

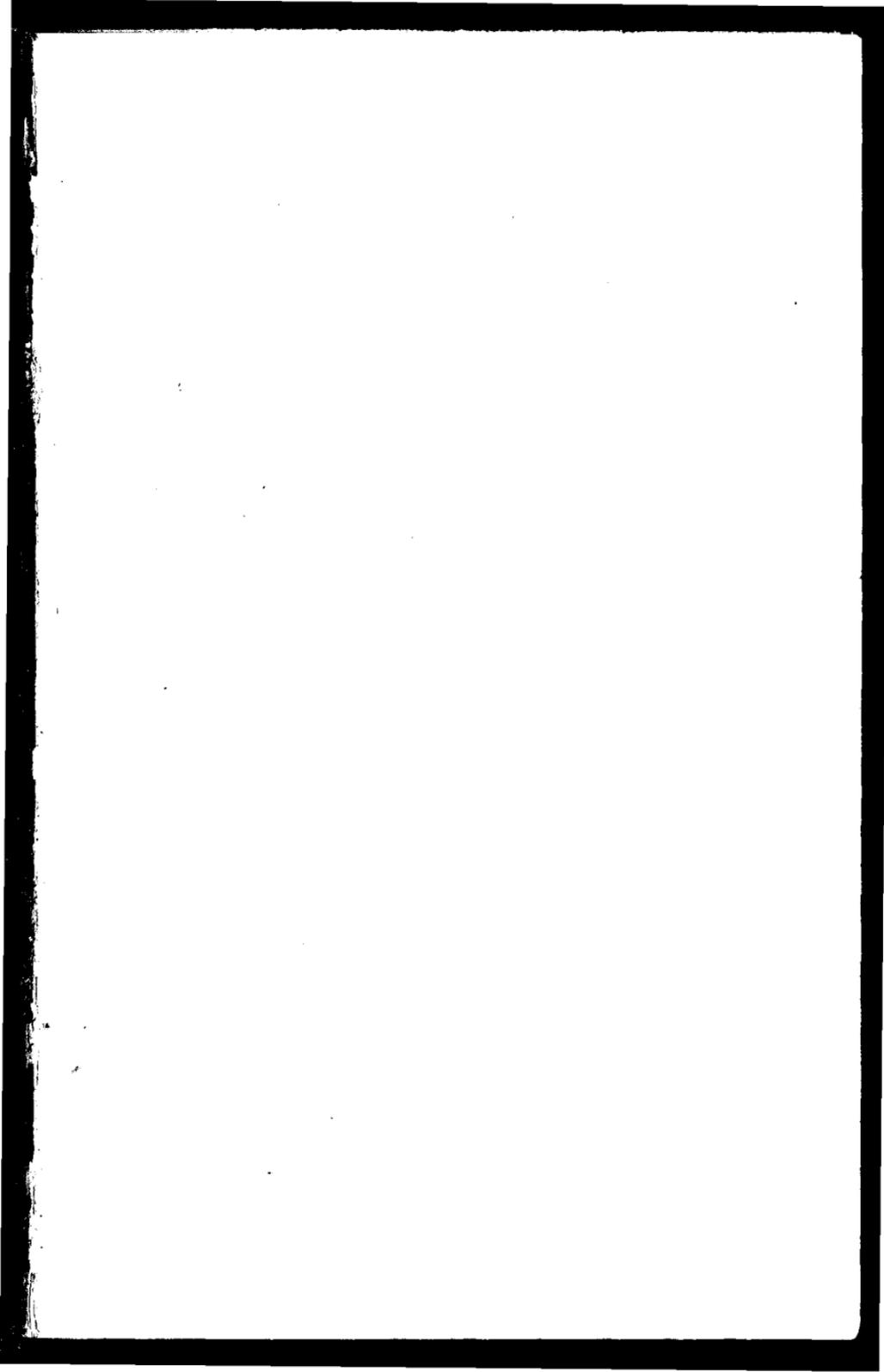


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Piracy and Murder.

PARTICULARS

OF THE

Horrid and Atrocious

MURDERS,

COMMITTED BY

Four Spaniards

ON THE

Captain, Passengers, and Crew

OF THE

BRIG CRAWFORD.

On her Passage from Matanzas to New
York, June, 1827.

WITH AN ACCURATE ACCOUNT

OF THEIR

TRIALS,

Conviction, Sentence, and

EXECUTION.

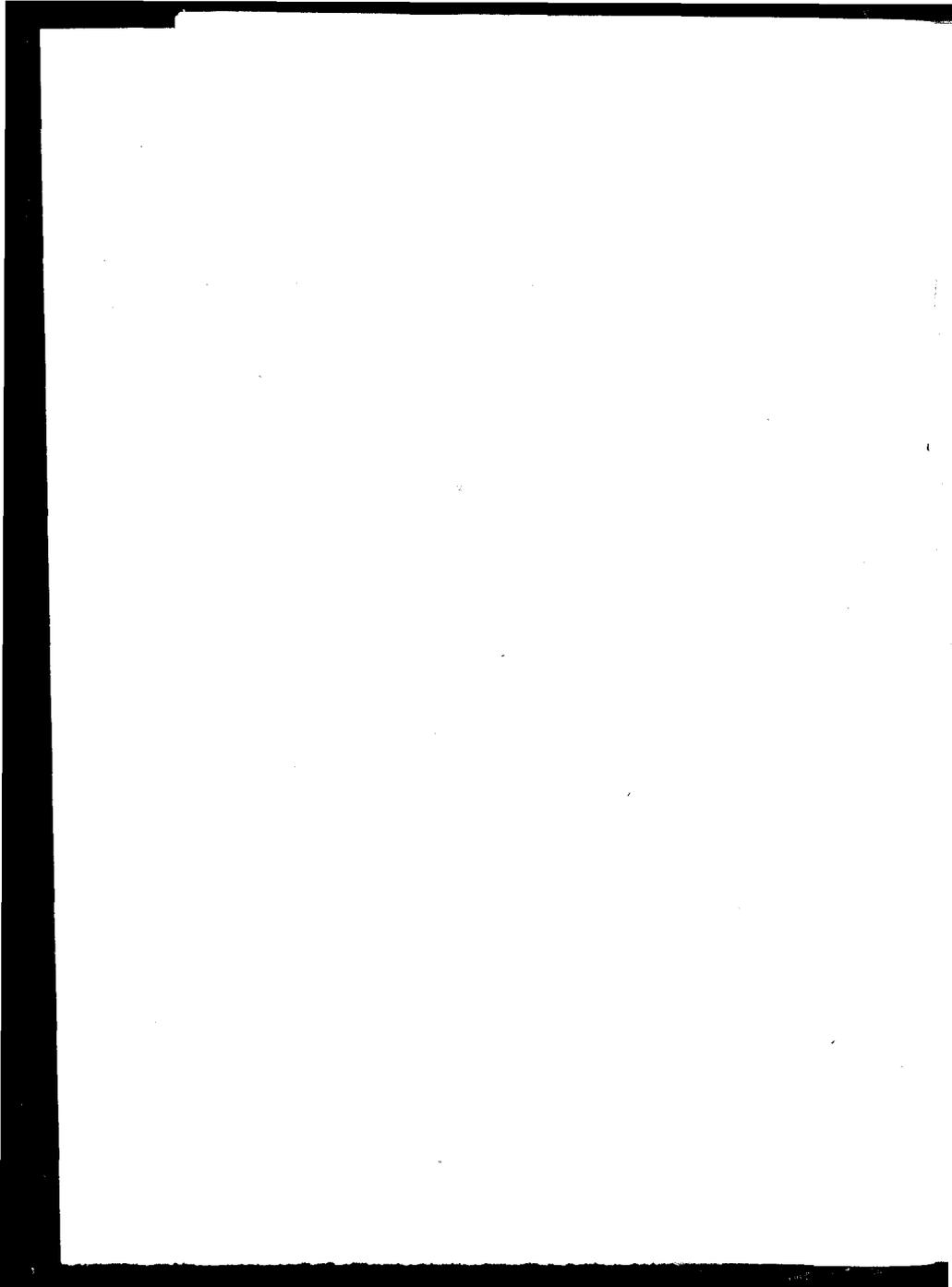
NEW-YORK:

