangrove, just as we came in sight of a village. Our crew jumped out, and commenced tracking the boat over the sand, and while thus employed, I observed by means of my glass, a crowd of natives, and some of the pirates running down the other side of a low point, apparently with the intention of giving us battle, as they were all armed with spears and muskets.

The men had just succeeded in drawing the boats into deep water, when a great number of canoes were observe



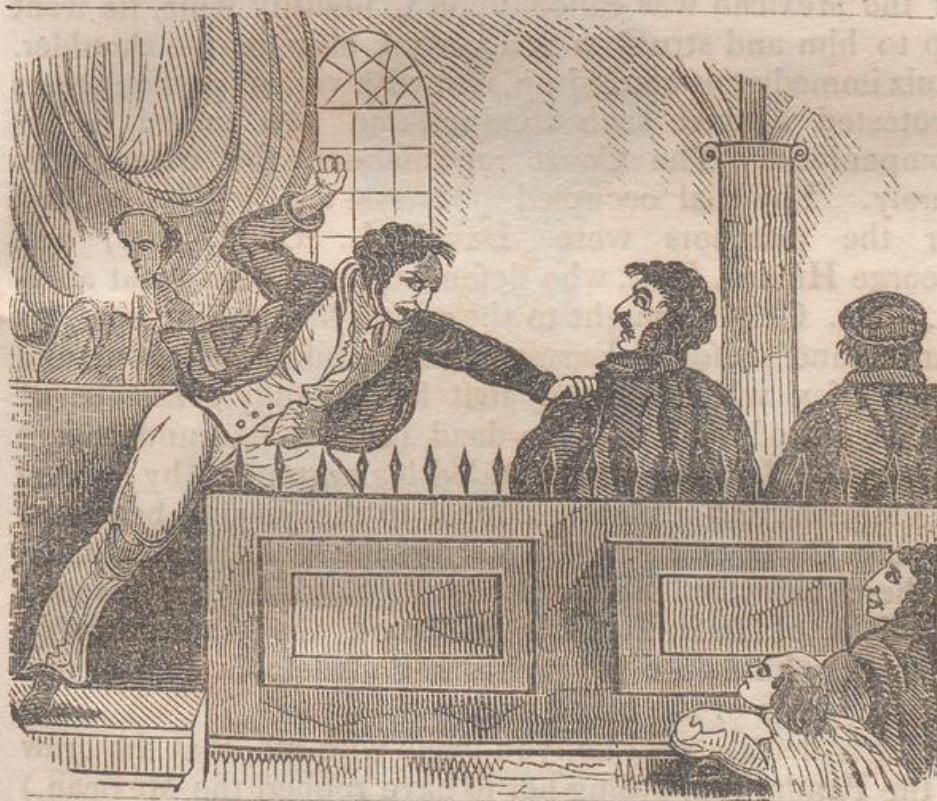
Explosion of the Panda.

coming round the point, and at the same instant another large party running down to launch; some more on the beach, when they joined those already afloat, in all made above twenty-eight canoes, and about one hundred and fifty men. Having collected all their forces, with loud whooping and encouraging shouts to one another, they led towards us with great celerity.

We prepared instantly for battle; the awnings were got down to allow room to use the cutlasses, and to load the muskets. The brass guns were loaded with grape shot. They now approached, uttering terrific yells, and paddling with all speed. On board the canoes the pirates were loading the guns and encouraging the natives. Bernardo de Soto and Francisco Ruiz were conspicuous, in manœuvring the negro boats for battle, and commenced a straggling fire upon the English boats. In them all was still, each man had a cutlass by his side, and a loaded musket in his hand. On arriving within pistol-shot a well directed fire was poured into them, seconded by a discharge of the three pounders; many of the balls took effect, and two of the canoes were sunk. A brisk fire was kept up on both sides; a great number of the negroes were killed, and a few of the pirates; the English loss was small. The negroes now became panic-struck, and some paddled towards the shore, others jumped overboard and swam; the sharks caught several. Captain Gibert and De Soto were now caught, together with five of the crew; Ruiz and the rest escaped to a village, some ways inland, and with the aid of a telescope it was perceived the negroes were rapidly gathering to renew the combat, urged on by Ruiz and the other pirates; after dislodging them from this village, negotiations were entered into by the king of Cape Lopez, who surrendered Ruiz and several men to Captain Trotter. They were carried in the brig Curlew to Fernando Po, and after an examination, were put in irons and conveyed to England, and there put on board the British gun-brig *Savage*, and arrived in the harbor of Salem on the 26th August, 1834. Her commander, Lieut. Loney, waited upon the authorities of Salem, and after the usual formalities, surrendered the prisoners into their hands—stating that the British Government waived their right to try and punish the prisoners, in favor of the United States, against whom the principal offence had been committed. The pirates were landed at Crowningshield wharf, and taken from thence in carriages to the Town hall; twelve of them, handcuffed in pairs, took their places at the bar. They were all young and middle-aged, the oldest was not over forty. Physiognomically, they were not uncommonly ill

looking, in general, although there were exceptions, and they were all clean and wholesome in their appearance. They were now removed to Boston and confined in prison, where one of them, named Manuel Delgarno cut his throat with a piece of glass, thus verifying the old proverb, *that those born to be hung, will never be drown'd!*

On the 11th of November, Don Pedro Gibert, *Captain*, Don Bernardo de Soto, *Mate*, Francisco Ruiz, *Carpenter*, Nicola Costa, *Cabin-boy*, aged 15, Antonio Ferrer, *Cook*, and Manuel Boyga, Domingo de Guzman, *an Indian*, Juan Antonio Portana, Manuel Castillo, Angel Garcia, Jose Velasquez, and Juan Montenegro, *alias* Jose Basilio de Cas-



Thomas Fuller striking Ruiz in Court.

tro, were arraigned before the Circuit Court of the United States, charged with the crime of Piracy. Joseph Perez appeared as *State's evidence*, and two Portuguese sailors who were shipped on board the Panda at Prince's Island, as witnesses. After a jury was empannelled, Mr. Denlap,

the District Attorney, rose and said—"This is a solemn, and also an unusual scene. Here are twelve men, strangers to our country and to our language, indicted for a heinous offence, and now before you for life or death. They are indicted for a daring crime, and a flagrant violation of the laws, not only of this, but of every other civilized people." He then gave an outline of the commission of the robbery of the Mexican. Numerous witnesses were examined, amongst whom were the Captain, mate, and several seamen of the Mexican, who recognized several of the pirates as being the individuals who maltreated them, and took the specie. When Thomas Fuller, one of the crew of the Mexican was called upon to identify Ruiz, he went up to him and struck him a violent blow on the shoulder. Ruiz immediately started up, and with violent gesticulations protested against such conduct, and was joined by his companions. The Court reprimanded the witness severely. The trial occupied *fourteen days*. The counsel for the prisoners were David L. Child, Esq., and George Hillard, Esq., who defended them with great ability. Mr. Child brought to the cause his untiring zeal, his various and profound learning; and exhibited a labour, and *desperation* which showed that he was fully conscious of the weight of the load—the dead lift—he had undertaken to carry. Mr. Hillard concluded his argument, by making an eloquent and affecting appeal to the jury, in behalf of the boy Costa and Antonio Ferrer, the cook, and alluded to the circumstance of Bernardo de Soto having rescued the lives of 70 individuals on board the American ship *Minerva*, whilst on a voyage from Philadelphia to Havana, when captain of the brig *Leon*.

If, gentlemen, said he, you deem with me, that the crew of the *Panda*, (supposing her to have robbed the Mexican,) were merely servants of the captain, you cannot convict them. But if you do not agree with me, then all that remains for me to do, is to address a few words to you in the way of mercy. It does not seem to me that the good of society requires the death of all these men, the sacrifice of such a hecatomb of human victims, or that the sword of the law should fall till it is clogged with massacre. *Antonio Ferrer* is plainly but a servant. He is set down as a

free black in the ship's papers, but that is no proof that he is free. Were he a slave, he would in all probability be represented as free, and this for obvious reasons. He is in all probability a slave, and a native African, as the tattooing on his face proves beyond a doubt. At any rate, he is but a servant. Now will you make misfortune pay the penalty of guilt? Do not, I entreat you, lightly condemn this man to death. Do not throw him in to make up the dozen. The regard for human life is one of the most prominent proofs of a civilized state of society. The Sultan of Turkey may place women in sacks and throw



Antonio Ferrer, the Tattooed Cook.

them into the Bosphorus, without exciting more than an hour's additional conversation at Constantinople. But in our country it is different. You well remember the excitement produced by the abduction and death of a single individual; the convulsions which ensued, the effect of which will long be felt in our political institutions. You will ever find that the more a nation becomes civilized, the greater becomes the regard for human life. There is in the eye, the form, and heaven-directed countenance of

man, something holy, that forbids he should be rudely touched.

The instinct of life is great. The light of the sun, even in chains, is pleasant; and life, though supported but by the damp exhalations of a dungeon, is desirable. Often, too, we cling with added tenacity to life in proportion as we are deprived of all that makes existence to be coveted

“The weariest and most loathed worldly life,
That age, ache, penury and imprisonment
Can lay on Nature, is a Paradise
To that we fear of Death.”

Death is a fearful thing. The mere mention of it sometimes blanches the cheek, and sends the fearful blood to the heart. It is a solemn thing to break into the “bloody house of life.” Do not, because this man is but an African, imagine that his existence is valueless. He is no drift weed on the ocean of life. There are in his bosom the same social sympathies that animate our own. He has nerves to feel pain, and a heart to throb with human affections, even as you have. His life, to establish the law, or to further the ends of justice, is not required. *Taken*, it is to us of no value; given to him, it is above the price of rubies.

And *Costa*, the cabin boy, only fifteen years of age when this crime was committed—shall he die? Shall the sword fall upon his neck? Some of you are advanced in years—you may have children. Suppose the news had reached you, that your son was under trial for his life, in a foreign country—(and every cabin boy who leaves this port may be placed in the situation of this prisoner.)—suppose you were told that he had been executed, because his captain and officers had violated the laws of a distant land; what would be your feelings? I cannot tell, but I believe the feelings of all of you would be the same, and that you would exclaim, with the Hebrew, “My son! my son! would to God I had died for thee.” This boy *has* a father; let the form of that father rise up before you, and plead in your hearts for his offspring. Perhaps he has a mother, and a home. Think of the lengthened shadow that must

have been cast over that home by his absence. Think of his mother, during those hours of wretchedness, when she has felt hope darkening into disappointment, next into anxiety, and from anxiety into despair. How often may she have stretched forth her hands in supplication, and asked, even the winds of heaven, to bring her tidings of him who was away? Let the supplications of that mother touch your hearts, and shield their object from the law.

After a luminous charge by Judge Story, the jury retired to agree upon their verdict, and at 9 o'clock the next morning came in with their verdict.

Clerk. Gentlemen of the Jury, have you agreed upon your verdict?

Jury. We have.

Clerk. Who shall speak for you?

Jury. Our foreman.

The prisoners were then directed severally to rise as soon as called, and receive the verdict of the jury. The Captain, *Pedro Gibert*, was the first named. He arose, raised his hand, and regarded the jury with a firm countenance and steady eye.

Clerk. Jurors look upon the prisoner; prisoner look upon the jurors. How say you, Gentlemen, is the prisoner at the bar, *Pedro Gibert*, guilty or not guilty?

Foreman. GUILTY.

The same verdict was pronounced against *De Soto* (the mate,) *Ruiz*, (the carpenter,) *Boyga*, *Castillo*, *Garcia* and *Montenegro*. But *Costa*, (the cabin-boy,) *Ferrer* (the negro,) *Guzman*, *Portana*, and *Velasquez*, were declared NOT GUILTY.

After having declared the verdict of the Jury, the Foreman read to the Court the following recommendation to mercy:

“The sympathies of the Jury have been strongly moved in behalf of *Bernardo de Soto*, on account of his generous, noble and self-sacrificing conduct in saving the lives of more than 70 human beings, constituting the passengers and crew of the ship *Minerva*; and they desire that his case should be presented to the merciful consideration of the Government.”

Judge Story replied that the wish of the jury would

certainly be complied with both by the Court and the prosecuting officer.

“The appearance and demeanor of Captain Gibert are the same as when we first saw him; his eye is undimmed, and decision and command yet sit upon his features. We did not discern the slightest alteration of color or countenance when the verdict of the jury was communicated to him; he merely slightly bowed and resumed his seat. With *De Soto* the case was different. He is much altered; has become thinner, and his countenance this morning was expressive of the deepest despondency. When informed of the contents of the paper read by the foreman of the jury, he appeared much affected, and while being removed from the Court, covered his face with his handkerchief.”

Immediately after the delivery of the verdict, the acquitted prisoners, on motion of Mr. Hillard, were directed to be discharged, upon which several of the others loudly and angrily expressed their dissatisfaction at the result of the trial. Castillo, (a *half-caste*, with an extremely mild and pleasing countenance,) pointed towards heaven, and called upon the Almighty to bear witness that he was innocent; *Ruiz* uttered some words with great vehemence; and *Garcia* said “all were in the same ship; and it was strange that some should be permitted to escape while others were punished.” Most of them on leaving the Court uttered some invective against “the *picaro* who had sworn their lives away.”

On *Costa*, the cabin boy, (aged 16) being declared “Not Guilty” some degree of approbation was manifested by the audience, but instantly checked by the judge, who directed the officers to take into custody, every one expressing either assent or dissent. We certainly think the sympathy expressed in favor of *Costa* very ill placed, for although we have not deemed ourselves at liberty to mention the fact earlier, his conduct during the whole trial was characterized by the most reckless effrontery and indecorum. Even when standing up to receive the verdict of the jury, his face bore an impudent smile, and he evinced the most total disregard of the mercy which had been extended towards him.

About this time vague rumors reached Corunna, that a Captain belonging to that place, engaged in the Slave Trade, had turned Pirate, been captured, and sent to America with his crew for punishment. Report at first fixed it upon a noted slave-dealer, named Begaro. But the astounding intelligence soon reached Senora de Soto, that her husband was the person captured for this startling crime. The shock to her feelings was terrible, but her love and fortitude surmounted them all; and she determined to brave the terrors of the ocean, to intercede for her husband if condemned, and at all events behold him once more. A small schooner was freighted by her own and husband's father, and in it she embarked for New-York. After a boisterous passage, the vessel reached that port, when she learned her husband had already been tried and condemned to die. The humane people of New-York advised her to hasten on to Washington, and plead with the President for a pardon. On arriving at the capital, she solicited an interview with General Jackson, which was readily granted. From the circumstance of her husband's having saved the lives of seventy Americans, a merciful ear was turned to her solicitations, and a pardon for De Soto was given her, with which she hastened to Boston, and communicated to him the joyful intelligence.

