

THE
TRYALS
O F
Captain John Rackam,
AND OTHER
PIRATES, Viz.

Geroge Fetherston,
Richard Corner,
John Davies,
John Howell,
Tho. Bourn, *alias* Brown,

Noah Harwood,
James Dobbins,
Patrick Carty,
Thomas Earl,
John Fenwick, *al' Fenis*

Who were all Condemn'd for PIRACY, at the Town of St. Jago de la Vega, in the Island of JAMAICA, on Wednesday and Thursday the Sixteenth and Seventeenth Days of November 1720.

A S A L S O, T H E
TRYALS of Mary Read and Anne Bonny,
alias Bonn; on Monday the 28th Day of the
said Month of November, at St. Jago ¹⁷²⁰
de la Vega aforesaid.

And of several Others, who were also condemn'd for PIRACY.

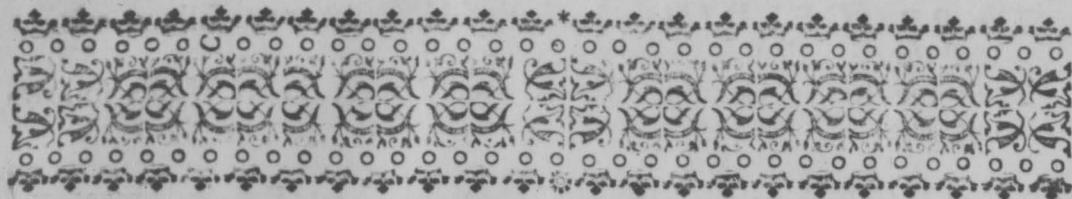
A L S O,

A True Copy of the Act of Parliament made for the more effectual suppression of Piracy.

Jamaica : Printed by Robert Baldwin, in the Year 1721.

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Wednesday, November the 16th, 1720.

At a C O U R T of

ADMIRALTY,

HELD BEFORE HIS EXCELLENCY

Sir Nicholas Lawes, Kt.

His Majesty's Captain-General, & Governor
in Chief in and over this His Majesty's
Island of *Jamaica*, and other the Terri-
tories theron depending in *America*,
Chancellor and Vice-Admiral of
the same, P R E S I D E N T.

Francis Rose

Thomas Bernard

James Archboula

John Sadler

Ezekiel Gomersall

Samuel Moor

John Gregory

William Nedham, Esq;
Chief Justice.

Esqrs.

Counsellors.

Captain Vernon,

Commander of His Maj-
esty's Ship *Mary*, and Com-
mander in Chief of His Ma-
jesty's Ships of War at *Ja-
maica*.

Captain Davers,

Commander of His Maj-
esty's Ship *Adventure*.

Esqrs.

Richard Mill,

Receiver-General.

Robert Baillie,

Secretary.

Giles Diston,

Collector.

COMMISSIONERS Named and Appointed in His Majesty's Com-
mission for the Trying of Pirates; By Virtue of an Act of Parliament made
at Westminster, in the Eleventh and Twelfth Years of the Reign of King Wil-
liam III. Entituled, *An Act for the more effectual Suppression of Piracy*, (which
Act hath since been made perpetual.) The

The PROCEEDINGS of the said Court are as follow; viz:

First Proclamation was made for Silence:

Then the King's Commission was openly read, in the Words following, viz.