PRINTED FOR THE PUBLISHERS,

By E. M. MURDEN & A. MING, JUN'R.

NO. 1, MURRAY-STREET.

Sold at 4 Chamber and 84 Front Streets.



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PIRACY & MURDER, &c.

The following narrative of Piracy and Murder is really *a Tale of Horror*, and in bloody atrociousness, exceeds even the most inhuman and barbarous cruelties that were ever recorded on the criminal annals of time—No parallel can be found for it! and it is indeed a melancholy reflection, that the depravity of human nature, at this late period of the world, should instigate man, for a little sordid wealth, regardless of every social tie, and deaf to the repeated calls of mercy, remorselessly and by acts of wanton butchery, to deprive of life all that may lucklessly stand in the way of its attainment.

Such however, was the case with these inhuman wretches. No life—no obstacle, could arrest these blood-thirsty and ava-

vicious demons from their desperate design — *The Captain, Passengers and Crew*, were alternately sacrificed to the completion of their hellish purpose.

The Brig *Crawford*, Captain Henry Brightman, sailed from Matanzas, for N. York, on the 28th of May, last, with the following persons on board :

Edmund Dobson,	<i>Mate.</i>
Mr. — Robinson,	<i>Supercargo.</i>
Joseph Dolliver	<i>Mariner.</i>
Oliver Potter	<i>do.</i>
Asa Bicknell	<i>do.</i>
Nathaniel P. Deane,	<i>do.</i>
Stephen Gibbs, (colored)	<i>Cook.</i>
Ferdinand Ginoulhiac,	<i>Passenger.</i>
*Mr. — — (an irishman)	<i>do.</i>
†Alexander Tardy,	
Felix Barbeito,	
Jose Hilario Cesares,	
Joseph Mirandi,	

The four last were the Pirates and murderers, who all came on board as passengers.

* It has since been ascertained that this passenger was Mr. ELDRIDGE HOLLOWAY, of North Kingston, Rhode Island, who had resided some years at Matanzas, and was returning to visit his family.

† Tardy committed Suicide before taken in custody.

The Particulars of the Massacre, Manner of Arrest, their Trial, &c. will be found in the sequel.

It is scarcely possible to conceive a more atrocious and bloody act, than the trial of these three Pirates discloses. The records of the **Buccaneers** in the **West Indies** can hardly exhibit any thing more horrible, in respect to the deliberate malignity of the plan, or of the fell barbarity of its execution. It appears from the evidence of the mate of the **Crawford** and **Mr. Ginoulhiac**, the **French** passenger, that these abandoned wretches went on board the brig, for the express purpose of pirating the vessel, and of course mastering her crew. They went prepared with false papers to disguise her character after the fatal deed was done. Poison was resorted to in the first instance by the atrocious **Tardy** to assist the execution of his scheme—and the knife and the musket and drowning were employed to consummate his design—employed under such circumstances of unfeeling and merciless cruelty, as almost to stagger the belief of the hu-
 2*

man mind. And after the perpetration of their bloody purposes, what savage yells of joy and triumph escape the monsters! So irresistible indeed was the evidence of their guilt, that their able counsel was compelled to throw up their cause in utter despair—as a gentleman of the bar, declared that there was not even grounds to conceive the possibility of a shadow of a defence.

In London, this narrative would furnish themes enough to employ whole columns of newspapers. Every circumstance of the atrocity would be elaborately noted and commented on. The retail sellers of newspapers would hawk them through every large town in the kingdom. Ballads would be written to tell the horrid deed: and the countenances of Pepe, and Couro, and Felix, would be struck off and exhibited at all print shops. This tale is sufficiently full of its own horrors. We cannot however forbear to add, for the gratification of those who may not have the opportunity of seeing them, that the Pirates are not very tall nor very powerful men—Pepe and Couro are well built, and rather stout men, with dark and desperate

countenances; Felix is of a more slender stature, more Italian than Spanish in his looks; and we should never have suspected him of being a murderer. He has a gentlemanly look, and was styled by his companions *Don Felix Barbeito*—he has a brother at the Havana. Of all the prisoners, he was the most agitated at the Verdict of the Jury. We cannot beg for mercy for any of them. The administration of Justice will go on; nor, can we dream for one moment that there is the slightest chance of arresting the doom of the condemned.

There is one thing which we would respectfully suggest. If it be true, as the evidence states, that Tardy had obtained fictitious papers from the Custom House at Havana, does not the President owe it to the United States, as well as to the civilized world, to obtain an authentic statement of the fact, and make a formal representation of it to the Spanish authorities? The Custom House officer, who is capable of such an abuse of office deserves not only to lose *his place*, but if he suspected the purpose of the paper, his life.