ANDREW JACKSON, President of the United States of America, to all to whom these presents shall come, *Greeting*: Whereas, at the October Term, 1834, of the Circuit Court of the United States, Bernardo de Soto was convicted of Piracy, and sentenced to be hung on the 11th day of March last, from which sentence a respite was granted him for three months, bearing date the third day of March, 1835, also a subsequent one, dated on the fifth day of June, 1835, for sixty days. And whereas the said Bernardo de Soto has been represented as a fit subject for executive clemency—

Now therefore, I, Andrew Jackson, President of the United States of America, in consideration of the premises, divers good and sufficient causes me thereto moving, have pardoned, and hereby do pardon the said Bernardo de Soto, from and after the 11th August next, and direct that

he be then discharged from confinement. In testimony whereof I have hereunto subscribed my name, and caused the seal of the United States to be affixed to these presents. Done at the City of Washington, the sixth day of July, A. D. 1835, and of the independence of the United States the sixtieth.

ANDREW JACKSON.

On the fatal morning of June 11th, 1835, Don Pedro, Juan Montenegro, Manuel Castillo, Angel Garcia and Manuel Boyga, were, agreeably to sentence, summoned to prepare for immediate execution. On the night previous, a mutual agreement had been entered into to commit suicide. Angel Garcia made the first attempt by trying to open the veins of each arm with a piece of glass; but was prevented. In the morning however, while preparations were making for the execution, Boyga succeeded in inflicting a deep gash on the left side of his neck, with a piece of tin. The officer's eyes had been withdrawn from him scarcely a minute, before he was discovered lying on his pallet, with a convulsive motion of his knees, from loss of blood. Medical aid was at hand, the gash sewed up, but he did not revive. Two Catholic clergymen attended them on the scaffold, one a Spanish priest. They were executed in the rear of the jail. When the procession arrived at the foot of the ladder leading up to the platform of the gallows, the Rev. Mr. Varella looking directly at Capt. Gibert, said, "Spaniards, ascend to heaven." Don Pedro mounted with a quick step, and was followed by his comrades at a more moderate pace, but without the least hesitation. Boyga, unconscious of his situation and destiny, was carried up in a chair, and seated beneath the rope prepared for him. Gibert, Montenegro, Garcia and Castillo all smiled subduedly as they took their stations on the platform. Soon after Capt. Gibert ascended the scaffold, he passed over to where the apparently lifeless Boyga was seated in the chair, and kissed him. Addressing his followers, he said, "Boys, we are going to die; but let us be firm, for we are innocent." To Mr. Peyton, the interpreter, he said, "I die innocent, but I'll die like a noble Spaniard. Good bye, brother." The Marshal having read the warrant for their execution, and stated that de Soto

was respited *sixty* and Ruiz *thirty* days, the ropes were adjusted round the necks of the prisoners, and a slight hectic flush spread over the countenance of each; but not an eye quailed, nor a limb trembled, nor a muscle quivered. The fatal cord was now cut, and the platform fell, by which the prisoners were launched into eternity. After the execution was over, Ruiz, who was confined in his cell, attracted considerable attention, by his maniac shouts and singing. At one time holding up a piece of blanket, stained with Boyga's blood, he gave utterance to his ravings in a sort of recitative, the burden of which was—"This is the red flag my companions died under!"

After the expiration of Ruiz' second respite, the Marshal got two surgeons of the United States Navy, who understood the Spanish language, to attend him in his cell; they after a patient examination pronounced his madness a counterfeit, and his insanity a hoax. Accordingly, on the morning of Sept. 11th, the Marshal, in company with a Catholic priest and interpreter entered his cell, and made him sensible that longer evasion of the sentence of the law was impossible, and that he must surely die. They informed him that he had but half an hour to live, and retired; when he requested that he might not be disturbed during the brief space that remained to him, and turning his back to the open entrance to his cell, he unrolled some fragments of printed prayers, and commenced reading them to himself. During this interval he neither spoke, nor heeded those who were watching him; but undoubtedly suffered extreme mental agony. At one minute he would drop his chin on his bosom, and stand motionless; at another would press his brow to the wall of his cell, or wave his body from side to side, as if wrung with unutterable anguish. Suddenly, he would throw himself upon his knees on the mattress, and prostrate himself as if in prayer; then throwing his prayers from him, he would clutch his rug in his fingers, and like a child try to double it up, or pick it to pieces. After snatching up his rug and throwing it away again and again, he would suddenly resume his prayers and erect posture, and stand mute, gazing through the aperture that admitted the light of day for upwards of a minute. This scene of imbecility and indecision, of horrible prostration

of mind, ceased in some degree when the Catholic clergyman re-entered his cell.

At 10 o'clock, the prisoner was removed from the prison, and during his progress to the scaffold, though the hue of death was on his face, and he trembled in every joint with fear, he chaunted with a powerful voice an appropriate service from the Catholic ritual. Several times he turned round to survey the heavens, which at that moment were clear and bright above him and when he ascended the scaffold, after concluding his prayer, he took one long and steadfast look at the sun, and waited in silence his fate. His powers, mental and physical had been suddenly crushed with the appalling reality that surrounded him; his whole soul was absorbed with one master feeling, the dread of a speedy and violent death. He quailed in the presence of the dreadful paraphernalia of his punishment, as much as if he had been a stranger to deeds of blood, and never dealt death to his fellow man as he ploughed the deep, under the black flag of piracy, with the motto of "Rob, Kill, and Burn." After adjusting the rope, a signal was given. The body dropped heavily, and the harsh abrupt shock must have instantly deprived him of sensation, as there was no voluntary action of the hands afterwards. Thus terminated his career of crime in a foreign land, without one friend to recognize or cheer him, or a single being to regret his death.

The Spanish Consul having requested that the bodies might not be given to the faculty, they were interred at night under the direction of the Marshal, in the Catholic burial-ground at Charlestown. There being no murder committed with the piracy the laws of the United States do not authorize the court to order the bodies for dissection.



Ruiz leaving the Panda.

THE LIFE OF
BENITO DE SOTO,

THE PIRATE OF THE MORNING STAR.

THE following narrative of the career of a desperate pirate who was executed in Gibraltar in the month of January, 1830, is one of two letters from the pen of the author of "the Military Sketch-Book." The writer says Benito de Soto "had been a prisoner in the garrison for nineteen months, during which time the British Government spared neither pains nor expense to establish a full train of evidence against him. The affair had caused the greatest excitement here, as well as at Cadiz, owing to the development of the atrocities which marked the character of this man, and the diabolical gang of which he was the leader. Nothing else is talked of; and a thousand horrors are added to his guilt, which, although he was guilty enough, he has no right to bear. The following is all the authentic information I could collect concerning him. I have drawn it from his trial, from the confession of his accomplices, from the keepers of his prison, and not a little from his own lips. It will be found more interesting than all the tales and sketches furnished in the 'Annuals,' magazines, and other vehicles of invention, from the simple fact—that it is truth and not fiction."

Benito de Soto was a native of a small village near Courna; he was bred a mariner, and was in the guiltless exercise of his calling at Buenos Ayres, in the year 1827. A vessel was there being fitted out for a voyage to the coast of Africa, for the smuggling of slaves; and as she required a strong crew, a great number of sailors were engaged, amongst whom was Soto. The Portuguese of South

America have yet a privilege of dealing in slaves on a certain part of the African coast, but it was the intention of the captain of this vessel to exceed the limits of his trade, and to run farther down, so as to take his cargo of human beings from a part of the country which was proscribed, in the certainty of being there enabled to purchase slaves at a much lower rate than he could in the regular way; or, perhaps, to take away by force as many as he could stow away into his ship. He therefore required a considerable number of hands for the enterprise; and in such a traffic, it may be easily conceived, that the morals of the crew could not be a subject of much consideration with the employer. French, Spanish, Portuguese, and others, were entered on board, most of them renegadoes, and they set sail on their evil voyage, with every hope of infamous success.

Those who deal in evil, carry along with them the springs of their own destruction, upon which they will tread, in spite of every caution, and their imagined security is but the brink of the pit into which they are to fall. It was so with the captain of this slave-ship. He arrived in Africa, took in a considerable number of slaves, and in order to complete his cargo, went on shore, leaving his mate in charge of the vessel. This mate was a bold, wicked, reckless, and ungovernable spirit, and perceiving in Benito de Soto a mind congenial with his own, he fixed on him as a fit person to join in a design he had conceived, of running away with the vessel, and becoming a pirate. Accordingly the mate proposed his plan to Soto, who not only agreed to join in it, but declared that he himself had been contemplating a similar enterprise during the voyage. They both were at once of a mind, and they lost no time in maturing their plot.

Their first step was to break the matter to the other members of the crew. In this they proceeded cautiously, and succeeded so far as to gain over twenty-two of the whole, leaving eighteen who remained faithful to their trust. Every means were used to corrupt the well disposed; both persuasion and threats were resorted to, but without effect, and the leader of the conspiracy, the mate, began to despair of obtaining the desired object. Soto, however, was not

so easily depressed. He at once decided on seizing the ship upon the strength of his party: and without consulting the mate, he collected all the arms of the vessel, called the conspirators together, put into each of their possession a cutlass and a brace of pistols, and arming himself in like manner, advanced at the head of the gang, drew his sword, and declared the mate to be the commander of the ship, and the men who joined him part owners. Still, those who had rejected the evil offer remained unmoved; on which Soto ordered out the boat, and pointing to the land, cried out, "There is the African coast; this is our ship—one or the other must be chosen by every man on board within five minutes."

This declaration, although it had the effect of preventing any resistance that might have been offered by the well disposed, to the taking of the vessel, did not change them from their purpose; they still refused to join in the robbery, and entered one by one into the boat, at the orders of Soto, and with but one pair of oars, (all that was allowed to them) put off for the shore, from which they were then ten miles distant. Had the weather continued calm, as it was when the boat left the ship, she would have made the shore by dusk; but unhappily a strong gale of wind set in shortly after her departure, and she was seen by Soto and his gang struggling with the billows and approaching night, at such a distance from the land as she could not possibly accomplish while the gale lasted. All on board the ship agreed in opinion that the boat could not live, as they flew away from her at the rate of ten knots an hour, under close reefed topsails, leaving their unhappy messmates to their inevitable fate. Those of the pirates who were lately executed at Cadiz, declared that every soul in the boat perished.

The drunken uproar which that night reigned in the pirate ship was in horrid unison with the raging elements around her; contention and quarrelling followed the brutal ebriety of the pirates; each evil spirit sought the mastery of the others, and Soto's, which was the fiend of all, began to grasp and grapple for its proper place—the head of such a diabolical community.

The mate (now the chief) at once gave the reins to his

ruffian tyranny; and the keen eye of Soto saw that he who had fawned with him the day before, would next day rule him with an iron rod. Prompt in his actions as he was penetrating in his judgment, he had no sooner conceived a jealousy of the leader than he determined to put him aside; and as his rival lay in his drunken sleep, Soto put a pistol to his head, and deliberately shot him. For this act he excused himself to the crew, by stating to them that it was in *their* protection he did the act; that *their* interest was the other's death; and concluded by declaring himself their leader, and promising a golden harvest to their future labors, provided they obeyed him. Soto succeeded to the height of his wishes, and was unanimously hailed by the crew as their captain.

On board the vessel, as I before stated, were a number of slaves, and these the pirates had well secured under hatches. They now turned their attention to those half starved, half suffocated creatures;—some were for throwing them overboard, while others, not less cruel, but more desirous of gain, proposed to take them to some port in one of those countries that deal in human beings, and there sell them. The latter recommendation was adopted, and Soto steered for the West Indies, where he received a good price for his slaves. One of those wretched creatures, a boy, he reserved as a servant for himself; and this boy was destined by Providence to be the witness of the punishment of those white men who tore away from their homes himself and his brethren. He alone will carry back to his country the truth of Heaven's retribution, and heal the wounded feelings of broken kindred with the recital of it.

The pirates now entered freely into their villianous pursuit, and plundered many vessels; amongst others was an American brig, the treatment of which forms the *chef d'œuvre* of their atrocity. Having taken out of this brig all the valuables they could find, they hatched down all hands to the hold, except a black man, who was allowed to remain on deck, for the special purpose of affording in his torture an amusing exhibition to Soto and his gang. They set fire to the brig, then lay to, to observe the progress of the flames; and as the miserable African bounded from rope to rope, now climbing to the mast head—now clinging to the

hearers! How far the brutality of the pirates was carried in this stage of the horrid proceeding, we can only surmise; fortunately, their lives were spared, although, as it afterwards appeared, the orders of Soto were to butcher every being on board; and it is thought that these orders were not put into action, in consequence of the villains having wasted so much time in drinking, and otherwise indulging themselves; for it was not until the loud voice of their chief was heard to recall them, that they prepared to leave the ship; they therefore contented themselves with fastening the women within the cabin, heaping heavy lumber on the hatches of the hold, and boring holes in the planks of the vessel below the surface of the water, so that in destroying the unhappy people at one swoop, they might make up for the lost time. They then left the ship, sinking fast to her apparently certain fate.

It may be reasonably supposed, bad as their conduct was towards the females, and pitiable as was the suffering it produced, that the lives of the whole left to perish were preserved through it; for the ship must have gone down if the women had been either taken out of her or murdered, and those in the hold inevitably have gone with her to the bottom. But by good fortune, the females succeeded in forcing their way out of the cabin, and became the means of liberating the men confined in the hold. When they came on deck, it was nearly dark, yet they could see the pirate ship at a considerable distance, with all her sails set and bearing away from them. They prudently waited, concealed from the possibility of being seen by the enemy, and when the night fell, they crept to the hatchway, and called out to the men below to endeavor to effect their liberation, informing them that the pirate was away and out of sight. They then united their efforts, and the lumber being removed, the hatches gave way to the force below, so that the released captives breathed of hope again. The delightful draught, however, was checked, when the ship was found to contain six feet of water! A momentary collapse took possession of all their newly excited expectations; cries and groans of despair burst forth; but the sailors' energy quickly returned, and was followed by that of the others; they set to work at the pumps, and

by dint of labor succeeded in keeping the vessel afloat. Yet to direct her course was impossible; the pirates having completely disabled her, by cutting away her rigging and sawing the masts all the way through. The eye of Providence, however, was not averted from the hapless people, for they fell in with a vessel next day that relieved them from their distressing situation, and brought them to England in safety.