GEORGE, by the Grace of GOD, of Great Britain, France and Ireland, King, Defender of the Faith, &c. To Our Trusty and Well-beloved Sir Nicholas Lawes, Knt. Our Captain-General and Governor in Chief in and over Our Island of Jamaica, and the Territories depending thereon in America; And Our Governor or Commander in Chief of Our said Island for the Time Being; Our Vice-Admiral of Our said Island of Jamaica for the Time Being; *Franis Rose, Thomas Bernard, James Archbould, John Ashcough, John Sadler, Ezekiel Gomersall, John Moor, Edw. Pennant, Tho. Harrison, Samuel Moor, John Gregory, and John Merant*, Esqrs. Members of Our Council, in Our said Island, during their being of Our laid Council; and the Members of Our Council in Our said Island for the Time being; Our Chief Justice of the Grand Court in Our said Island for the Time being; Our Judge of the Vice-Admiralty, in Our said Island for the Time being; Our Captains and Commanders of Our Ships of War, within the Admiralty Jurisdiction of Our said Island, for the Time being; Our Receiver-General of Our Revenue, in Our said Island for the Time being; Our Secretary of Our said Island for the Time being; Our Surveyors-General of Our Customs in America for the Time being; And Our Collectors of Our Plantation Duties in Our said Island, pursuant to an Act passed in the Twenty fifth Year of the Reign of Our late Royal Predecessor King Charles II. for the better Securing the Plantation Trade for the Time being, Greeting: WHEREAS by an Act of Parliament, made in the Eleventh Year of the Reign of Our late Royal Cousin King William III. Entituled, [An Act for the more effectual suppressing of Piracy] Reciting as therein is Recited, It is amongst other Things enacted, That all Piracies, Felonies and Robberies committed in or upon the Sea, or in any Haven, River, Creek or Place, where the Admiral or Admirals have Power, Authority or Jurisdiction, may be Examined, Enquired of, Tryed, Heard, and Determined and Adjudged, according to the Directions of the laid Act, in any Place at Sea, or upon the Land, in any of His said late Majesty's Islands, Plantations, Colonies, Dominions, Forts or Factories to be appointed for that purpose, by His said late Majesty's Commission or Commissions under the Great Seal of England, or the Seal of the Admiralty of England, directed to all or any of the Admirals, Vice-Admirals, Rear-Admirals, Judges of Vice Admiralties, or Commanders of His said late Majesty's Ships of War; and also to all or any such Person or Persons, Officer or Officers, by Name, or for the Time being, as His said late Majesty should think fit to appoint; which laid Commissioners should have full Power jointly or severally, by Warrant under the Hand and Seal of them, or any one of them, to commit to safe Custody, any Person or Persons against whom Information of Piracy, Robbery or Felony upon the Sea, should be given upon Oath; and to call and Assemble a Court of Admiralty on Ship board, or upon the Land, when and as often as Occasion should require; wh ch Court should consist of Seven Persons at the least. AND it is thereby further enacted, That it so many of the Persons aforesaid could not conveniently be assembled, any Three of the aforesaid Persons (whereof the President or Chief of some English Factory, or the Governor, Lieutenant-Governor, or Member of His said late Majesty's Councils, in any of the Plantations or Colonies aforesaid, or Commander of one of His said late Majesty's Ships