The peculiar circumstances connected with the case of the Brig Crawford, which will be developed in the sequel, induced Chief Justice Marshall to hold a special term of the Federal Court for the Fifth Circuit and Eastern District of Virginia, for the trial of the three Spaniards. The Court was held on the 9th instant: the most material witnesses not being present, it was adjourned from day to day, until their arrival from New-York. After they had arrived, four indictments, one for Piracy, and three for Murder, were sent to the Grand Jury, who, after an examination into the testimony, returned a "a true bill," as to each. The three prisoners, viz: Pepe, otherwise called Jose Hilario Casaris; Couro, otherwise called Joseph Mirando, and Felix, otherwise Felix Barbeito, were all charged in the first indictment with Piracy, and in each of the others, with the murder of some one of the persons who were slaughtered by them. The Court was adjourned until the 16th to give the prisoners time to prepare their defence. The prisoners having been arraigned, pleaded not guilty to all the indictments.—Mr. Stanard, District Attorney for the United States, conducted the prosecution. The Court assigned Mr. Leigh, in addition to Mr. Schmidt, who appeared as Counsel for the arraigned.

Mr. Schmidt moved for the postponement of the trial, on the ground that there existed great excitement against the prisoners and that time was desired to obtain evidence to prove that the representations of one of the witnesses before the committing Magistrate as to occurrences of Matanzas are not strictly correct—and that the prisoners occupy such a station in society as to make it improbable that they would be guilty of the offences charged. The Court overruled the motion.

In compliance with a wish expressed by the prisoners they were tried separately; and consequently the testimony, being the same in each case, was repeated by the witnesses on the three several trials. One of the material witnesses being unable to speak the English language, and the prisoners understanding only the Spanish, Mr. Adolphus Crozet acted as interpreter on the two first, and Dr. Lemosey, on the last trial.

In each case Mr. Stanard stated, at some length, the facts and circumstances he expected to be disclosed by the testimony; he was followed by Mr. Leigh, who explained the duties which had devolved upon himself and associate by the assignment of the Court.

Edmund Dobson, the first witness called, was the Mate of the brig Crawford. From his testimony we collected the following facts, which we give without pursuing the order of his narrative, or extending the Statement by pursuing the cross examinations

that were had. The Brig Crawford was built at Troy, and registered last at Providence, from which port she sailed about the 6th of April, for Matanzas, in the Island of Cuba.—Capt. Henry Brightman, master, himself, mate, and Joseph Doliver, Oliver Potter, Asa Bicknell, Nathaniel P. Deane, and Stephen Gibbs (coloured cook.) mariners. After discharging their cargo at Matanzas, the Captain told him he expected to have some passengers who were foreigners. About a week before they sailed, Alexander Tardy came on board and staid all night but returned to shore the next day. But while taking on board their homeward cargo, Tardy remained on board several days. He thinks it was about three days before they sailed, the prisoners Felix and Couro came on board bringing a small iron-bound box, said to contain money. The witness was ordered to put it under the captain's berth, in a locker, which he accordingly did, in the presence of Felix, who seemed satisfied with this disposition of it. From that time 'till the vessel sailed Felix remained on board, during which time much of the cargo was taken in. In the course of the testimony the history of this box seemed to have an important bearing on the trials, and the witness was cross-examined respecting it. He said he never saw or knew any thing of it afterwards ; and did not think that it could possibly have been brought from below, put on board the boat, and sent ashore, without Felix or himself knowing it. He had understood from the cook, who was a black man, that it had been removed. And by consent, this hearsay testimony was permitted to be related ; and the witness said, he was told by the cook that Felix had caused the box to be removed to a locker under the cupboard, and afterward to Felix's own apartment—and that this occurred before they left the bay of Matanzas. Pepe came on board the day before sailing. The passengers being all on board, the vessel was moved out a little from the other shipping where she remained until her papers were obtained, and there was no longer any cause of delay. She sailed on the 28th of May.

Nothing remarkable occurred until the morning of the 1st of June. They breakfasted about 8 o'clock. Tardy seemed to be somewhat officious on the occasion. He helped the witness to some fried eggs and ham and a bowl of chocolate. Witness spilt some of the chocolate. Tardy insisted upon it, and actually replenished the bowl. After breakfast he retired to the state room to get some rest, having been up all night. He soon felt very giddy in the head and sick at the stomach. The Captain soon came down, and when he ascertained his situation, invited Tardy, who professed to be a Doctor, to come down

and see him. Tardy did so : said that he was bilious and proposed an emetic. Mr. Robinson the supercargo, advised him to have nothing to do with his medicine, and he determined to defer it until the next morning. He came on deck and laid on a mattress where he remained all day quite sick, and vomiting occasionally. In the evening Robinson told him he had no doubt but that Tardy had given them all poison ; and that, for the future they must eat nothing but what was served up by their own cook ; that Couro had come on board in the capacity of a servant, and that he must be made to cook for the Spaniards. The witness had no suspicion at that time of being poisoned as the cook had not told him of Tardy's agency in cooking the breakfast. In the evening about 8 o'clock he went into the cabin, and found the Captain quite unwell with the asthma and a cough ; who invited him to sleep along side of him, and said Robinson would stay in the same cabin with them. As the weather was warm and he felt some solicitude about the vessel, he declined, and came on deck where he lay about four hours or to about 12 o'clock, when Dolliver, one of the seamen, came to the relief of the man at the helm. There was no moon and the night a clear star-light night. He gave D. orders to apprise him of any change in the weather, and then slept, he thinks until between 1 and 2 o'clock, when he was suddenly awoken by a noise, the cause he did not understand. He ran forward, and as soon as he got a little beyond the windlass, he saw a man with a knife in his hand by whom he was severely stabbed in the shoulder, (the witness's arm was still in a sling.) In a state of great excitement and alarm, he ran across the vessel where he found Potter, a sailor, standing in a reclined position, who said he was stabbed, and asked if they could get no assistance ? The witness seized a handspike from the long boat and attempted to get into the main rigging. He found Dolliver and Potter had ascended before him, and the blood from their wounds was streaming down like rain over him and the rigging. He saw a man about this time leaning against the railing, who in a short time fell as he believed dead—thought it was the capt. and spoke to him, but got no answer ; he had since understood it was not the capt. Whilst in this situation Potter fainted, and the witness and Dolliver prevented him from falling. Dolliver told him that Tardy came to the helm, looked into the binnacle and about, but excited no suspicion in his mind : then suddenly cut him very badly in the throat, and took the helm from him. Whilst at mast head, witness heard Robinson and Nathan overboard and in the water. He knew them by their voices. They were in great distress, and implored to be permitted to