We will now return to Soto, and show how the hand of that Providence that secured his intended victims, fell upon himself and his wicked associates. Intoxicated with their infamous success, the night had far advanced before Soto learned that the people in the *Morning Star*, instead of being slaughtered, were only left to be drowned. The information excited his utmost rage. He reproached Barbazan, and those who had accompanied them in the boarding, with disobeying his orders, and declared that now there could be no security for their lives. Late as the hour was, and long as he had been steering away from the *Morning Star*, he determined to put back, in the hope of effectually preventing the escape of those in the devoted vessel, by seeing them destroyed before his eyes. Soto was a follower of the principle inculcated by the old maxim, "Dead men tell no tales;" and in pursuance of his doctrine, lost not a moment in putting about and running back. But it was too late; he could find no trace of the vessel, and so consoled himself with the belief that she was at the bottom of the sea, many fathoms below the ken and cognizance of Admiralty Courts.

Soto, thus satisfied, bent his course to Europe. On his voyage he fell in with a small brig, boarded, plundered, sunk her, and, that he might not again run the hazard of encountering living witnesses of his guilt, murdered the crew, with the exception of one individual, whom he took along with him, on account of his knowledge of the course to Corunna, whither he intended to proceed. But, faithful to his principles of self-protection, as soon as he had made full use of the unfortunate sailor, and found himself in sight of the destined port, he came up to him at the helm, which he held in his hand, "My friend," said he "is that the harbor of Corunna?"—"Yes," was the reply

"Then," rejoined Soto, "You have done your duty well, and I am obliged to you for your services." On the instant he drew a pistol and shot the man; then coolly flung his body overboard, took the helm himself, and steered into his native harbor as little concerned as if he had returned from an honest voyage. At this port he obtained papers in a false name, disposed of a great part of his booty, and after a short stay set out for Cadiz, where he expected a market for the remainder. He had a fair wind until he came within sight of the coast near that city. It was coming on dark and he lay to, expecting to go into his anchorage next morning, but the wind shifted to the westward, and suddenly began to blow a heavy gale; it was right on the land. He luffed his ship as close to the wind as possible, in order to clear a point that stretched outward, and beat off to windward, but his lee-way carried him towards the land, and he was caught when he least expected the trap. The gale increased—the night grew pitchy dark—the roaring breakers were on his lee-beam—the drifting vessel strikes, rebounds, and strikes again—the cry of horror rings through the flapping cordage, and despair is in the eyes of the demon-crew. Helpless they lie amid the wrath of the storm, and the darkened face of Heaven, for the first time, strikes terror on their guilty hearts. Death is before them, but not with a merciful quickness does he approach; hour after hour the frightful vision glares upon them, and at length disappears only to come upon them again in a more dreadful form. The tempest abates, and the sinners were spared for the time.

As the daylight broke they took to their boats, and abandoned the vessel to preserve their lives. But there was no repentance in the pirates; along with the night and the winds went the voice of conscience, and they thought no more of what had passed. They stood upon the beach gazing at the wreck, and the first thought of Soto, was to sell it, and purchase another vessel for the renewal of his atrocious pursuits. With the marked decision of his character, he proposed his intention to his followers, and received their full approbation. The plan was instantly arranged; they were to present themselves as honest, shipwrecked mariners to the authorities at Cadiz;

Soto was to take upon himself the office of mate, or *contra maestra* to an imaginary captain, and thus obtain their sanction in disposing of the vessel. In their assumed character, the whole proceeded to Cadiz, and presented themselves before the proper officers of the marine. Their story was listened to with sympathy, and for a few days every thing went on to their satisfaction. Soto had succeeded so well as to conclude the sale of the wreck with a broker, for the sum of one thousand seven hundred and fifty dollars; the contract was signed, but fortunately the money was not yet paid, when suspicion arose, from some inconsistencies in the pirates' account of themselves, and six of them were arrested by the authorities. Soto and one of his crew instantly disappeared from Cadiz, and succeeded in arriving at the neutral ground before Gibraltar, and six more made their escape to the Carraccas.

None are permitted to enter the fortress of Gibraltar, without permission from the governor, or a passport. Soto and his companion, therefore, took up their quarters at a Posade on the neutral ground, and resided there in security for several days. The busy and daring mind of the former could not long remain inactive; he proposed to his companion to attempt to enter the garrison in disguise and by stealth, but could not prevail upon him to consent. He therefore resolved to go in alone; and his object in doing so was to procure a supply of money by a letter of credit which he brought with him from Cadiz. His companion, more wise than he, chose the safer course; he knew that the neutral ground was not much controllable by the laws either of the Spaniards or the English, and although there was not much probability of being discovered, he resolved not to trust to chance in so great a stake as his life; and he proved to have been right in his judgment, for had he gone to Gibraltar, he would have shared the same fate of his chief. This man is the only one of the whole gang, who has not met with the punishment of his crimes, for he succeeded in effecting his escape on board some vessel. It is not even suspected to what country he is gone; but his description, no doubt, is registered. The steward of the *Morning Star* informed me, that he is a tall, stout man, with fair hair, and fresh complexion, of a mild and gentle

countenance, but that he was one of the worst villains of the whole piratical crew. I believe he is stated to be a Frenchman.

Soto secured his admission into the garrison by a false pass, and took up his residence at an inferior tavern in a narrow lane, which runs off the main street of Gibraltar, and is kept by a man of the name of Basso. The appearance of this house suits well with the associations of the worthy Benito's life. I have occasion to pass the door frequently at night, for our barrack, (the Casement,) is but a few yards from it. I never look at the place without feeling an involuntary sensation of horror—the smoky and dirty nooks—the distant groups of dark Spaniards, Moors, and Jews, their sallow countenances made yellow by the light of dim oil lamps—the unceiled rafters of the rooms above, seen through unshuttered windows and the consciousness of their having covered the atrocious Soto, combine this effect upon me.

In this den the villain remained for a few weeks, and during this time seemed to enjoy himself as if he had never committed a murder. The story he told Basso of his circumstances was, that he had come to Gibraltar on his way to Cadiz from Malaga, and was merely awaiting the arrival of a friend. He dressed expensively—generally wore a white hat of the best English quality, silk stockings, white trowsers, and blue frock coat. His whiskers were large and bushy, and his hair, which was very black, profuse, long and naturally curled, was much in the style of a London preacher of prophetic and anti-poetic notoriety. He was deeply browned with the sun, and had an air and gait expressive of his bold, enterprising, and desperate mind. Indeed, when I saw him in his cell and at his trial, although his frame was attenuated almost to a skeleton, the color of his face a pale yellow, his eyes sunken, and his hair closely shorn; he still exhibited strong traces of what he had been, still retained his erect and fearless carriage, his quick, fiery, and malevolent eye, his hurried and concise speech, and his close and pertinent style of remark. He appeared to me such a man as would have made a hero in the ranks of his country, had circumstances placed him in the proper road to fame; but ignorance and poverty turned into the

most ferocious robber, one who might have rendered service and been an honor to his sunken country. I should like to hear what the phrenologists say of his head; it appeared to me to be the most peculiar I had ever seen, and certainly, as far as the bump of *destructiveness* went, bore the theory fully out. It is rumored here that the skull has been sent to the *savans* of Edinburg; if this be the case, we shall no doubt be made acquainted with their sage opinions upon the subject, and great conquerors will receive a farther assurance of how much they resemble in their physical natures the greatest murderers.

When I visited the pirate in the Moorish castle where he was confined, he was sitting in his cold, narrow, and miserable cell, upon a pallet of straw, eating his coarse meal from a tin plate. I thought him more an object of pity than vengeance; he looked so worn with disease, so crushed with suffering, yet so affable, frank, and kind in his address; for he happened to be in a communicative mood, a thing that was by no means common with him. He spoke of his long confinement, till I thought the tears were about to start from his eyes, and alluded to his approaching trial with satisfaction; but his predominant characteristic, ferocity, appeared in his small piercing black eyes before I left him, as he alluded to his keeper, the Provost, in such a way that made me suspect his desire for blood was not yet extinguished. When he appeared in court on his trial, his demeanor was quite altered; he seemed to me to have suddenly risen out of the wretch he was in his cell, to all the qualities I had heard of him; he stood erect and unembarrassed; he spoke with a strong voice, attended closely to the proceedings, occasionally examined the witnesses, and at the conclusion protested against the justice of his trial. He sometimes spoke to the guards around him, and sometimes affected an air of carelessness of his awful situation, which, however, did not sit easy upon him. Even here the leading trait of his mind broke forth; for when the interpreter commenced his office, the language which he made use of being pedantic and affected, Soto interrupted him thus, while a scowl sat upon his brow that terrified the man of words: "I don't

understand you, man; speak Spanish like others, and I'll listen to you." When the dirk that belonged to Mr. Robertson, the trunk and clothes taken from Mr. Gibson, and the pocket book containing the ill-fated captain's hand writing were placed before him, and proved to have been found in his room, and when the maid servant of the tavern proved that she found the dirk under his pillow every morning on arranging his bed; and when he was confronted with his own black slave, between two wax lights, the countenance of the villain appeared in its true nature, not depressed nor sorrowful, but vivid and ferocious; and when the patient and dignified governor, Sir George Don, passed the just sentence of the law upon him, he looked daggers at his heart, and assumed a horrid silence, more eloquent than words.

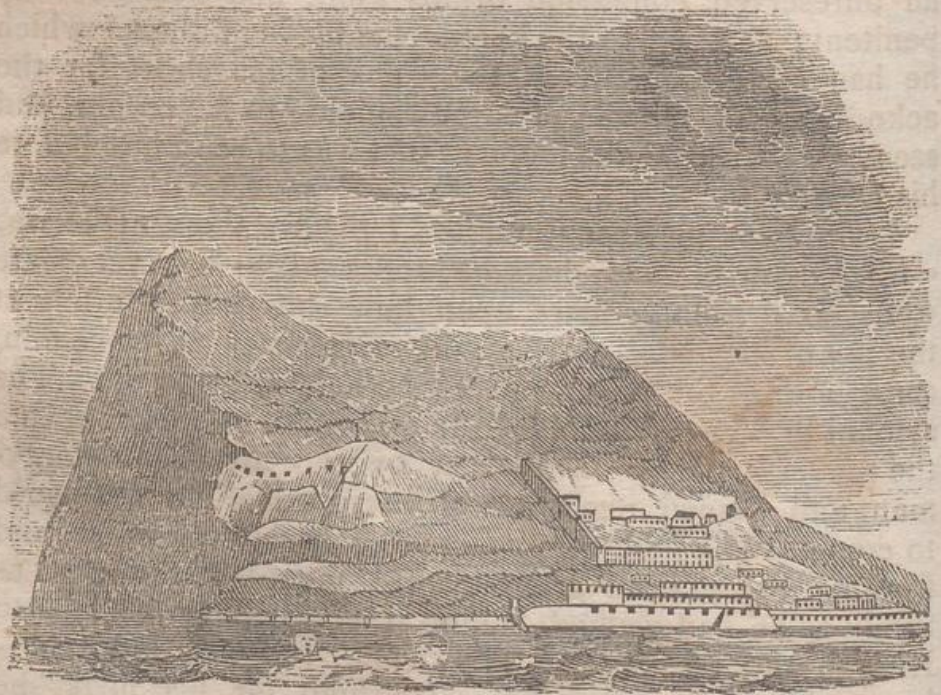
The criminal persisted up to the day before his execution in asserting his innocence, and inveighing against the injustice of his trial, but the certainty of his fate, and the awful voice of religion, at length subdued him. He made an unreserved confession of his guilt, and became truly penitent; gave up to the keeper the blade of a razor which he had secreted between the soles of his shoes for the acknowledged purpose of adding suicide to his crimes, and seemed to wish for the moment that was to send him before his Creator.

I witnessed his execution, and I believe there never was a more contrite man than he appeared to be; yet there were no drivelling fears upon him—he walked firmly at the tail of the fatal cart, gazing sometimes at his coffin, sometimes at the crucifix which he held in his hand. The symbol of divinity he frequently pressed to his lips, repeated the prayers spoken in his ear by the attendant clergyman, and seemed regardless of every thing but the world to come. The gallows was erected beside the water, and fronting the neutral ground. He mounted the cart as firmly as he had walked behind it, and held up his face to Heaven and the beating rain, calm, resigned, but unshaken; and finding the halter too high for his neck, he boldly stepped upon his coffin, and placed his head in the noose, then watching the first turn of the wheels, he mur-

mured "*adios todos,*"* and leaned forward to facilitate his fall.

The black slave of the pirate stood upon the battery trembling before his dying master to behold the awful termination of a series of events, the recital of which to his African countrymen, when he shall return to his home, will give them no doubt, a dreadful picture of European civilization. The black boy was acquitted at Cadiz, but the men who had fled to the Carraccas, as well as those arrested after the wreck, were convicted, executed, their limbs severed, and hung on tenter hooks, as a warning to all pirates.

* "Farewell, all."



THE ADVENTURES OF
CAPTAIN ROBERT KIDD.