was

was always to be one;) should have full Power and Authority by virtue of the laid Act, to call and assemble any other Persons on Shipboard, or upon the Land, to make up the Number of Seven. AND it is thereby also provided, That no Persons, but such as are known Merchants, Factors or Planters, or such as were Captains, Lieutenants or Warrant Officers in any of his said late Majesty's Ships of War, or Captains, Masters, or Mates of some English Ship, should be capable of being so called, and sitting and voting in the said Court. AND it is thereby further enacted, That such Persons called and assembled as aforesaid, should have full Power and Authority, according to the Course of the Admiralty, to issue Warrants for bringing any Persons accused of Piracy or Robbery before them, to be tryed, heard and adjudged, and to summon Witnesses, and to take Informations and Examinations of Witnesses upon their Oath, and to do all Things necessary for the Hearing, and final Determination of any Case of Piracy, Robbery or Felony; and to give Sentence and Judgment of Death; and to award Execution of the Offenders convicted and attainted as aforesaid, according to the Civil Law, and the Methods and Rules of the Admiralty. And that all and every Person and Persons so convicted and attainted of Piracy or Robbery, should have and suffer such Losses of Lands, Goods and Chattels, as if they had been attainted and convicted of any Piracies, Felonies and Robberies, according to a Statute made in the Twenty eighth Year of the Reign of King Henry VIII. for Tryals of Treasons, Felonies, Robberies, Murders and Confederacies committed on the Sea; which first recited Act, by another Act made in the First Year of Our Reign, Entituled, [An Act to prevent Disturbances by Seamen and others, and to preserve the Stores belonging to His Majesty's Navy Royal; and also for explaining an Act for the better preventing the Imbezlement of His Majesty's Stores of War, and preventing Cheats, Frauds, and paying Seamen's Wages, and for reviving and continuing an Act for the more effectual suppressing of Piracy,] is revived, from the Twenty ninth Day of September, One thousand Seven hundred and Fifteen; and the same is thereby enacted to be in force during the continuance of that Act, which was to be in force for Five Years, and to the End of the then next Session of Parliament, after the expiration of the said Five Years, and no longer. Now know ye, That we, in pursuance of the laid first recited Act of Our especial Grace, certain Knowledge, and meer Motion, have made, constituted and appointed, and by these Presents do make, constitute and appoint, You, the said Sir Nicholas Lawes, and Our Governor or Commander in Chief of Our said Island for the Time being, our Vice-Admiral of our said Island of Jamaica for the Time being; Francis Rose, Thomas Bernard, James Archbould, John Asheough, John Sad'r, Ezekiel Gomersall, John Moor, Edw. Pennant, Tho. Harrison, Samuel Moor, John Gregory, and John Merant, during your being Members of Our Council, in Our said Island; And the Members of our Council in our said Island for the Time being; Our Chief Justice of the Grand Court in Our said Island for the Time being; Our Judge of the Vice-Admiralty, in Our said Island for the Time being; Our Captains and Commanders of Our Ships of War, within the Admiralty Jurisdiction of Our said Island, for the Time being; Our Receiver-General of Our Revenue, in Our said Island for the Time being; Our Secretary of Our said Island for the Time being; Our Surveyors-General of Our Customs in Amercia for the Time being; and Our said Collectors of Our Plantation Duties in Our said Island for the Time Being, to be Our Commissioners at Our said Island of Jamaica, and the Territories depending thereon, for the Examining and Enquiring of, Trying, Hearing and Determining, and Adjudging, according to the Directions of the same Act, in any Place at Sea, or upon the Land, at Our said Island of Jamaica, and the Territories depending there-