come on board, but the Spaniards said no, no, no. Robinson kept rather off, but Nathan came near the vessel, and entreated that a barrel, a plank, or an oar might be thrown overboard to him, that he might prolong his existence in this way for a little while, under the desperate hope of succour from some vessel that possibly might pass him. But his entreaties did not in the least move the hearts of the Spaniards. They refused and even attempted to plunge a harpoon, or some such instrument into him, and to strike him with an oar. Finding his supplications so inhumanly received, he sought and remained with Robinson, until they were both exhausted and sunk to rise no more. The witness also heard two bodies thrown overboard. He next heard the Spaniards talking about him, and Tardy soon asked if he was above and was wounded, and told him to come down. He refused to do so, saying if he did they would kill him, and he preferred staying where he was and dying with his ship-mates. Tardy told him the Spaniards said they would not hurt him, and that if he would come down, he would give him his word of honor he would be safe. One of his snipuates begged him for God's sake not to go down to be butchered: he however did so, upon Tardy's assurances.—After getting on deck, Tardy and the three Spaniards came around him. Tardy questioned him about the box of money; and said that the captain, before they sailed from Matanzas, had sent the money on shore; and that the Spaniards had determined not to come to the United States and have a suit about it but to seize upon the vessel and do themselves justice. He agreed that he would assist them in navigating the vessel. At his request he was then laid down by them, and Tardy ordered up the medicine chest to dress his wound; but the Spaniards, as he understood them, said no, no, time enough yet. Tardy having ascertained from him who else were aloft, ordered them to come down, one at a time. After a while Dolliver came down. Tardy stood at the helm, and the Spaniards went round Dolliver, and after some conversation among them, he saw Couro stab Dolliver. Pepe then ran upon him, and striking him in the breast he fell overboard. He heard Dolliver call to Potter from the water, and tell him not to come down, for if he did the barbarous wretches would kill him. Some short time after, he heard Potter tumble from the mast head and fall overboard without a groan.

After day light, Pepe and Couro loaded two muskets, went forward and called up a man (Bicknel) from the fore-castle, who had no shirt on, and seemed to be wounded, having something like a handkerchief tied round his breast. While Bicknel was sitting on the rail, one of them fired a musket at him, and he fell

overboard. The other then fired, and the witness thought hit him, for he heard him groan heavily. They then called down the Cook who had hid himself, and was until then unperceived in another part of the rigging, ordered him to go to work cooking breakfast, which he promptly obeyed. The witness saw a knife lashed to a staff; two of the Spaniards were without shirts, and besmeared with blood, with their bloody knives sticking in girdles about their waists. There was a bottle of spirits sitting not far from where he was, to which the Spaniards went and drank. Tardy, observing that the witness was overpowered by the horrid butchery he had witnessed, and the appalling sight of the blood thirsty monsters, then exulting in the success of their more than savage cruelties, attempted to allay his fears, by telling him that these Spaniards had been drinking all night and were not yet drunk, and that notwithstanding what had happened, and the appearance of their knives, they would not hurt him; and he [Tardy] pledged himself again to that effect. The Pirates then went to work in destroying all the papers belonging to the vessel, which were thrown into the sea.— The leaves of the bibles belonging to some of the men were torn out and also thrown overboard, as were the sea clothing of the sailors. During this destruction of these evidences of the character of the vessel, Tardy and the Spaniards kept up a constant buzzaing; exulting and bragging of their exploit.

The vessel was all a gore of blood; her deck, masts, spars, sails, &c. The cook was made to take buckets of water and wash it way; where it could not be gotten off the sails, &c. he was made to paint them over, so as to hide it. Pepe, after one of the other Spaniards had fixed the rope, hauled up the dead body of the Irish passenger from below, which was thrown overboard. The command of the vessel was assumed by Tardy, who knew very little of navigation; the Spaniards knowing nothing about it, not being able even to splice a rope. The services of the witness were therefore necessary to them. From what he had seen of the men, in whose power he was, he was prepared to execute any order they might give him, even if it had been to throw himself into the deep. He therefore, obeyed them; but with the faintest hope imaginable of ultimately gaining his freedom, or saving his life. During the dreadful scene, the French passenger was near Tardy at the helm, and showed every mark of suffering and sympathy. Tardy told the witness that the Frenchman was a good and intelligent man, and would be of some service to them.

Tardy showed the witness a complete set of Spanish papers for the vessel, representing her to belong to the port of Havana,

bound by way of Matanzas to Hamburg in Europe. (These papers were exhibited in Court as part of the evidence, to show that the piracy was planned, and the mode of executing it, arranged before the prisoners left Matanzas. The genuineness of the papers had no bearing on the case; and we have no means of judging that point, for maritime cases are of rare occurrence in Richmond.) Tardy told the witness he had paid nine doubloons for them, and if the government knew he had procured them, the officer who gave them to him would lose his place. He explained his intention to the witness, of going to Hamburg, and conversed with him about the course to steer, the condition of the vessel, her stores, &c. Felix appeared to be next in authority, and also said they were going to Hamburg, and intimated to the witness that he should share equally in the proceeds of the cargo in Hamburg with himself and Tardy. But as to the other Spaniards they were to have only a little, as they were inferior sort of men. This the witness was made to understand by signs. They then proceeded to dress his wound, and after the sun became oppressive to him on deck, he was removed into the cabin, on reaching which he fainted. When he revived, he heard a noise, and looking round, observed that Felix was breaking open his chest. He told him where to find the key, which was procured, and the chest opened. His sea-clothes were taken out and thrown overboard, some trifling articles of clothing were taken with his pocket-book, and a small sum of money. The money was carried to the state room, and put into a common stock, composed of the money they got hold of. (The pocket-book was found in possession of Felix, when taken by the officers from Old Point, and was in court.)