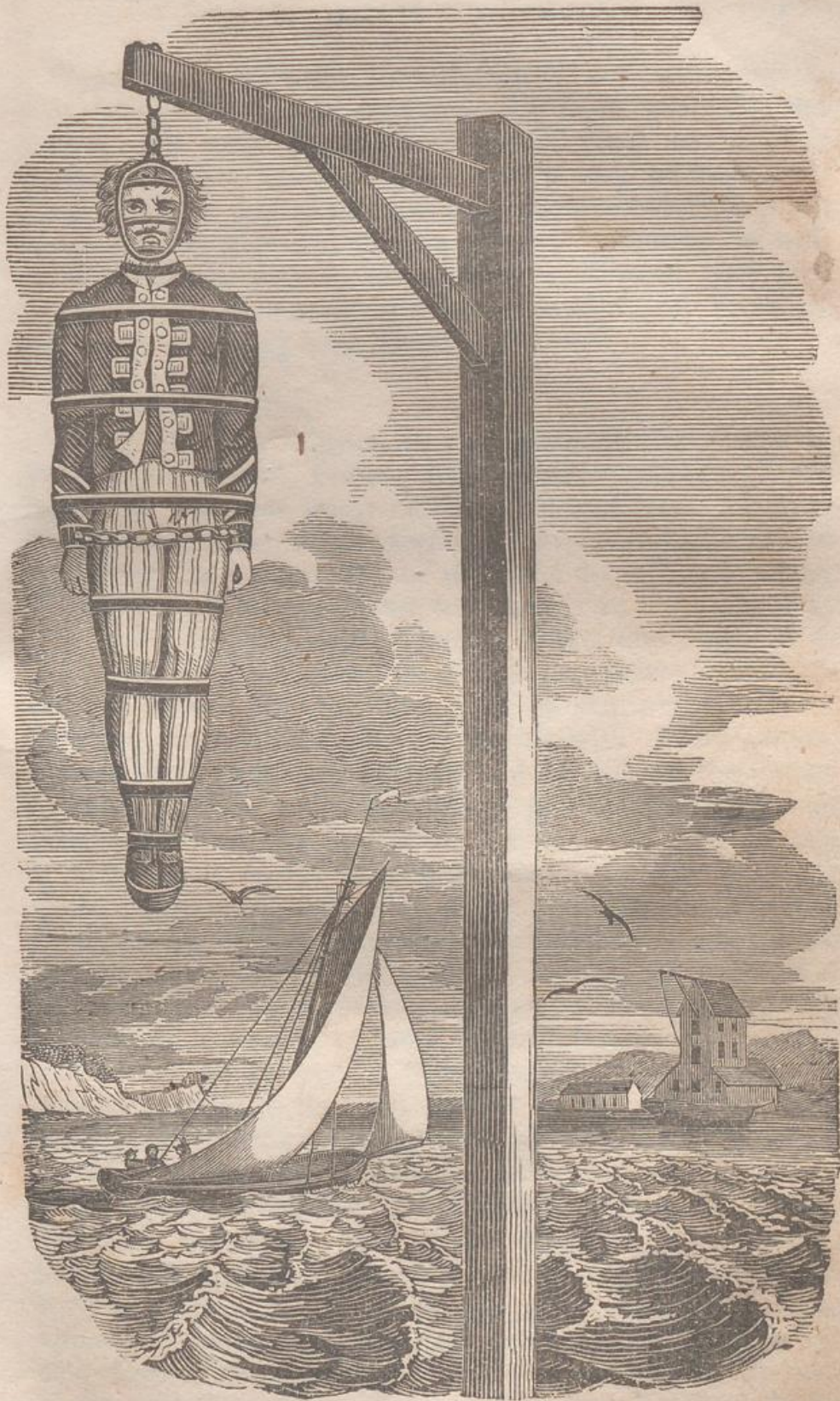
Captain Kidd burying his Bible.

THE easy access to the harbor of New-York, the number of hiding-places about its waters, and the laxity of its newly organized government, about the year 1695, made it a great rendezvous of pirates, where they might dispose of their booty and concert new depredations. As they brought

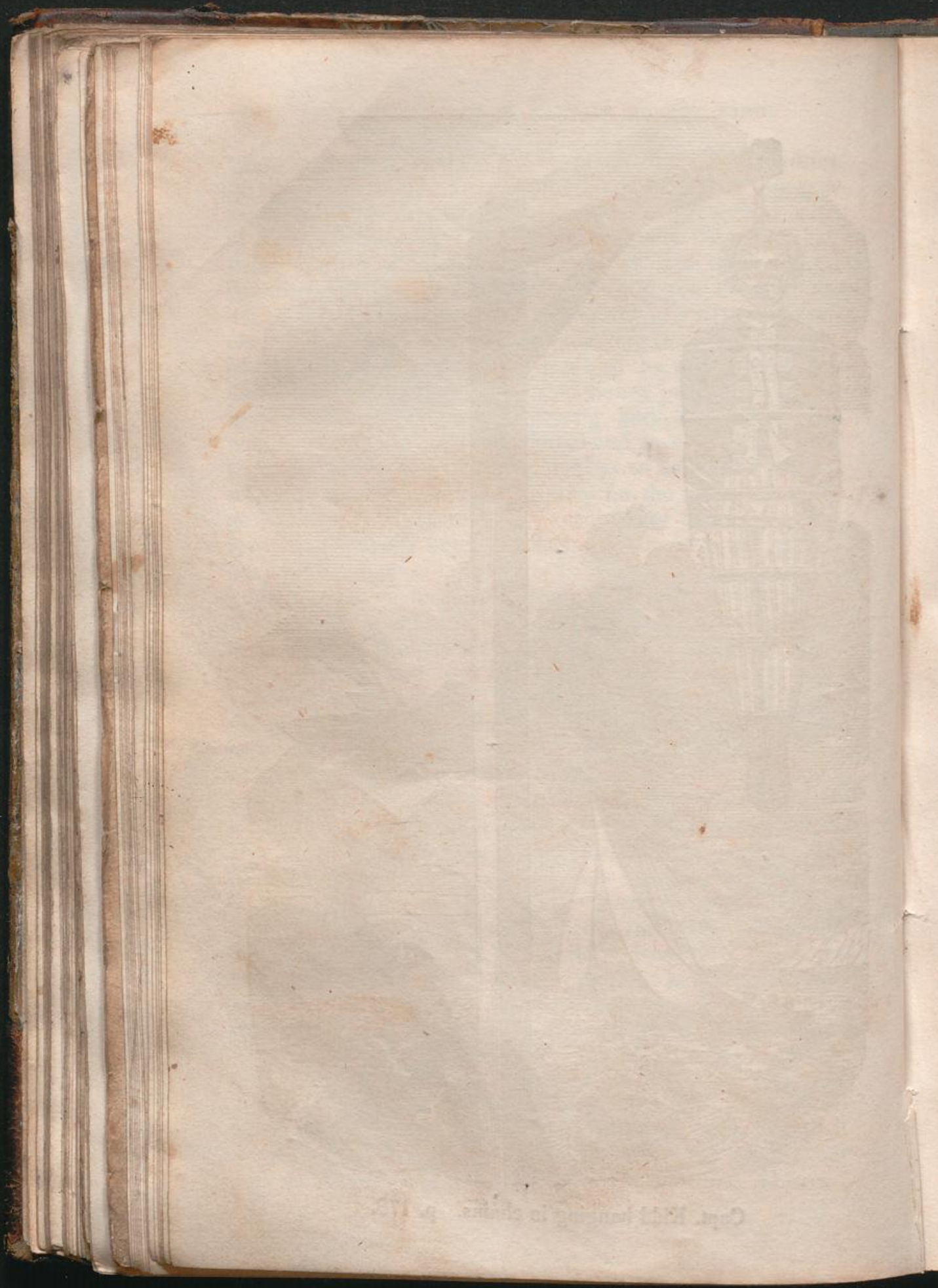
home with them wealthy lading of all kinds, the luxuries of the tropics, and the sumptuous spoils of the Spanish provinces, and disposed of them with the proverbial carelessness of freebooters, they were welcome visitors to the thrifty traders of New-York. Crews of these desperadoes, therefore, the runagates of every country and every clime, might be seen swaggering in open day about the streets, elbowing its quiet inhabitants, trafficking their rich outlandish plunder at half or quarter price to the wary merchant; and then squandering their prize-money in taverns, drinking, gambling, singing, carousing and astounding the neighborhood with midnight brawl and revelry. At length these excesses rose to such a height as to become a scandal to the provinces, and to call loudly for the interposition of government. Measures were accordingly taken to put a stop to this widely extended evil, and to drive the pirates out of the colonies.

Among the distinguished individuals who lurked about the colonies, was Captain Robert Kidd, who in the beginning of King William's war, commanded a privateer in the West Indies, and by his several adventurous actions, acquired the reputation of a brave man, as well as an experienced seaman. But he had now become notorious, as a nondescript animal of the ocean. He was somewhat of a trader, something more of a smuggler, but mostly a pirate. He had traded many years among the pirates, in a little rakish vessel, that could run into all kinds of water. He knew all their haunts and lurking places, and was always hooking about on mysterious voyages.

Upon the good old maxim of "setting a rogue to catch a rogue," Capt. Kidd was recommended by the Lord Bellamont, then governor of Barbadoes, as well as by several other persons, to the government here, as a person very fit to be entrusted to the command of a government ship, and to be employed in cruising upon the pirates, as knowing those seas perfectly well, and being acquainted with all their lurking places; but what reasons governed the politics of those times, I cannot tell, but this proposal met with no encouragement here, though it is certain it would have been of great consequence to the subject, our merchants suffering incredible damages by those robbers.



Capt. Kidd hanging in chains. p. 178.



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Upon this neglect, the lord Bellamont and some others, who knew what great captures had been made by the pirates, and what a prodigious wealth must be in their possession, were tempted to fit out a ship at their own private charge, and to give the command of her to Captain Kidd; and to give the thing a greater reputation, as well as to keep their seamen under better command, they procured the king's commission for the said Capt. Kidd, of which the following is an exact copy:

William Rex,

“WILLIAM THE THIRD, by the grace of God, King of England, Scotland, France and Ireland, defender of the faith, &c. To our trusty and well beloved Capt. ROBERT KIDD, commander of the ship the Adventure galley, or to any other, the commander of the same for the time being, *Greeting*: Whereas we are informed, that Capt. Thomas Too, John Ireland, Capt. Thomas Wake, and Capt. William Maze or Mace, and other subjects, natives or inhabitants of New-York, and elsewhere, in our plantations in America, have associated themselves with divers others, wicked and ill-disposed persons, and do, against the law of nations, commit many and great piracies, robberies and depredations on the seas upon the parts of America, and in other parts, to the great hindrance and discouragement of trade and navigation, and to the great danger and hurt of our loving subjects, our allies, and all others, navigating the seas upon their lawful occasions. Now KNOW YE, that we being desirous to prevent the aforesaid mischiefs, and as much as in us lies, to bring the said pirates, free-booters and sea-rovers to justice, have thought fit, and do hereby give and grant to the said Robert Kidd, (to whom our commissioners for exercising the office of Lord High Admiral of England, have granted a commission as a private man-of-war, bearing date the 11th day of December, 1695,) and unto the commander of the said ship for the time being, and unto the officers, mariners, and others which shall be under your command, full power and authority to apprehend, seize, and take into your custody as well the said Capt. Thomas Too, John Ireland, Capt. Thomas Wake, and Capt. Wm. Maze or Mace, as all such pirates,

free-booters, and sea-rovers, being either our subjects, or of other nations associated with them, which you shall meet with upon the seas or coasts of America, or upon any other seas or coasts, with all their ships and vessels, and all such merchandizes, money, goods, and wares as shall be found on board, or with them, in case they shall willingly yield themselves; but if they will not yield without fighting, then you are by force to compel them to yield. And we also require you to bring, or cause to be brought, such pirates, free-booters, or sea-rovers, as you shall seize, to a legal trial, to the end they may be proceeded against according to the law in such cases. And we do hereby command all our officers, ministers, and other our loving subjects whatsoever, to be aiding and assisting to you in the premises. And we do hereby enjoin you to keep an exact journal of your proceedings in execution of the premises, and set down the names of such pirates, and of their officers and company, and the names of such ships and vessels as you shall by virtue of these presents take and seize, and the quantities of arms, ammunition, provision, and lading of such ships, and the true value of the same, as near as you judge. And we do hereby strictly charge and command you, as you will answer the contrary at your peril, that you do not, in any manner, offend or molest our friends or allies, their ships or subjects, by colour or pretence of these presents, or the authority thereby granted. *In witness whereof*, we have caused our great seal of England to be affixed to these presents. Given at our court in Kensington, the 26th day of January, 1695, in the 7th year of our reign."

Capt. Kidd had also another commission, which was called a commission of reprisals; for it being then war time, this commission was to justify him in the taking of French merchant ships, in case he should meet with any; but as this commission is nothing to our present purpose, we shall not burthen the reader with it.

Previous to sailing, Capt. Kidd buried his bible on the sea-shore, in Plymouth Sound; its divine precepts being so at variance with his wicked course of life, that he did not choose to keep a book which condemned him in his lawless career.

With these two commissions he sailed out of Plymouth in May, 1696, in the Adventure galley, of 30 guns, and 80 men; the place he first designed for was New-York; in his voyage thither, he took a French banker, but this was no act of piracy, he having a commission for that purpose, as we have just observed.

When he arrived at New-York, he put up articles for engaging more hands, it being necessary to his ship's crew, since he proposed to deal with a desperate enemy. The terms he offered, were, that every man should have a share of what was taken, reserving for himself and owners forty shares. Upon which encouragement he soon increased his company to 155 men.

With this company he sailed first for Madeira, where he took in wine and some other necessaries; from thence he proceeded to Bonavista, one of the Cape de Verd Islands, to furnish the ship with salt, and from thence went immediately to St. Jago, another of the Cape de Verd Islands, in order to stock himself with provisions. When all this was done, he bent his course to Madagascar, the known rendezvous of pirates. In his way he fell in with Capt. Warren, commodore of three men of war; he acquainted him with his design, kept them company two or three days, and then leaving them, made the best of his way for Madagascar, where he arrived in February, 1696, just nine months from his departure from Plymouth.

It happened that at this time the pirate ships were most of them out in search of prey; so that according to the best intelligence Capt. Kidd could get, there was not one of them at that time about the island; wherefore, having spent some time in watering his ship and taking in more provisions, he thought of trying his fortune on the coast of Malabar, where he arrived in the month of June following, four months from his reaching Madagascar. Hereabouts he made an unsuccessful cruise, touching sometimes at the island of Mohila, and sometimes at that of Johanna, between Malabar and Madagascar. His provisions were every day wasting, and his ship began to want repair; wherefore, when he was at Johanna, he found means of borrowing a sum of money from some Frenchmen who had lost their ship, but saved their effects, and with this he purchased materials for putting his ship in good repair.

It does not appear all this while that he had the least design of turning pirate; for near Mohila and Johanna both, he met with several Indian ships richly laden, to which he did not offer the least violence, though he was strong enough to have done what he pleased with them; and the first outrage or depredation I find he committed upon mankind, was after his repairing his ship, and leaving Johanna; he touched at a place called Mabee, upon the Red Sea, where he took some Guinea corn from the natives, by force. After this, he sailed to Bab's Key, a place upon a little island at the entrance of the Red Sea. Here it was that he first began to open himself to his ship's company, and let them understand that he intended to change his measures; for, happening to talk of the Mocha fleet, which was to sail that way, he said, "*We have been unsuccessful hitherto; but courage, my boys, we'll make our fortunes out of this fleet;*" and finding that none of them appeared averse to it, he ordered a boat out, well manned, to go upon the coast to make discoveries, commanding them to take a prisoner and bring him to him, or get intelligence any way they could. The boat returned in a few days, bringing him word, that they saw fourteen or fifteen ships ready to sail, some with English, some with Dutch, and some with Moorish colors.

