



UNIVERSITÄTS-
BIBLIOTHEK
PADERBORN

**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

Verdict of the Jury.

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

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