The witness here related the conversation between himself and Tardy as to the improbability of getting to Hamburg without mariners, and with the small stock of provisions they had. It resulted in a determination to make the nearest port in the United States, and to take in hands and provisions: and they sailed for St. Mary's which they had nearly reached—but owing to contrary winds, they could not make. The wind was favorable for going to Savannah or Charleston, but Tardy would not consent to go to either port. He had resided at one place and failed there in business, and was known in both too well to venture to return to either. They then determined to sail to the Chesapeake, and barely call at the first port for men and provisions. The witness here gave a long account of what occurred after they entered the Capes, and before they arrived at Old Point. They were spoken by four different pilots, all of whom Tardy refused. The last, however, attempted to go on board, and

Tardy was induced by the witness to permit it, to prevent suspicion, as the name of the vessel had been effaced the day after the murder of the crew. But before the pilot boarded, Tardy gave orders to the Spaniards and witness how to deport themselves, so as to avoid the possibility of discovery. He conjured the witness not to betray him, he had saved the witness' life, and he must be true to him. The witness says he quieted his fears, and was clapped on his breast by Tardy, who declared he was just as him, &c. The other details are unimportant. The vessel having been brought to anchor off old Point Comfort, Tardy announced his intention of going on shore, and promised the witness *a good mess of eggs and fresh meat*, for he had been living on salt provisions long enough. The witness said he had no idea of staying on board that night if by any stratagem he could get ashore. He had seen one or more bundles of iron tied up, and had previously ascertained from Tardy, that they were in readiness to sink the cook when they killed him. The three Spaniards and the cook were sent aloft to reef the sails, and he proposed to Tardy to assist in getting the boat ready, and bring it along side for him. His proposition was consented to with reluctance, and he got into the boat to take out the plug to let the water that was in her escape, and desired the French passenger should take one rope and Tardy the other and let the boat down. This they did. As soon as he touched the water instead of bringing her along side, he made for the shore with all his strength. He knew there were no loaded arms on board, and that he was safe. Tardy asked him as he was going off, if he would betray him, he answered no, and hastened to the shore, where he related the sad story to the officers in command and entreated them to go on board immediately that they might save the lives of the Frenchman and the cook. He had noticed the aversion shown by the Frenchman to the Spaniards from the fatal 1st of June, and that he avoided all intercourse with them as much as he could—and the witness felt a deep interest in the preservation of his life.

Mr. Ferdinand Ginculhiac, the next witness examined is a native of the province of Languedoc in France, and has resided as a merchant in Matanzas for seven years. He is a man of good countenance and deportment, and is unable to speak a word of English. He said he knew nothing of the brig Crawford until he took his passage on board of her. Besides himself there were six passengers and the supercargo—Tardy—the three Spaniards—and two men who spoke English. He did not think he had ever before seen Tardy or the three Spaniards to know them. His detail of the circumstances and time of sailing, and of the event

of the butchery of the Captain and crew, in nearly all the main particulars, corresponded exactly with the testimony of Mr. Dobson. It is unnecessary to recapitulate those parts of this tragical story that have been already told. The witness saw some things which Mr. Dobson did not, and as he understands Spanish and knew more of the conversations and intentions of the desperadoes—but we shall omit those parts of his testimony that have been embraced above. He stated that he had come on board with the intention of going to New-York to attend to some commercial business in that city. The Spanish passengers told him they had \$17,000 on board, were going to New-York to purchase a vessel, and intended to go to the coast of Africa. On the first of June he noticed that the crew were taken sick; the mate (Dobson) being much more so than any of the rest. He did not know the cause, but was told after the massacre by the Spaniards, that the captain wanted to poison every one on board, that he might get the money of the passengers. He slept on deck on the night of the first of June, and about 2 or 3 o'clock, he was roused by a noise on the deck. He found Tardy at the helm near which he lay. It was dark, and he could not well distinguish things—but he saw two men struggling two or three yards from him; one of them fell. He did not know who they were. Pepe told him afterwards that it was himself killing the captain; but Felix insisted that he had killed the captain. Very soon he saw a man despatching some one with an axe, and he thought he recognized the voice of Pepe, who afterwards told him it was so. He saw a man coming up from the cabin, and one of the Spaniards stabbed him, and he fell back into the cabin. He recognized him to be the man who spoke English and had a sore on his leg, (which was the case, by Mr. Dobson's testimony, with the Irish passenger.) Felix told him that he had killed him, and that he thought at the time it was Robinson coming up with a gun. At day-break the witness saw Robinson and the sailor in the water, and confirmed all that Dobson had said respecting them. When the man was called down from the mast, the Spaniards got around him. Pepe asked the others why they were delaying killing him. Curo replied that he wanted to give him a good and fatal blow, and not to wound him. [The only gleam of mercy that appears in this whole scene of savage barbarity.] Pepe then ran on him and he fell overboard. After day-break they loaded two guns, called up a man from below who had something tied round his breast as over a wound, and ordered him to jump overboard, which he did; and was fired at, and shot on the second discharge after he fell in the water. They then hauled up the dead body from

the cabin. They examined it, and remarked that the stab given him was *the finest they had ever seen in all their lives, it had so severed the heart.* He heard the man fall from the rigging, as described by Dobson. The Spaniards, after the butchery was over, asked Tardy why he had not brought them two knives, as he had promised—they said all they had were broken, and if any thing should happen they would have nothing to defend themselves. Tardy promised to buy them the first time he got to land. The clothes of the Spaniards were bloody, and they threw them into the sea, as they did most of the clothes of the crew and passengers. Three or four days afterwards, he heard them say the mate and cook were only fattening to be killed. Tardy assumed the command, and Felix was to keep the books, and he also had some little knowledge of steering. Tardy showed the witness the false papers obtained in Havana for the vessel, and said they cost him 25 doubloons. The reason he gave the witness for saving his life was, that he was his countryman; that he had been a pirate for a great while, and had never injured a Frenchman, and should not commence then. The same pretext was given to this witness as to Dobson, for the massacre, and of the ulterior views of the party. When near St. Mary's, Tardy proposed to let him go on shore, and to give him 50 dollars to bear his expenses by land to New-York. He had strong hopes of being spared, until he saw the Spaniards one day making a dirk out of an old knife—but Tardy gave him most solemn assurances of his safety, in which he had some hope, as he recollected how he had made him stand by him at the helm, and protected him during the butchery. He told the same story with the mate as to their arrival in the Chesapeake, the pilots, the conduct of Tardy, and the escape of Dobson in the boat at Old Point Comfort. As soon as Dobson made off in the boat, Tardy appeared to be greatly alarmed, said two or three words to Dobson, who replied in one word—none of which he understood. Tardy then told him he was a *lost man.* An American vessel had anchored not far off, and Tardy spoke it and obtained from it the use of their long boat to send to the shore for his own, and two hands to row it. In this boat the three Spaniards embarked—after getting some distance they returned, saying they could not get the boat; but Tardy ordered them to proceed, and they did so; but the Spaniards not going where the boat was, Tardy became more alarmed, expressed his dreadful apprehensions of the consequences, and announced his determination to cut his throat. (It was conjectured that the Spaniards were sent off to secure or despatch Dobson, but preferring their own safety, made their escape.) The witness and

Tardy went into the cabin, when the witness took possession of some articles that belonged to him, and then returned on deck. In a few moments he understood from the negro [the cook,] that Tardy had cut his throat.