We cannot account for this sudden change in his conduct, otherwise than by supposing that he first meant well, while he had hopes of making his fortune by taking of pirates; but now weary of ill success, and fearing lest his owners, out of humor at their great expenses, should dismiss him, and he should want employment, and be marked out for an unlucky man; rather, I say, than run the hazard of poverty, he resolved to do his business one way, since he could not do it another.

He therefore ordered a man continually to watch at the mast head, lest this fleet should go by them; and about four days after, towards evening, it appeared in sight, being convoyed by one English and one Dutch man of war. Kidd soon fell in with them, and getting into the midst of them, fired at a Moorish ship which was next him; but the men-of-war taking the alarm, bore down upon Kidd, and firing upon him, obliged him to sheer off, he not being

strong enough to contend with them. Now he had begun hostilities, he resolved to go on, and therefore he went and cruised along the coast of Malabar. The first prize he met was a small vessel belonging to Aden; the vessel was Moorish, and the owners were Moorish merchants, but the master was an Englishman; his name was Parker. Kidd forced him and a Portuguese that was called Don Antonio, which were all the Europeans on board, to take on with him; the first he designed as a pilot, and the last as an interpreter. He also used the men very cruelly, causing them to be hoisted up by the arms, and drubbed with a naked cutlass, to force them to discover whether they had money on board, and where it lay; but as they had neither gold nor silver on board, he got nothing by his cruelty; however, he took from them a bale of pepper, and a bale of coffee, and so let them go.

A little time after he touched at Carawar, a place upon the same coast, where, before he arrived, the news of what he had done to the Moorish ship had reached them; for some of the English merchants there had received an account of it from the owners, who corresponded with them; wherefore, as soon as Kidd came in, he was suspected to be the person who committed this piracy; and one Mr. Harvey and Mr. Mason, two of the English factory, came on board and asked for Parker, and Antonio, the Portuguese; but Kidd denied that he knew any such persons, having secured them both in a private place in the hold, where they were kept for seven or eight days, that is, till Kidd sailed from thence.

However, the coast was alarmed, and a Portuguese man-of-war was sent out to cruise. Kidd met with her, and fought her about six hours, gallantly enough; but finding her too strong to be taken, he quitted her; for he was able to run away from her when he would. Then he went to a place called Porca, where he watered his ship and bought a number of hogs of the natives to victual his company.

Soon after this, he came up with a Moorish ship, the master whereof was a Dutchman, called Schipper Mitchell, and chased her under French colors, which they observing hoisted French colors too; when he came up with her, he hailed her in French, and they having a Frenchman on

board, answered him in the same language; upon which he ordered them to send their boat on board; they were obliged to do so, and having examined who they were, and from whence they came, he asked the Frenchman who was a passenger, if he had a French pass for himself; the Frenchman gave him to understand that he had. Then he told the Frenchman that he must pass for captain, and by —, says he, you are the captain; the Frenchman durst not refuse doing as he would have him. The meaning of this was, that he would seize the ship as fair prize, and as if she had belonged to French subjects, according to a commission he had for that purpose; though one would think, after what he had already done, he need not have recourse to a quibble to give his actions a colour.

In short, he took the cargo, and sold it some time after; yet still he seemed to have some fears upon him, lest these proceedings should have a bad end; for, coming up with a Dutch ship some time after, when his men thought of nothing but attacking her, Kidd opposed it; upon which a mutiny arose, and the majority being for taking the said ship, and arming themselves to man the boat to go and seize her, he told them, such as did, never should come on board him again; which put an end to the design, so that he kept company with the said ship some time, without offering her any violence. However, this dispute was the occasion of an accident, upon which an indictment was grounded against Kidd; for Moor, the gunner, being one day upon deck, and talking with Kidd about the said Dutch ship, some words arose between them, and Moor told Kidd, that he had ruined them all; upon which Kidd, calling him a dog, took up a bucket and struck him with it, which breaking his scull, he died next day.

But Kidd's penitential fit did not last long; for coasting along Malabar, he met with a great number of boats, all of which he plundered. Upon the same coast he also fell in with a Portuguese ship, which he kept possession of a week, and then having taken out of her some chests of India goods, thirty jars of butter, with some wax, iron and a hundred bags of rice, he let her go.

Much about the same time he went to one of the Malabar islands for wood and water, and his cooper being

ashore, was murdered by the natives; upon which Kidd himself landed, and burnt and pillaged several of their houses, the people running away; but having taken one, he caused him to be tied to a tree, and commanded one of his men to shoot him; then putting to sea again, he took the greatest prize which fell into his hands while he followed this trade; this was a Moorish ship of 400 tons, richly laden, named the *Queda Merchant*, the master whereof was an Englishman, by the name of *Wright*; for the Indians often make use of English or Dutchmen to command their ships, their own mariners not being so good artists in navigation. Kidd chased her under French colors, and having come up with her, he ordered her to hoist out her boat and send on board of him, which being done, he told *Wright* he was his prisoner; and informing himself concerning the said ship, he understood there were no Europeans on board, except two Dutch and one Frenchman, all the rest being Indians or Armenians, and that the Armenians were part owners of the cargo. Kidd gave the Armenians to understand, that if they would offer anything that was worth his taking for their ransom, he would hearken to it. Upon which, they proposed to pay him 20,000 rupees, not quite £3,000 sterling; but Kidd judged this would be making a bad bargain, wherefore he rejected it, and setting the crew on shore, at different places on the coast, he soon sold as much of the cargo as came to ten thousand pounds. With part of it he also trafficked, receiving in exchange provisions, or such other goods as he wanted; by degrees he disposed of the whole cargo, and when the division was made, it came to about £200 a man; and having reserved forty shares to himself, his dividend amounted to about £8,000 sterling.

The Indians along the coast came on board and trafficked with all freedom, and he punctually performed his bargains, till about the time he was ready to sail; and then thinking he should have no further occasion for them, he made no scruple of taking their goods and setting them on shore, without any payment in money or goods, which they little expected; for as they had been used to deal with pirates, they always found them men of honor in the way of trade; a people, enemies to deceit, and that scorned to rob but in their own way.

Kidd put some of his men on board the *Queda Merchant*, and with this ship and his own sailed for Madagascar. As soon as he had arrived and cast anchor, there came on board of him a canoe, in which were several Englishmen, who had formerly been well acquainted with Kidd. As soon as they saw him they saluted him, and told him they were informed he was come to take them, and hang them, which would be a little unkind in such an old acquaintance. Kidd soon dissipated their doubts, by swearing he had no such design, and that he was now in every respect their brother, and just as bad as they; and calling for a cup of bomboo, drank their captain's health.

These men belonged to a pirate ship, called the *Resolution*, formerly the *Mocha Merchant*, whereof one Capt. Culliford was commander, and which lay at anchor not far from them. Kidd went on board with them, promising them his friendship and assistance, and Culliford in his turn came on board of Kidd; and Kidd, to testify his sincerity in iniquity, finding Culliford in want of some necessaries, made him a present of an anchor and some guns, to fit him out for sea again.

The *Adventure* galley was now so old and leaky, that they were forced to keep two pumps continually going; wherefore Kidd shifted all the guns and tackle out of her into the *Queda Merchant*, intending her for his man-of-war; and as he had divided the money before, he now made a division of the remainder of the cargo; soon after which, the greatest part of the company left him, some going on board Capt. Culliford, and others absconding into the country, so that he had not above 40 men left.

He put to sea, and happened to touch at Amboyna, one of the Dutch spice islands, where he was told that the news of his actions had reached England, and that he was there declared a pirate.

The truth of it is, his piracies so alarmed our merchants that some motions were made in parliament, to inquire into the commission that was given him, and the persons who fitted him out. These proceedings seem to lean a little hard upon Lord Bellamont, who thought himself so touched thereby, that he published a justification of himself in a pamphlet, after Kidd's execution. In the mean

time it was thought advisable, in order to stop the course of these piracies, to publish a proclamation, offering the king's free pardon to all such pirates as should voluntarily surrender themselves, whatever piracies they had been guilty of, at any time before the last day of April, 1699—that is to say, for all piracies committed eastward of the Cape of Good Hope, to the longitude and meridian of Socatora, and Cape Cormorin; in which proclamation, Avery and Kidd were excepted by name.

When Kidd left Amboyna he knew nothing of this proclamation, for certainly had he had notice of his being excepted in it, he would not have been so infatuated, as to run himself into the very jaws of danger; but relying upon his interest with the lord Bellamont, and fancying that a French pass or two he found on board some of the ships he took, would serve to countenance the matter, and that part of the booty he got would gain him new friends—I say, all these things made him flatter himself that all would be hushed, and that justice would but wink at him. Wherefore he sailed directly for Boston laden with booty, with a crew of swaggering companions at his heels. But no sooner did he show himself in Boston, than the alarm was given of his reappearance, and measures were taken to arrest him. The daring character which Kidd had acquired, however, and the desperate fellows who followed like bull-dogs at his heels, caused a little delay in his arrest. He took advantage of this to bury the greater part of his immense treasure, which has never been found, and then carried a high head about the streets of Boston. He even attempted to defend himself when arrested, but was secured and thrown into prison. Such was the formidable character of this pirate and his crew, that a frigate was sent to convey them to England for trial.

Accordingly a sessions of admiralty being held at the Old Bailey, in May 1701, Capt. Kidd, Nicholas Churchill, James How, Robert Lumly, William Jenkins, Gabriel Loff, Hugh Parrot, Richard Barlicorn, Abel Owens and Darby Mullins, were arraigned for piracy and robbery on the high seas, and all found guilty except three; these were Robert Lumly, William Jenkins and Richard Barlicorn, who proving themselves to be apprentices to some of the

officers of the ship, and producing their indentures in court, were acquitted.

The three above mentioned, though they were proved to be concerned in taking and sharing the ship and goods mentioned in the indictment, yet, as the gentlemen of the long robe rightly distinguished, there was a great difference between their circumstances and the rest; for there must go an intention of the mind and a freedom of the will to the committing an act of felony or piracy. A pirate is not to be understood to be under constraint, but a free agent; for in this case, the bare act will not make a man guilty, unless the will make it so.

Now a servant, it is true, if he go voluntarily, and have his proportion, he must be accounted a pirate, for then he acts upon his own account, and not by compulsion; and these persons, according to the evidence, received their part, but whether they accounted to their masters for their shares afterwards, is the matter in question, and what distinguishes them as free agents, or men that did go under the compulsion of their masters; which being left to the consideration of the jury, they found them *not guilty*.

Kidd was tried upon an indictment of murder also, viz. for killing Moor, the gunner, and found guilty of the same. Nicholas Churchill, and James How pleaded the king's pardon, as having surrendered themselves within the time limited in the proclamation, and Col. Bass, governor of West Jersey, to whom they surrendered, being in court, and called upon, proved the same. However, this plea was overruled by the court, because there being four commissioners named in the proclamation, viz. Capt. Thomas Warren, Israel Hayes, Peter Delannoye, and Christopher Pollard, Esquires, who were appointed commissioners, and sent over on purpose to receive the submissions of such pirates as should surrender, it was adjudged no other person was qualified to receive their surrender, and that they could not be entitled to the benefit of the said proclamation, because they had not in all circumstances complied with the conditions of it.

Darby Mullins urged in his defence, that he served under the king's commission, and therefore could not disobey his commander without incurring great punishments;

that whenever a ship or ships went out upon any expedition under the king's commission, the men were never allowed to call their officers to an account, why they did this, or why they did that, because such a liberty would destroy all discipline; that if any thing was done which was unlawful, the officers were to answer it, for the men did no more than their duty in obeying orders. He was told by the court, that acting under the commission justified in what was lawful, but not in what was unlawful. He answered, he stood in need of nothing to justify him in what was lawful, but the case of seamen must be very hard, if they must be brought into such danger for obeying the commands of their officers, and punished for not obeying them; and if they were allowed to dispute the orders, there could be no such thing as command kept up at sea.

This seemed to be the best defence the thing could bear; but his taking a share of the plunder, the seamen's mutinying on board several times, and taking upon them to control the captain, showed there was no obedience paid to the commission; and that they acted in all things according to the custom of pirates and freebooters, which weighing with the jury, they brought him in guilty with the rest.

As to Capt. Kidd's defence, he insisted much on his own innocence, and the villany of his men. He said, he went out in a laudable employment and had no occasion, being then in good circumstances, to go a pirating; that the men often mutinied against him, and did as they pleased; that he was threatened to be shot in the cabin, and that ninety-five left him at one time, and set fire to his boat, so that he was disabled from bringing his ship home, or the prizes he took, to have them regularly condemned, which he said were taken by virtue of a commission under the broad seal, they having French passes. The captain called one Col. Hewson to his reputation, who gave him an extraordinary character, and declared to the court, that he had served under his command, and been in two engagements with him against the French, in which he fought as well as any man he ever saw; that there were only Kidd's ship and his own against Monsieur du Cass, who commanded a squadron of six sail, and they got

the better of him. But this being several years before the facts mentioned in the indictment were committed, proved of no manner of service to the prisoner on his trial.

As to the friendship shown to Culliford, a notorious pirate, Kidd denied, and said, he intended to have taken him, but his men being a parcel of rogues and villains refused to stand by him, and several of them ran away from his ship to the said pirate. But the evidence being full and particular against him, he was found guilty as before mentioned.

When Kidd was asked what he had to say why sentence should not pass against him, he answered, that *he had nothing to say, but that he had been sworn against by perjured and wicked people.* And when sentence was pronounced, he said, *my Lord, it is a very hard sentence. For my part, I am the most innocent person of them all, only I have been sworn against by perjured persons.*

Wherefore about a week after, Capt. Kidd, Nicholas Churchill, James How, Gabriel Loff, Hugh Parrot, Abel Owen, and Darby Mullins, were executed at Execution Dock, and afterwards hung up in chains, at some distance from each other, down the river, where their bodies hung exposed for many years.

Kidd died hard, for the rope with which he was first tied up broke with his weight and he tumbled to the ground. He was tied up a second time, and more effectually. Hence came the story of Kidd's being twice hung.

Such is Captain Kidd's true history; but it has given birth to an innumerable progeny of traditions. The report of his having buried great treasures of gold and silver which he actually did before his arrest, set the brains of all the good people along the coast in a ferment. There were rumors on rumors of great sums of money found here and there, sometimes in one part of the country sometimes in another; of coins with Moorish inscriptions, doubtless the spoils of his eastern prizes.