Mr. Joseph Brough was the next witness examined. He was the Pilot who went on board the vessel and conducted it to Old Point. His testimony corresponded with that of Dobson and the last witness, as to events after his going on board. He witnessed the tragical end of Tardy, and upon rushing upon deck and calling out for assistance, saw the officers from Old Point boarding the vessel.

Capt. N. G. Dana, who was temporarily in command at Old Point, and to whom the story of Dobson had been related, after its extravagances had gained some credence with the subaltern officers, gave the necessary orders for Dobson's confinement, for boarding the vessel. &c. &c. Dobson having told him the vessel was built at Troy, and that her name was effaced; and having satisfactorily answered a few questions as to the localities of Troy with which the Captain was acquainted, he went on board with a party of armed men, and found that Tardy was only alive. The Surgeon was sent for, and pronounced him beyond the reach of his skill. Necessary measures were then adopted to pursue the Spaniards, to secure the vessel, and to have an inquest over the body of Tardy, who lived but a few minutes. The prisoners had lost no time in effecting their escape. They had passed over many creeks and inlets, and over a long and devious route; had crossed James river in a canoe near its mouth, and penetrated many miles into the interior, round the bays and inlets on the South side, before they were overtaken. They were aiming for Norfolk—and would not have been overtaken but for the praiseworthy zeal and exertions of the party in pursuit, who were aided by the inhabitants with fresh horses and one or two recruits. Mr. Servant, Col. Jones and Lt. Robert Anderson were examined as to these particulars. Mr. Westwood, the Custom House Officer at Hampton, proved the identity of the papers found on board the vessel. An inquest was held over the body of Tardy, and he was buried on the beach, at high water mark with his face downwards.

The trial under the indictment for Piracy, commenced on Monday and closed on Wednesday. On each day one of the prisoners was tried. In all the cases, the testimony was submitted to the jury without argument from the bar; and the jury, a separate one in each case, after a retirement of but a few minutes, returned with a verdict of *guilty*.

On the 19th of July, Chief Justice Marshall proceeded to deliver the sentence of the Court. It met at an early hour, Mr. Leigh tendered to the Court two papers in the Spanish language, and which were translated by Mr. Schmidt, as follows :

“ I Jose Hilario Casares, in the name of God, give this my declaration before the Chief Justice of the United States :

That I took passage in the American Brig, for New York, with 6,000 dollars which were put with those belonging to Don Felix, to be applied to the purchase of a vessel in New York, to go thence to the coast of Africa.

I declare that all, of which I am accused by the Mate and the Frenchman, is false —because Tardy was not a man, but a Demon: and he alone, with his medicines, was capable of killing any one, even a hundred men.

I hope the judge will delay my cause, that I may furnish evidence of my character: and I pray God to preserve him many years.

JOSE HILARIO CASARES, his [X] mark.”

“ I Felix Barbeito, in the name of God, this my declaration before the Judge, pre-

siding in this court of the United States :

That I took my passage in the American Brig, in Matanzas, for New York, with 8,000 dollars which I gave in charge of the captain of the vessel, together with other papers, and my letters of recommendation. I declare likewise, that every thing, of which I am accused, is false—as I was asleep, and only know that, in the morning, Tardy told me, that I need not be afraid, as he would pay me my 8,000 dollars but I and the other Spaniards were the cause that the vessel arrived in Norfolk—because Tardy and the French passenger did not wish to go thither.

As I declare to the presiding judge, that if he will do me the favor to delay the cause, I will furnish proofs from the city of Havana, and from my relations, respecting my good character and situation in life—a favor which I expect from the presiding Judge of this Court, whom I pray God to preserve for many years.

Your suppliant, **FELIX BARBEITO.**”

The Judge replied, that it was his duty to execute the laws; and that they did not permit him to comply with the request made to him—that it would be happy for

the persons, if their consciences were as much at peace as they professed—but that all, that was left to him, was to discharge the duty imposed upon him. He then enquired of the Prisoners, whether they had any thing to say, why the sentence of the law should not be pronounced upon them. Through Dr. Lemosy [the Interpreter] they requested time to hear from their friends in Havana, in order to obtain evidence of their character, &c. The Judge replied, that it was out of his power to suspend the course of the law. But, that every indulgence should be extended to them, which it was possible to grant; that they might communicate with their friends, and that facilities would be granted to them for this purpose:—he recommended it to them to think of the awful situation of which they were placed; and assured them, that every means should be afforded them of communicating with the ministers of their own religion, [the Catholic.]

He then pronounced their sentence, and fixed the day of their execution to Friday the 17th of August.

Felix and Couro seemed affected by their sentence, but Pepe remained unmoved. They were tried under the indictment for Piracy, only—Mr. Stanard U. S. Attorney, considering it unnecessary to arraign them for Murder.

PARTICULARS

OF THE

EXECUTION.

Friday the 17th instant, being the day appointed for the Execution of the three Spaniards, they were taken from prison about eleven o'clock, and conducted to the place of execution by the volunteer companies and the city guard, which were ordered out for the purpose, and a large concourse of persons. The scene which the progress of the procession presented, was truly imposing. Seated in the wagon, placed in the middle of a hollow square formed by the military, and which contained their coffins, their humiliating posture, frequent orisons, and appearance of devotion and suffering, exhibited them as objects, which, in spite of their crimes, did not fail to inspire pity.

The gallows, which had been erected in the valley near the Penitentiary, afforded a distinct view to the spectators from the adjacent hills. It was constructed for the execution of the three criminals at once; a staple being let into the horizontal piece at top for each, and a platform made after the fashion of folding doors, so as to open downwards at the signal, and leave them suspended. The multitude which attended was immense. The criminals, from their dress, which was a blue robe, covering the head and extending to the feet, were conspicuous to the most distant spectator. They were attended by the Rev. Mr. Hore, a Catholic Priest, and several clergymen of other denominations.