Some reported the treasure to have been buried in solitary, unsettled places about Plymouth and Cape Cod; but by degrees, various other parts, not only on the eastern coast but along the shores of the Sound, and even Manhattan and Long Island were gilded by these rumors. In fact

the vigorous measures of Lord Bellamont had spread sudden consternation among the pirates in every part of the provinces; they had secreted their money and jewels in lonely out-of-the-way places, about the wild shores of the sea coast, and dispersed themselves over the country. The hand of justice prevented many of them from ever returning to regain their buried treasures, which remain to this day thus secreted, and are irrecoverably lost. This is the cause of those frequent reports of trees and rocks bearing mysterious marks, supposed to indicate the spots where treasure lay hidden; and many have been the ransackings after the pirates' booty. A rocky place on the shores of Long Island, called Kidd's Ledge, has received great attention from the money diggers; but they have not as yet discovered any treasures.

THE BLOODY CAREER AND EXECUTION OF
VINCENT BENAVIDES,

A PIRATE ON THE WEST COAST OF SOUTH AMERICA.

VINCENT BENAVIDES was the son of the gaoler of Quirihue in the district of Concepcion. He was a man of ferocious manners, and had been guilty of several murders. Upon the breaking out of the revolutionary war, he entered the patriot army as a private soldier; and was a serjeant of grenadiers at the time of the first Chilian revolution. He, however, deserted to the Spaniards, and was taken prisoner in their service, when they sustained, on the plains of Maypo, on the 5th of April, 1818, that defeat which decided their fortunes in that part of America, and secured the independence of Chili. Benavides, his brother, and some other traitors to the Chilian cause, were sentenced to death, and brought forth in the Plaza, or public square of Santiago, in order to be shot. Benavides, though terribly wounded by the discharge, was not killed; but he had the presence of mind to counterfeit death in so perfect a manner, that the imposture was not suspected. The bodies of the traitors were not buried, but dragged away to a distance, and there left to be devoured by the gallinazos or vultures. The serjeant who had the superintendence of this part of the ceremony, had a personal hatred to Benavides, on account of that person having murdered some of his relations; and, to gratify his revenge, he drew his sword, and gave the dead body, (as he thought,) a severe gash in the side, as they were dragging it along. The resolute Benavides had fortitude to bear this also, without finching or even showing the least indication of life; and one cannot help regretting that so determined a power of endurance had not been turned to a better purpose.

Benavides lay like a dead man, in the heap of carcasses, until it became dark; and then, pierced with shot, and gashed by the sword as he was, he crawled to a neighboring cottage, the inhabitants of which received him with the greatest kindness, and attended him with the greatest care.

The daring ruffian, who knew the value of his own talents and courage, being aware that General San Martin was planning the expedition to Peru, a service in which there would be much of desperation and danger, sent word to the General that he was alive, and invited him to a secret conference at midnight, in the same Plaza in which it was believed Benavides had been shot. The signal agreed upon, was, that they should strike fire three times with their flints, as that was not likely to be answered by any but the proper party, and yet was not calculated to awaken suspicion.

San Martin, alone, and provided with a brace of pistols, met the desperado; and after a long conference, it was agreed that Benavides should, in the mean time, go out against the Araucan Indians; but that he should hold himself in readiness to proceed to Peru, when the expedition suited.

Having procured the requisite passports, he proceeded to Chili, where, having again diverted the Chilians, he succeeded in persuading the commander of the Spanish troops, that he had force sufficient to carry on the war against Chili; and the commander in consequence retired to Valdivia, and left Benavides commander of the whole frontier on the Biobio.

Having thus cleared the coast of the Spanish commander, he went over to the Araucans, or rather, he formed a band of armed robbers, who committed every cruelty, and were guilty of every perfidy in the south of Chili. Wherever Benavides came, his footsteps were marked with blood, and the old men, the women, and the children, were butchered lest they should give notice of his motions.

When he had rendered himself formidable by land, he resolved to be equally powerful upon the sea. He equipped a corsair, with instructions to capture the vessels of all nations; and as Araucan is directly opposite the island of

Santa Maria, where vessels put in for refreshment, after having doubled Cape Horn, his situation was well adapted for his purpose. He was but too successful. The first of his prizes was the American ship Hero, which he took by surprise in the night; the second, was the Herculia, a brig belonging to the same country. While the unconscious crew were proceeding, as usual, to catch seals on this island, lying about three leagues from the main land of Arauca, an armed body of men rushed from the woods, and overpowering them, tied their hands behind them, and left them under a guard on the beach. These were no other than the pirates, who now took the Herculia's own boats, and going on board, surprised the captain and four of his crew, who had remained to take care of the brig; and having brought off the prisoners from the beach, threw them all into the hold, closing the hatches over them. They then tripped the vessel's anchor, and sailing over in triumph to Arauca, were received by Benavides, with a salute of musketry fired under the Spanish flag, which it was their chiefs' pleasure to hoist on that day. In the course of the next night, Benavides ordered the captain and his crew to be removed to a house on shore, at some distance from the town; then taking them out, one by one, he stripped and pillaged them of all they possessed, threatening them the whole time with drawn swords and loaded muskets. Next morning he paid the prisoners a visit and ordered them to the capital, called together the principal people of the town, and desired each to select one as a servant. The captain and four others not happening to please the fancy of any one, Benavides, after saying he would himself take charge of the captain, gave directions, on pain of instant death, that some one should hold themselves responsible for the other prisoners. Some days after this they were called together, and required to serve as soldiers in the pirates army; an order to which they consented, knowing well by what they had already seen, that the consequence of refusal would be fatal.

Benavides, though unquestionably a ferocious savage, was, nevertheless, a man of resource, full of activity, and of considerable energy of character. He converted the whale spears and harpoons into lances for his cavalry, and

halberts for his sergeants ; and out of the sails he made trowsers for half of his army ; the carpenters he set to work making baggage carts and repairing his boats ; the armourers he kept perpetually at work, mending muskets, and making pikes ; managing in this way, to turn the skill of every one of his prisoners to some useful account. He treated the officers, too, not unkindly, allowed them to live in his house, and was very anxious on all occasions, to have their advice respecting the equipment of his troops.

Upon one occasion, when walking with the captain of the *Herculia*, he remarked, that his army was now almost complete in every respect, except in one essential particular, and it cut him, he said to the soul, to think of such a deficiency ; he had no trumpets for his cavalry, and added, that it was utterly impossible to make the fellows believe themselves dragoons, unless they heard a blast in their ears at every turn ; and neither men nor horses would ever do their duty properly, if not roused to it by the sound of a trumpet ; in short he declared, some device must be hit upon to supply this equipment. The captain, willing to ingratiate himself with the pirate, after a little reflection, suggested to him, that trumpets might easily be made of copper sheets on the bottoms of the vessels he had taken. "Very true," cried the delighted chief, "how came I not to think of that before ?" Instantly all hands were employed in ripping off the copper, and the armorers being set to work under his personal superintendence, the whole camp, before night, resounded with the warlike blasts of the cavalry.

The captain of the ship, who had given him the brilliant idea of the copper trumpets, had by these means, so far won upon his good will and confidence, as to be allowed a considerable range to walk on. He of course, was always looking out for some plan of escape, and at length an opportunity occurring, he, with the mate of the *Ocean*, and nine of his crew, seized two whale boats, imprudently left on the banks of the river, and rowed off. Before quitting the shore, they took the precaution of staving all the other boats, to prevent pursuit, and accordingly, though their escape was immediately discovered, they succeeded in getting so much the start of the people whom Benavides

sent in pursuit of them, that they reached St. Mary's Island in safety. Here they caught several seals upon which they subsisted very miserably till they reached Valparaiso. It was in consequence of their report of Benavides proceedings made to Sir Thomas Hardy, the commander-in-chief, that he deemed it proper to send a ship to rescue if possible, the remaining unfortunate captives at Arauca.

Benavides having manned the *Herculia*, it suited the mate, (the captain and crew being detained as hostages,) to sail with the brig to Chili, and seek aid from the Spanish governor. The *Herculia* returned with a twenty-four pounder, two field-pieces, eleven Spanish officers, and twenty soldiers, together with the most flattering letters and congratulations to the worthy ally of his Most Catholic Majesty. Soon after this he captured the *Perseverance*, English whaler, and the American brig *Ocean*, bound for Lima, with several thousand stand of arms on board. The captain of the *Herculia*, with the mate of the *Ocean*, and several men, after suffering great hardships, landed at Valparaiso, and gave notice of the proceedings of Benavides; and in consequence, Sir Thomas Hardy directed Captain Hall to proceed to Arauca with the convoy, to set the captives free, if possible.

It was for the accomplishment of this service that Capt. Hall sailed from Valparaiso; and he called at Conception on his way, in order to glean information respecting the pirate. Here the Captain ascertained that Benavides was between two considerable bodies of Chilian force, on the Chilian side of the Biobio, and one of those bodies between him and the river.

Having to wait two days at Conception for information, Captain Hall occupied them in observing the place; the country he describes as green and fertile, and having none of the dry and desert character of the environs of Valparaiso. Abundance of vegetables, wood, and also coals, are found on the shores of the bay.

On the 12th of October, the captain heard of the defeat of Benavides, and his flight, alone, across the Biobio into the Araucan country; and also that two of the Americans whom he had taken with him had made their escape, and were on board the *Chacabuco*. As these were the only

persons who could give Captain Hall information respecting the prisoners of whom he was in quest, he set out in search of the vessel, and after two days' search, found her at anchor near the island of Mocha. From thence he learned that the captain of the Ocean, with several English and American seamen had been left at Arauca, when Benavides went on his expedition, and he sailed for that place immediately.

He was too late, however; the Chilian forces had already made a successful attack, and the Indians had fled, setting fire to the town and the ships. The Indians, who were in league with the Chilians, were every way as wild as those who arrayed themselves under Benavides. Capt. Hall, upon his return to Conception, though dissuaded from it by the governor, visited the Indian encampment.

When the captain and his associates entered the courtyard, they observed a party seated on the ground, round a great tub of wine, who hailed their entrance with loud shouts, or rather yells, and boisterously demanded their business; to all appearance very little pleased with the interruption. The interpreter became alarmed, and wished them to retire; but this the captain thought imprudent, as each man had his long spear close at hand, resting against the eaves of the house. Had they attempted to escape they must have been taken, and possibly sacrificed, by these drunken savages. As their best chance seemed to lie in treating them without any show of distrust, they advanced to the circle with a good humored confidence, which appeased them considerably. One of the party rose and embraced them in the Indian fashion, which they had learned from the gentlemen who had been prisoners with Benavides. After this ceremony they roared out to them to sit down on the ground, and with the most boisterous hospitality, insisted on their drinking with them; a request which they cheerfully complied with. Their anger soon vanished, and was succeeded by mirth and satisfaction, which speedily became as outrageous as their displeasure had been at first. Seizing a favorable opportunity, Captain Hall stated his wish to have an interview with their chief, upon which a message was sent to him; but he did not think fit to show himself for a considerable time, during

which they remained with the party round the tub, who continued swilling their wine like so many hogs. Their heads soon became affected, and their obstreperous mirth increasing every minute, the situation of the strangers became by no means agreeable.

At length Peneleo's door opened, and the chief made his appearance; he did not condescend, however, to cross the threshold, but leaned against the door post to prevent falling, being by some degrees more drunk than any of his people. A more finished picture of a savage cannot be conceived. He was a tall, broad shouldered man; with a prodigiously large head, and a square-shaped bloated face, from which peeped out two very small eyes, partly hid by an immense superfluity of black, coarse, oily, straight hair, covering his cheeks, hanging over his shoulders, and rendering his head somewhat the shape and size of a bee-hive. Over his shoulders was thrown a poncho of coarse blanket stuff. He received them very gruffly, and appeared irritated and sulky at having been disturbed; he was still more offended when he learned that they wished to see his captive. They in vain endeavored to explain their real views; but he grunted out his answer in a tone and manner which showed them plainly that he neither did, nor wished to understand them.

Whilst in conversation with Peneleo, they stole an occasional glance at his apartment. By the side of the fire burning in the middle of the floor, was seated a young Indian woman, with long black hair reaching to the ground; this, they conceived, could be no other than one of the unfortunate persons they were in search of; and they were somewhat disappointed to observe, that the lady was neither in tears, nor apparently very miserable; they therefore came away impressed with the unsentimental idea, that the amiable Peneleo had already made some impression on her young heart.

Two Indians, who were not so drunk as the rest, followed them to the outside of the court, and told them that several foreigners had been taken by the Chilians in the battle near Chillan, and were now safe. The interpreter hinted to them that this was probably invented by these cunning people, on hearing their questions in the court;

but he advised them, as a matter of policy, to give them each a piece of money, and to get away as far as they could.

Captain Hall returned to Conception on the 23d of October, reached Valparaiso on the 26th, and in two weeks thereafter, the men of whom he was in search, made their appearance.

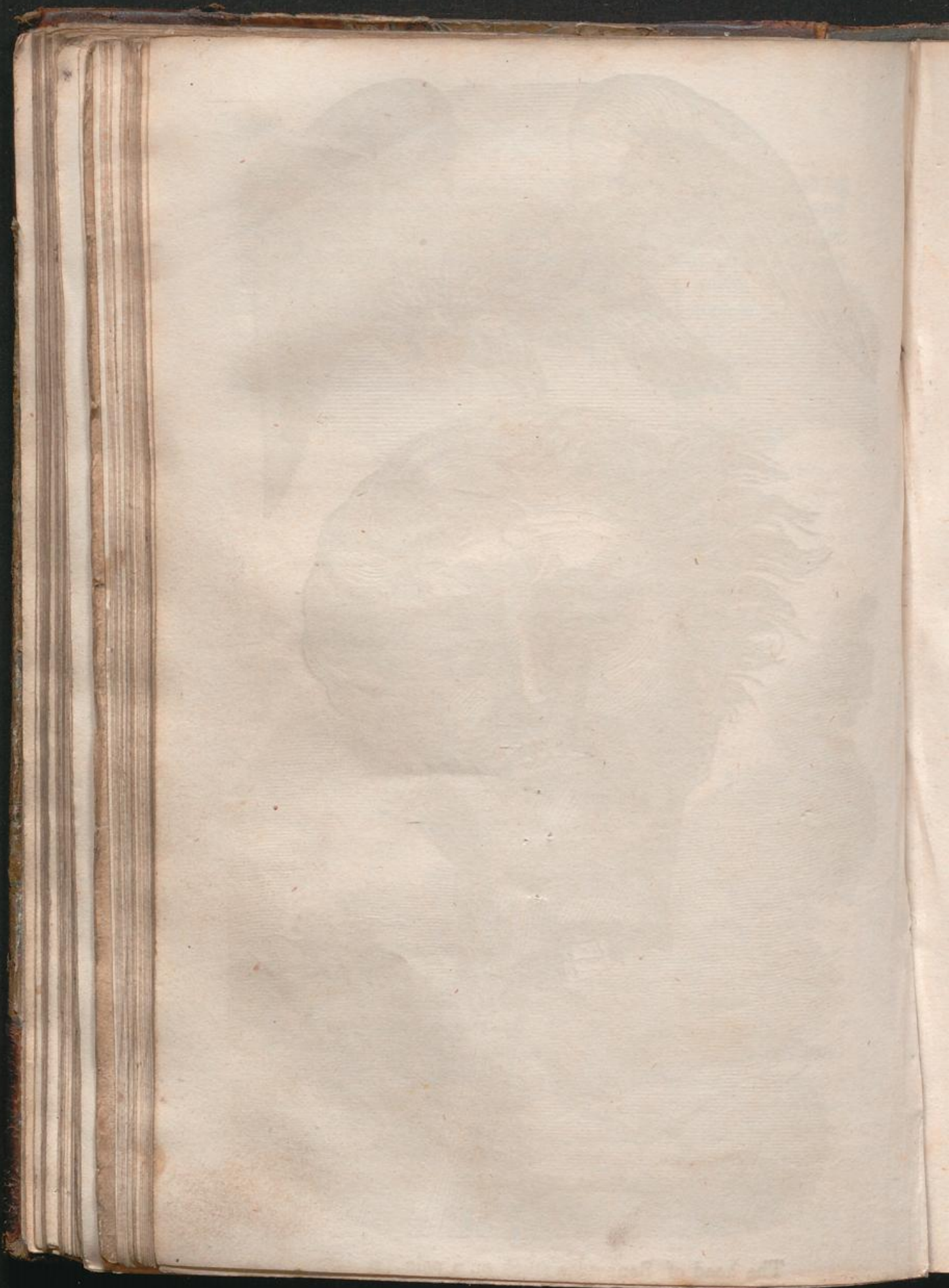
The bloody career of Benavides now drew near to a close. The defeat on the Chilian side of the Biobio, and the burning of Arauca with the loss of his vessels, he never recovered. At length, in the end of December 1821, discovering the miserable state to which he was reduced, he entreated the Intendant of Conception, that he might be received on giving himself up along with his partisans. This generous chief accepted his offer, and informed the supreme government; but in the meantime Benavides embarked in a launch, at the mouth of the river Lebo, and fled, with the intention of joining a division of the enemy's army, which he supposed to be at some one of the ports on the south coast of Peru. It was indeed absurd to expect any good faith from such an intriguer; for in his letters at this time, he offered his services to Chili and promised fidelity, while his real intention was still to follow the enemy. He finally left the unhappy province of Conception, the theatre of so many miserable scenes, overwhelmed with the misery which he had caused, without ever recollecting that it was in that province that he had first drawn his breath.

His despair in the boat made his conduct insupportable to those who accompanied him, and they rejoiced when they were obliged to put into the harbor of Topocalma in search of water of which they had run short. He was now arrested by some patriotic individuals. From the notorious nature of his crimes, alone, even the most impartial stranger would have condemned him to the last punishment; but the supreme government wished to hear what he had to say for himself, and ordered him to be tried according to the laws. It appearing on his trial that he had placed himself beyond the laws of society, such punishment was awarded him as any one of his crimes deserved. As a pirate, he merited death, and as a destroyer of

whole towns, it became necessary to put him to death in such a manner as might satisfy outraged humanity, and terrify others who should dare to imitate him. In pursuance of the sentence passed upon him, he was dragged from the prison in a pannier tied to the tail of a mule, and was hanged in the great square; his head and hands were afterwards cut off, in order to their being placed upon high poles, to point out the places of his horrid crimes, Santa Juona, Tarpellanca and Arauca.



The head of Benevides stuck on a pole. p. 188.



THE LIFE OF
CAPTAIN DAVIS;

With an account of his surprising the Fort at Gambia.

DAVIS was born in Monmouthshire, and, from a boy, trained to the sea. His last voyage from England was in the sloop Cadogan from Bristol, in the character of chief mate. This vessel was captured by the pirate England, upon the Guinea coast, whose companions plundered the crew, and murdered the captain, as is related in England's life.

Upon the death of Captain Skinner, Davis pretended that he was urged by England to become a pirate, but that he resolutely refused. He added, that England, pleased with his conduct, had made him captain in room of Skinner, giving him a sealed paper, which he was not to open until he was in a certain latitude, and then expressly to follow the given directions. When he arrived in the appointed place, he collected the whole crew, and solemnly read his sealed instructions, which contained a generous grant of the ship and all her stores to Davis and his crew, requesting them to go to Brazil, and dispose of the cargo to the best advantage, and make an equal division of the money.

Davis then commanded the crew to signify whether they were inclined to follow that mode of life, when, to his astonishment and chagrin, the majority positively refused. Then, in a transport of rage, he desired them to go where they would.

Knowing that part of the cargo was consigned to merchants in Barbadoes, they directed their course to that place. When arrived there, they informed the merchants of the unfortunate death of Skinner, and of the proposal

which had been made to them. Davis was accordingly seized, and committed to prison, but he having never been in the pirate service, nothing could be proved to condemn him, and he was discharged without a trial. Convinced that he could never hope for employment in that quarter after this detection, he went to the island of Providence, which he knew to be a rendezvous for pirates. Upon his arrival there, he was grievously disappointed, because the pirates who frequented that place had just accepted of his majesty's pardon, and had surrendered.

Captain Rodgers having equipped two sloops for trade, Davis obtained employment in one of these, called the Buck. They were laden with European goods to a considerable value, which they were to sell or exchange with the French and Spanish. They first touched at the island of Martinique, belonging to the French, and Davis knowing that many of the men were formerly in the pirate service, enticed them to seize the master, and to run off with the sloop. When they had effected their purpose, they hailed the other ship, in which they knew that there were many hands ripe for rebellion, and coming to, the greater part joined Davis. Those who did not choose to adhere to them were allowed to remain in the other sloop, and continue their course, after Davis had pillaged her of what things he pleased.

In full possession of the vessel and stores and goods, a large bowl of punch was made; under its exhilarating influence, it was proposed to choose a commander, and to form their future mode of policy. The election was soon over, and a large majority of legal votes were in favor of Davis, and no scrutiny demanded, Davis was declared duly elected. He then drew up a code of laws, to which he himself swore, and required the same bond of alliance from all the rest of the crew. He then addressed them in a short and appropriate speech, the substance of which was, a proclamation of war with the whole world.

They next consulted, what part would be most convenient to clean the vessel, and it was resolved to repair to Coxon's Hole, at the east end of the island of Cuba, where they could remain in perfect security, as the entrance was so narrow that one ship could keep out a hundred.

They, however, had no small difficulty in cleaning their vessel, as there was no carpenter among them. They performed that laborious task in the best manner they could, and then made to the north side of Hispaniola. The first sail they met with was a French ship of twelve guns, which they captured; and while they were plundering her, another appeared in view. Enquiring of the Frenchmen, they learned that she was a ship of twenty-four guns and sixty men. Davis proposed to his crew to attack her, assuring them that she would prove a rich prize. This appeared to the crew such a hazardous enterprise, that they were rather adverse to the measure. But he acquainted them that he had conceived a stratagem that he was confident would succeed; they might, therefore, safely leave the matter to his management. He then commenced chase, and ordered his prize to do the same. Being a better sailer, he soon came up with the enemy, and showed his black colors. With no small surprise at his insolence in coming so near them, they commanded him to strike. He replied, that he was disposed to give them employment until his companion came up, who was able to contend with them; meanwhile assuring them that, if they did not strike to him, it would most certainly fare the worse with them: then giving them a broadside, he received the same in return.

When the other pirate ship drew near, they, according to the directions of Davis, appeared upon deck in white shirts, which making an appearance of numbers, the Frenchman was intimidated, and struck. Davis ordered the captain with twenty of his men to come on board, and they were all put in irons except the captain. He then despatched four of his men to the other ship, and calling aloud to them, desired that his compliments should be given to the captain, with a request to send a sufficient number of hands to go on board their new prize, to see what they had got in her. At the same time, he gave them a written paper with their proper instructions, even to nail up the small guns, to take out all the arms and powder, and to go every man on board the new prize. When his men were on board her, he ordered the greater part of the prisoners to be removed into the empty vessels, and by this means secured himself from any attempt to recover their ship.

During three days, these three vessels sailed in company, but finding that his late prize was a heavy sailer, he emptied her of everything that he stood in need of, and then restored her to the captain with all his men. The French captain was so much enraged at being thus miserably deceived, that, upon the discovery of the stratagem, he would have thrown himself overboard, had not his men prevented him.

Captain Davis then formed the resolution of parting with the other prize-ship also, and soon afterwards steered northward, and took a Spanish sloop. He next directed his course towards the western islands, and from Cape de Verd islands cast anchor at St. Nicholas, and hoisted English colors. The Portuguese supposed that he was a privateer, and Davis going on shore was hospitably received, and they traded with him for such articles as they found most advantageous. He remained here five weeks, and he and half of his crew visited the principal town of the island. Davis, from his appearing in the dress of a gentleman, was greatly caressed by the Portuguese, and nothing was spared to entertain and render him and his men happy. Having amused themselves during a week, they returned to the ship, and allowed the other half of the crew to visit the capital, and enjoy themselves in like manner. Upon their return, they cleaned their ship and put to sea, but four of the men were so captivated with the ladies and the luxuries of the place, that they remained in the island, and one of them married and settled there.

Davis now sailed for Bonavista, and perceiving nothing in that harbor steered for the Isle of May. Arrived there, he found several vessels in the harbor, and plundered them of whatever he found necessary. He also received a considerable reinforcement of men, the greater part of whom entered willingly into the piratical service. He likewise made free with one of the ships, equipped her for his own purpose, and called her the King James. Davis next proceeded to St. Jago to take in water. Davis, with some others going on shore to seek water, the governor came to inquire who they were, and expressed his suspicion of their being pirates. Upon this, Davis seemed highly affronted, and expressed his displeasure in the most polite but deter-

mined manner. He, however, hastened on board, informed his men, and suggested the possibility of surprising the fort during the night. Accordingly, all his men being well armed, they advanced to the assault; and, from the carelessness of the guards, they were in the garrison before the inhabitants were alarmed. Upon the discovery of their danger, they took shelter in the governor's house, and fortified it against the pirates: but the latter throwing in some grando shells, ruined the furniture, and killed several people.

The alarm was circulated in the morning, and the country assembled to attack them; but, unwilling to stand a siege, the pirates dismounted the guns, pillaged the fort, and fled to their ships.

When at sea, they mustered their hands, and found that they were seventy strong. They then consulted among themselves what course they should steer, and were divided in opinion; but by a majority it was carried to sail for Gambia, on the coast of Guinea. Of this opinion was the captain, who having been employed in that trade, was acquainted with the coast; and informed his companions, that there was always a large quantity of money deposited in that castle, and he was confident, if the matter was entrusted to him, he should successfully storm that fort. From their experience of his former prudence and courage, they cheerfully submitted to his direction, in the full assurance of success.

Arrived at Gambia, he ordered all his men below, except just so many as were necessary to work the vessel, that those from the fort, seeing so few hands, might have no suspicion that she was any other than a trading vessel. He then ran under the fort and cast anchor, and having ordered out the boat, manned with six men indifferently dressed, he, with the master and doctor, dressed themselves like gentlemen, in order that the one party might look like foremastmen, and the other like merchants. In rowing ashore, he instructed his men what to say if any questions were put to them by the garrison.

On reaching land, the party was conducted by a file of musqueteers into the fort, and kindly received by the governor, who enquired what they were, and whence they

came? They replied, that they were from Liverpool, and bound for the river Senegal, to trade for gum and elephants teeth; but that they were chased on that coast by two French men-of-war, and narrowly escaped being taken. "We were now disposed," continued Davis, "to make the best of our voyage, and would willingly trade here for slaves." The governor then inquired what were the principal articles of their cargo. They replied, that they were iron and plate, which were necessary articles in that place. The governor then said, that he would give them slaves for all their cargo; and asked if they had any European liquor on board. They answered, that they had a little for their own use, but that he should have a hamper of it. He then treated them with the greatest civility, and desired them all to dine with him. Davis answered, that as he was commander of the vessel, it would be necessary for him to go down to see if she was properly moored, and to give some other directions; but that these gentlemen might stay, and he would return before dinner, and bring the hamper with him.

While in the fort, his eyes were keenly employed to discover the position of the arms, and how the fort might most successfully be surprised. He discovered that there was a sentry standing near a guard-house, in which there were a quantity of arms heaped up in a corner, and that a considerable number of small arms were in the governor's hall. When he went on board, he ordered some hands on board a sloop lying at anchor, lest, hearing any bustle they should come to the aid of the castle; then desiring his men to avoid too much liquor, and to be ready when he should hoist the flag from the walls, to come to his assistance, he proceeded to the castle.

Having taken these precautions and formed these arrangements, he ordered every man who was to accompany him to arm himself with two pair of pistols, which he himself also did, concealed under their clothes. He then directed them to go into the guard-room, and fall into conversation, and immediately upon his firing a pistol out of the governor's window, to shut the men up, and secure the arms in the guard-room.

When Davis arrived, dinner not being ready, the governor proposed that they should pass the time in making a bowl of punch. Davis's boatswain attending him, had an opportunity of visiting all parts of the house, and observing their strength. He whispered his intelligence to his master, who being surrounded by his own friends, and seeing the governor unattended by any of his retinue, presented a pistol to the breast of the latter, informing him that he was a dead man, unless he should surrender the fort and all its riches. The governor, thus taken by surprise, was compelled to submit; for Davis took down all the pistols that hung in the hall, and loaded them. He then fired his pistol out of the window. His men flew like lions, presented their pistols to the soldiers, and while some carried out the arms, the rest secured the military, and shut them all up in the guard-house, placing a guard on the door. Then one of them struck the union flag on the top of the castle, which the men from the vessel perceiving, rushed to the combat, and in an instant were in possession of the castle, without tumult or bloodshed.

Davis then harranged the soldiers, many of whom enlisted with him; and those who declined, he put on board the small ships, and to prevent the necessity of a guard, or the possibility of escape, carried off the sails, rigging and cables.