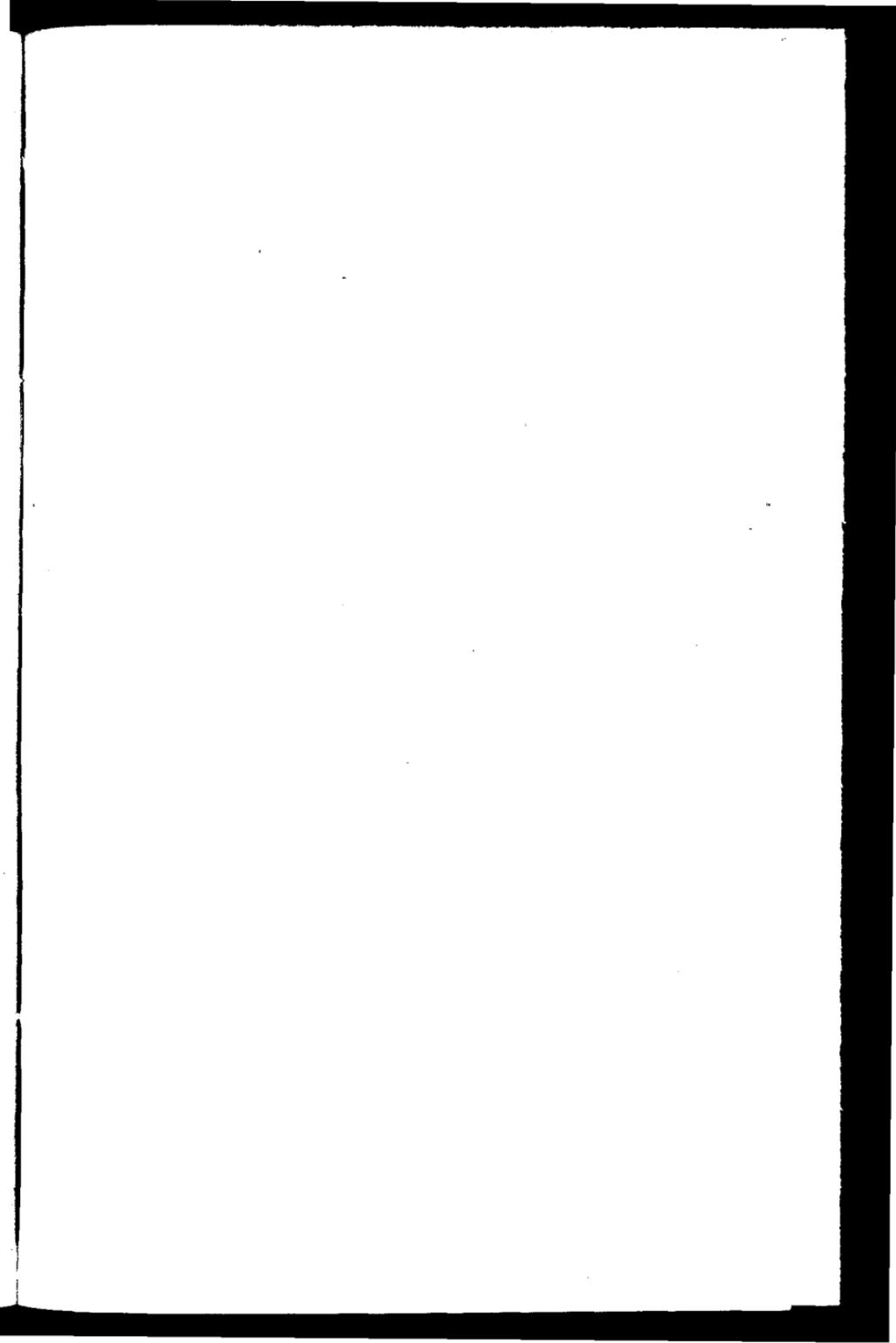
When mounted on the scaffold, the Catholic Clergyman, and the Interpreter, Dr. Lemosy, also ascended, and joined them in earnest supplication and prayer; at the conclusion of which, the Interpreter, addressing the public at the request of the prisoners, explained that the prisoners declared that they were not only guilty of the crimes for which they were condemned, and were now about to suffer punishment, but of many other crimes; that they begged pardon of the public, and asked them to join in their last prayer, which they were now about to address to the throne of mercy; and they declared that their punishment was just, but still they hoped that their miserable bodies after having been once interred, might be permitted to remain undisturbed in the grave, and as that was the last and only request that they could ever address to human beings, they hoped it would be granted.

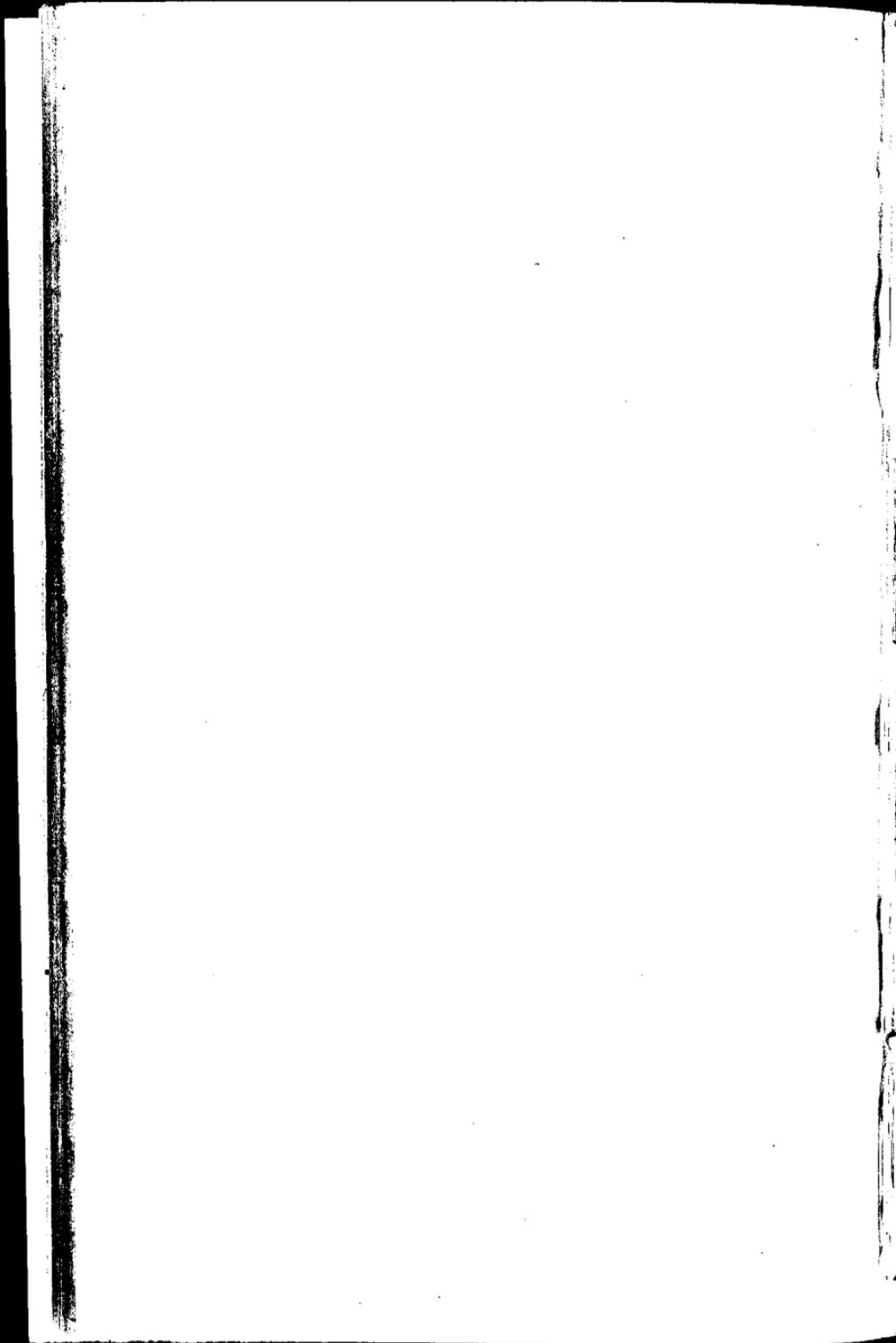
Their request, they were informed, would be complied with.—The prisoners then declared themselves ready to suffer the punishment—whereupon the Rev. Mr. Kerr addressed the assembled multitude, which by thousands lined the declivities contiguous to the place of execution, now in dense masses extending as far as the eye could reach, and here and there in clustering groups, stationed on various elevations for the purpose of having a better view of the scene. The ministers descended from the scaffold, after having first bid adieu to the prisoners.

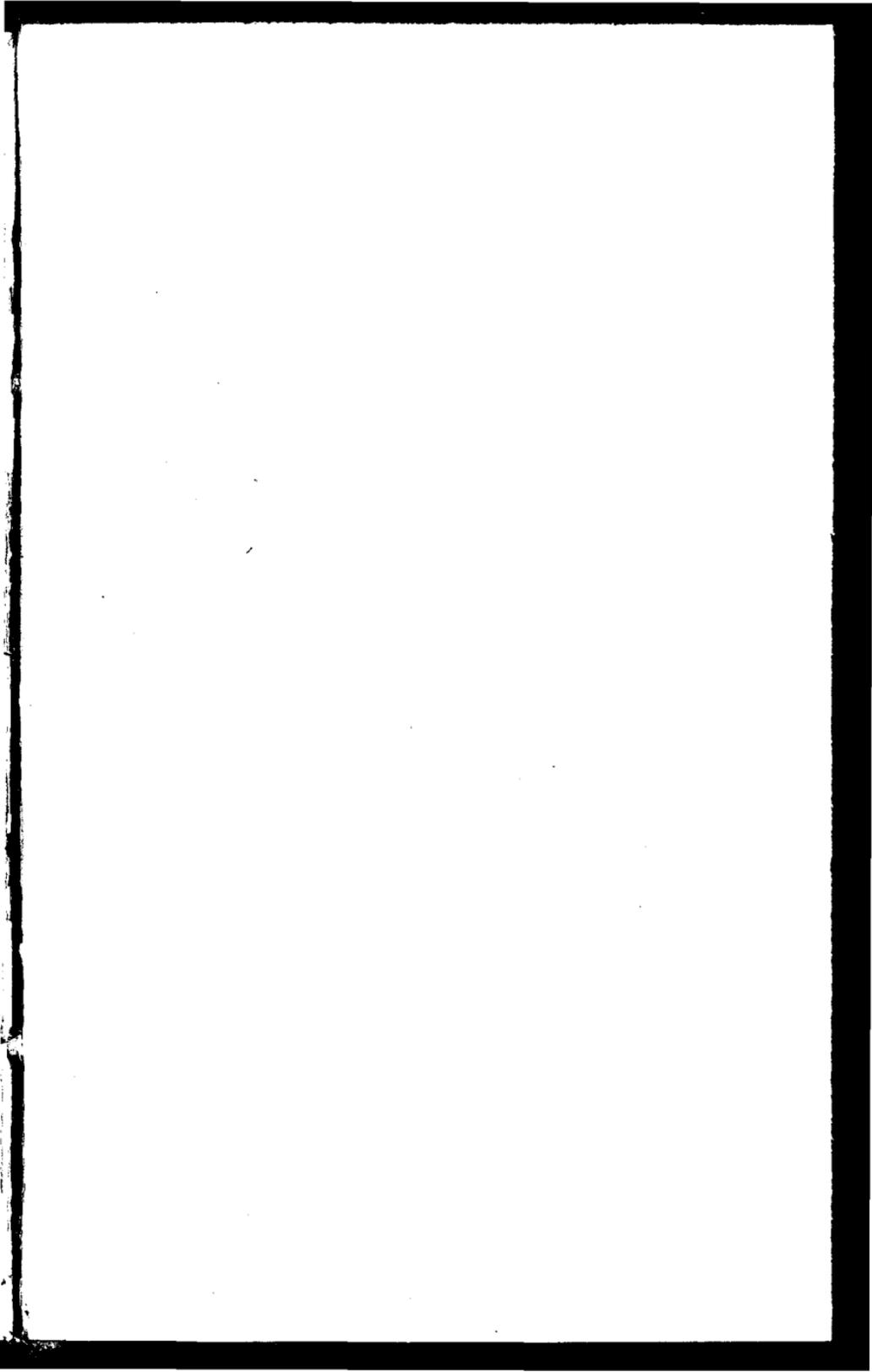
The Marshal then, in discharge of his duty, adjusted the fatal cords, and descended from the scaffold, when at a given signal the support of the trap fall was removed, and the cords by which Pepe and Courro were suspended gave way, and the unfortunate wretches, were precipitated to the ground.—The horror, which this occurrence occasioned, caused a rush among the crowd, and a press which was nearly fatal to a few persons. The coolness of the military, however, instantly restored order, and the officers who officiated, and who regretted the occurrence, which they had endeavored to prevent, quickly repaired this accident, when the two prisoners were again suspended in less than five minutes, and after a few convulsive motions, which became fainter and fainter, finally expired.



The Washington Insurance Company, of Providence, have presented to Mr. Edmund Dobson, mate of the Brig Crawford, the sum of \$500, as a testimony of the sense they entertain of his services and sufferings, and of his judgment and decision in saving, the brig and cargo, after the dreadful scene of piracy and murder on board that vessel.







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