That day being spent in feasting and rejoicing, the castle saluting the ship, and the ship the castle, on the day following they proceeded to examine the contents of their prize. They, however, were greatly disappointed in their expectations, a large sum of money having been sent off a few days before. But they found money to the amount of about two thousand pounds in gold, and many valuable articles of different kinds. They carried on board their vessel whatever they deemed useful, gave several articles to the captain and crew of the small vessel, and allowed them to depart, while they dismounted the guns, and demolished the fortifications.

After doing all the mischief that their vicious minds could possibly devise, they weighed anchor; but in the mean time, perceiving a sail bearing towards them with all possible speed, they hastened to prepare for her reception,

and made towards her. Upon her near approach they discovered that she was a French pirate of fourteen guns and sixty-four men, the one half French, and the other half negroes.

The Frenchman was in high expectation of a rich prize, but when he came nearer, he suspected, from the number of her guns and men, that she was a small English man-of-war; he determined, notwithstanding, upon the bold attempt of boarding her, and immediately fired a gun, and hoisted his black colors: Davis immediately returned the compliment. The Frenchman was highly gratified at this discovery; both hoisted out their boats, and congratulated each other. Mutual civilities and good offices passed, and the French captain proposed to Davis to sail down the coast with him, in order to look out for a better ship, assuring him that the very first that could be captured should be his, as he was always willing to encourage an industrious brother.

They first touched at Sierra Leone, where they espied a large vessel, and Davis being the swifter sailer, came first up with him. He was not a little surprised that she did not endeavor to make off, and began to suspect her strength. When he came alongside of her, she fired a whole broadside, and hoisted black colors. Davis did the same, and fired a gun to leeward. The satisfaction of these brothers in iniquity was mutual, at having thus acquired so much additional strength and ability to undertake more formidable adventures. Two days were devoted to mirth and song, and upon the third, Davis and Cochlyn, the captain of the new confederate, agreed to go in the French pirate ship to attack the fort. When they approached, the men in the fort, apprehensive of their character and intentions, fired all the guns upon them at once. The ship returned the fire, and afforded employment until the other two ships arrived, when the men in the fort seeing such a number on board, lost courage, and abandoned the fort to the mercy of the robbers.

They took possession, remained there seven weeks, and cleaned their vessels. They then called a council of war, to deliberate concerning future undertakings, when it was resolved to sail down the coast in company; and, for the

greater regularity and grandeur, Davis was chosen Commodore. That dangerous enemy, strong drink, had well nigh, however, sown the seeds of discord among these affectionate brethren. But Davis, alike prepared for council or for war, addressed them to the following purport: "Hear ye, you Cochlyn and La Boise, (which was the name of the French captain) I find, by strengthening you, I have put a rod into your hands to whip myself; but I am still able to deal with you both: however, since we met in love, let us part in love; for I find that three of a trade can never agree long together." Upon this, the other two went on board of their respective ships, and steered different courses.

Davis held down the coast, and reaching Cape Appolonia he captured three vessels, two English and one Scottish, plundered them, and allowed them to proceed. In five days after he met with a Dutchman of thirty guns and ninety men. She gave Davis a broadside, and killed nine of his men; a desperate engagement ensued, which continued from one o'clock at noon until nine next morning, when the Dutchman struck.

Davis equipped her for the pirate service, and called her "The Rover." With his two ships he sailed for the bay of Anamaboa, which he entered about noon, and took several vessels which were there waiting to take in negroes, gold, and elephants' teeth. Davis made a present of one of these vessels to the Dutch captain and his crew, and allowed them to go in quest of their fortune. When the fort had intelligence that they were pirates, they fired at them, but without any effect; Davis fired also, and hoisted the black colors, but deemed it prudent to depart.

The next day after he left Anamaboa, the man at the mast-head discovered a sail. It may be proper to inform our readers, that, according to the laws of pirates, the man who first discovers a vessel, is entitled to the best pair of pistols in the ship, and such is the honor attached to these, that a pair of them has been known to sell for thirty pounds.

Davis pursued that vessel, which, being between him and the shore, labored hard to run aground. Davis perceiving this, got between her and the land, and fired a broadside at

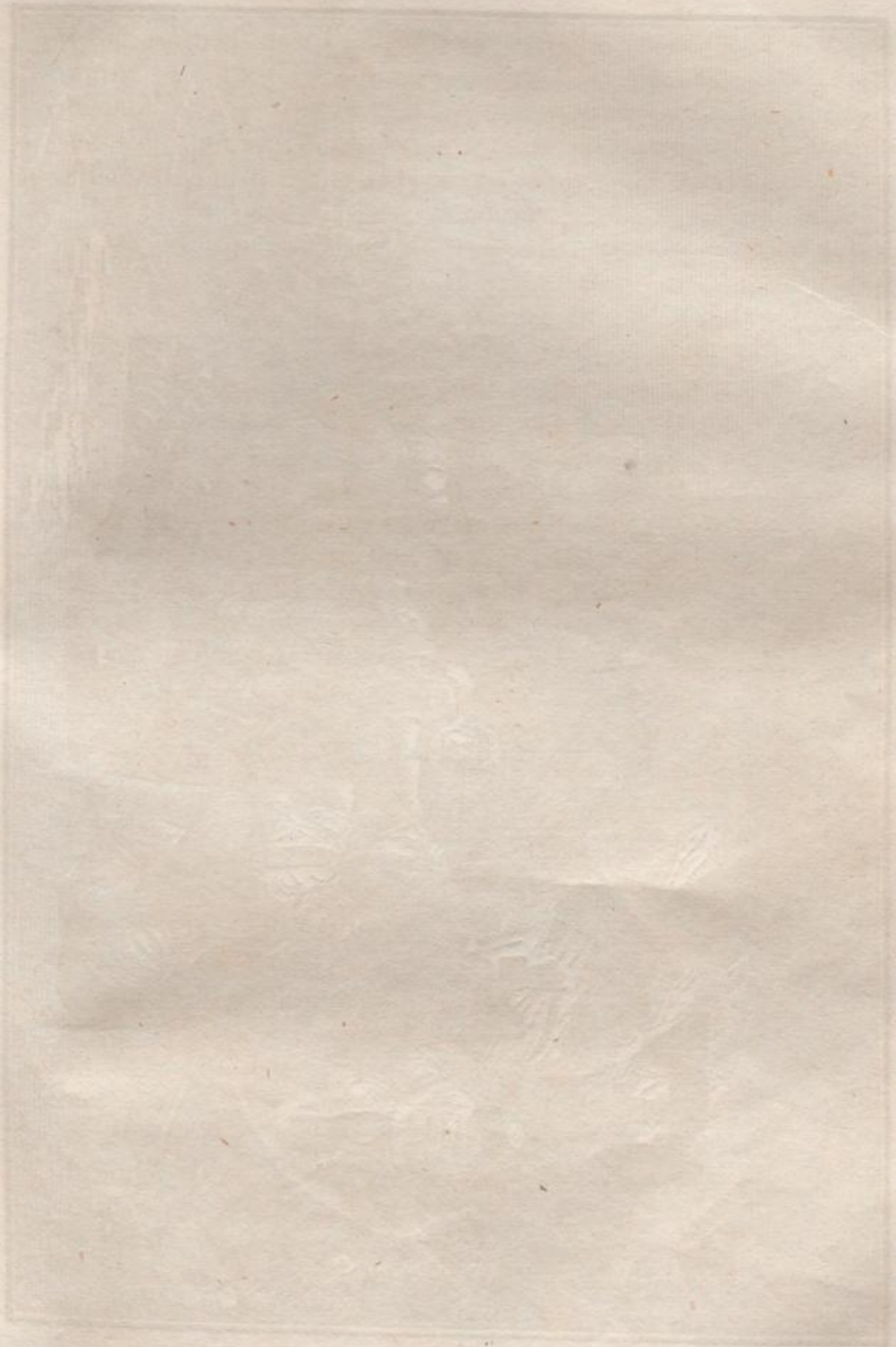
her, when she immediately struck. She proved to be a very rich prize, having on board the Governor of Acra, with all his substance, going to Holland. There was in money to the amount of fifteen thousand pounds, besides a large quantity of merchant goods, and other valuable articles.

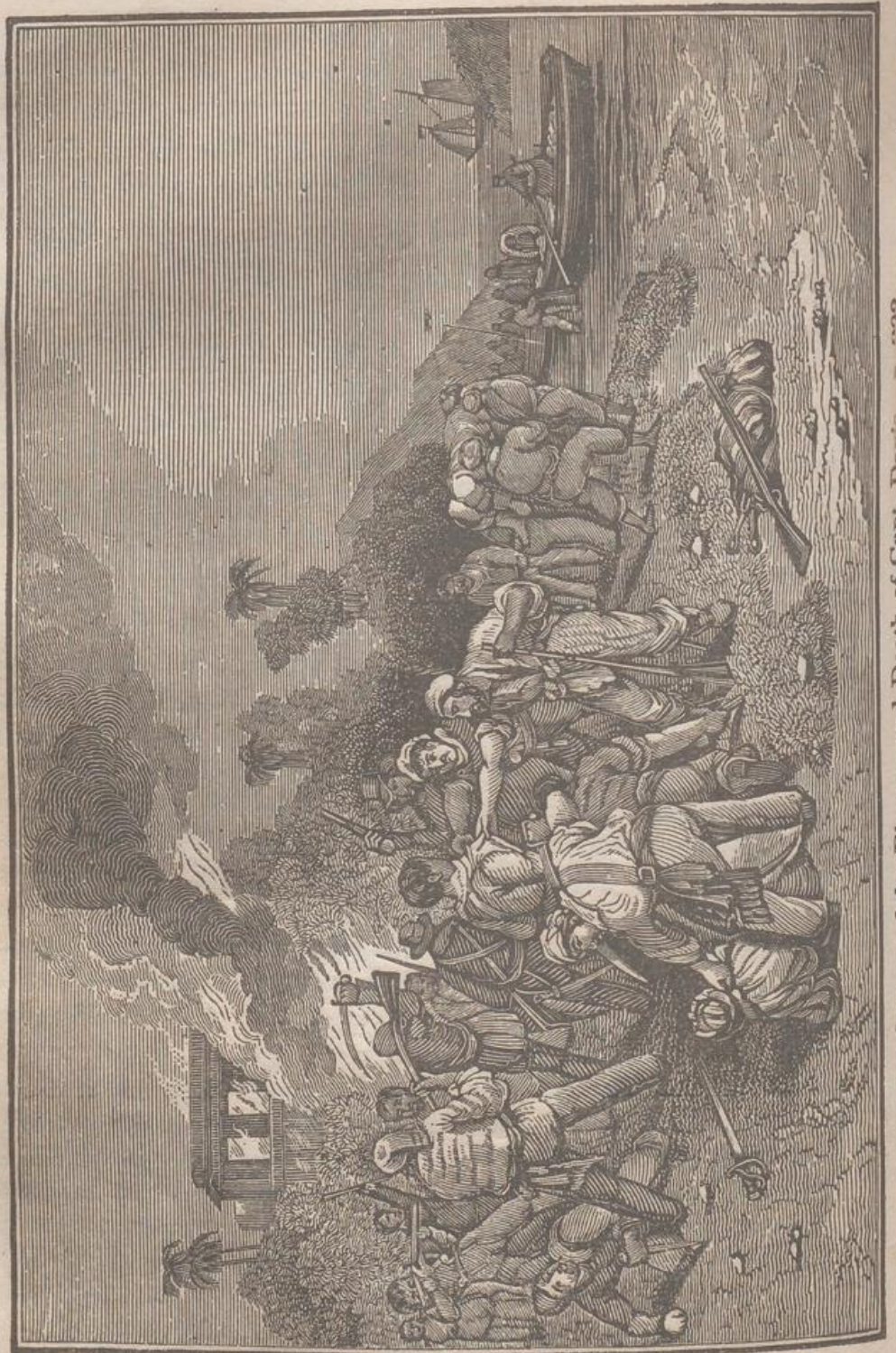
Before they reached the Isle of Princes, the *St. James* sprang a leak, so that the men and the valuable articles were removed into Davis's own ship. When he came in sight of the fort he hoisted English colors. The Portuguese, seeing a large ship sailing towards the shore, sent a sloop to discover her character and destination. Davis informed them, that he was an English man-of-war, sent out in search of some pirates which they had heard were in this quarter. Upon this, he was piloted into the port, and anchored below the guns at the fort. The governor was happy to have Englishmen in his harbor; and to do honor to Davis, sent down a file of musqueteers to escort him into the fort, while Davis, the more to cover his design, ordered nine men, according to the custom of the English, to row him on shore.

Davis also took the opportunity of cleaning and preparing all things for renewing his operations. He, however, could not contentedly leave the fort, without receiving some of the riches of the island. He formed a scheme to accomplish his purpose, and communicated the same to his men. His design was to make the governor a present of a few negroes in return for his kindness; then to invite him, with a few of the principal men and friars belonging to the island, to dine on board his ship, and secure them all in irons, until each of them should give a large ransom. They were accordingly invited, and very readily consented to go: and deemed themselves honored by his attention, all that were invited, would certainly have gone on board. Fortunately however, for them, a negro, who was privy to the horrible plan of Davis, swam on shore during the night, and gave information of the danger to the governor.

The governor occupied the whole night in strengthening the defences and posting the men in the most advantageous places. Soon after day-break, the pirates, with Captain Davis at their head were discovered landing from the

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Death of the Pirates, and Death of Capt. ...

boats; and quickly marched across the open space toward the fort. A brisk fire was opened upon them from the fort, which they returned in a spirited manner. At length, a hand grenade, thrown from the wooden veranda of the fort killed three of the pirates; but several of the Portuguese were killed. The veranda of the fort being of wood and very dry, it was set fire to by the pirates. This was a great advantage to the attacking party, who could now distinguish those in the fort without their being so clearly seen themselves; but at this moment Captain Davis fell, mortally wounded by a musket ball in his belly. The fall of their chief, and the determined resistance of those in the fort, checked the impetuosity of the assailants. They hesitated, and at last retreated, bearing away with them their wounded commander. The Portuguese cheered, and led on by the governor, now became the assailants. Still the pirates' retreat was orderly; they fired and retired rank behind rank successively. They kept the Portuguese at bay until they had arrived at the boats, when a charge was made and a severe conflict ensued. But the pirates had lost too many men; and without their Captain, felt dispirited. As they lifted Davis into the boat in his dying agonies he fired his pistols at his pursuers. They now pulled with all their might to escape from the muskets of the Portuguese, who followed them along the banks of the river, annoying them in their retreat to the vessel. And those on board, who expected to hoist in treasure had to receive naught but their wounded comrades and dead commander.