on; all Piracies, Felonies and Robberies committed, or which shall be committed, in or upon the Sea, or within any Haven, River, Creek or Place, where the Admiral or Admirals have Power, Authority or Jurisdiction: And You the said Sir *Nicholas Lawes*, and Our Governor or Commander in Chief of Our said Island for the Time being; Our Vice-Admirals of Our said Island of *Jamaica* for the Time being; *Francis Rose*, *Thomas Bernard*, *James Archbould*, *John Ashcroft*, *John Sadler*, *Ezekiel Gomersall*, *John Moor*, *Edw. Pennant*, *Theo. Harrison*, *Samuel Moor*, *John Gregory*, and *John Morant*, during your being Members of Our Council in Our said Island, and the Members of Our Council in Our said Island for the Time being; Our Chiet Justice of the Grand Court in Our said Island for the Time being; Our Judge of the Vice-Admiralty in Our said Island for the Time being; Our Captains and Commanders of Our Ships of War within the Admiralty Jurisdiction of Our said Island for the Time being; Our Receiver-General of Our Revenue in Our said Island for the Time being; Our Secretary of Our said Island for the Time being; Our Surveyors-General of Our Customs in *America* for the Time being; and Our said Collector of Our Plantation Duties in Our said Island for the Time being; Our Commissioners at Our said Island of *Jamaica*, and the Territories depending thereon, for the Purposes herein abovementioned. We do make, ordain, and constitute by these Presents; Hereby giving and granting, unto you, Our said Commissioners, jointly or severally, or any one of you, by Warrant under the Hand and Seal of you, or any one of you, full Power and Authority, to commit to safe Custody, any Person or Persons against whom Information of Piracy, Robbery or Felony upon the Sea, shall be given upon Oath (which Oath you, or any of you, shall have full Power, and are hereby required to Administer) and to Call and Assemble a Court of Admiralty on Shipboard, or upon the Land, when and as often as Occasion shall require; which Court Our Will and Pleasure is, shall consist of Seven Persons at the least. AND it so many of you, our said Commissioners, cannot conveniently be assembled, any Three or more of you (whereof You, the said Sir *Nicholas Lawes*, our Captain-General and Governor in Chief, in and over our said Island of *Jamaica*, and the Territories depending thereon, or our Governor or Commander in Chief of our said Island for the Time being, always to be one) shall have full Power and Authority, by virtue of the laid first recited Act, and of these Presents, to Call and Assemble any other Persons, on Shipboard, or upon the Land, to make up the Number of Seven. Provided, That no Persons, but such as are known Merchants, Factors or Planters, or such as are Captains, Lieutenants or Warrant-Officers, in any of our Ships of War, or Captains, Masters or Mates of some English Ship, shall be capable of being so called, and sitting and voting in the said Court. AND our further Pleasure is, and we do hereby expressly Declare and Command, That such Persons called, and such other Persons hereby authorized and assembled as aforesaid, shall have full Power and Authority, according to the Course of the Admiralty, to issue Warrants for bringing any Persons accused of such Piracy or Robbery, before them to be tryed, heard and adjudged, and to summon Witnesses, and to take Informations and Examinations of Witnesses, upon their Oath, and to do all Things necessary for the Hearing, and final Determination of any Case of Piracy, Robbery and Felony upon the Sea, and to give Sentence and Judgment of Death; and to award Execution of the Offenders, convicted and attainted as aforesaid, according to the Civil Law, and the Methods and Rules of the Admiralty. And that all and every Person and Persons, so convicted and attainted of Piracy or Robbery, shall have and suffer such Losses of Lands, Goods,

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Goods and Chattels, as if they had been attainted and convicted of any Piracies, Felonies, and Robberies, according to the aforementioned Statute, made in the Reign of King Henry the Eighth. AND Our express Will and pleasure is; And we do hereby direct and command, that so soon as any Court shall be Assembled as aforesaid, either on Shipboard, or upon the Land, this our Commission shall first be openly read, and the said Court, then and there, shall be Solemnly and Publickly called and Proclaimed; and then the President of such Court, shall in the first place publickly in open Court take the Oath, mentioned and appointed to be taken by the said first recited Act: And such President, having taken the Oath in manner aforesaid, shall immediately administer the same to every Person who shall sit, and have, and give a Vote in the said Court, upon the Tryal of such Prisoner or Prisoners, as aforesaid. AND LASTLY, We do hereby Direct, Impower, and Require, you our said Commissioners, to proceed, act, adjudge and determine, in all Things according to the Powers, Authorities and Directions of the first above recited Act, and of these Presents; and these Presents, or the Entry or Inrollment thereof, shall be unto you, and each and every of you, for so doing, a sufficient Warrant, and Discharge. IN WITNESS whereof, We have caused these our Letters to be made Patents. WITNESS Our Self at Westminster, the Third Day of April, in the Fourth Year of Our Reign.

By Writ of Privy-Seal,



Wright.

Afterwards the said Court was then and there solemnly and publickly called and proclaimed.

Then His Excellency Sir Nicholas Lawes Kt. President of the said Court, publickly in open Court, took the Oath directed (for him to be taken) in the said Act.

Then His Excellency administered the same Oath to the Honourable the Commissioners before-named, then sitting.

Francis Rose Esq; withdrew, being indisposed.

Then His Excellency appointed William Norris Esq; Register of the said Court; who took the Oath in the said Act mentioned:

And also constituted Alexander Forbes Esq; Provost-Marshal of the said Court.

Then the Cryer made Proclamation Three several Times in the Words following, viz.

ALL manner of Persons that can inform this Honourable Court, now sitting, of any Piracies, Felonies or Robberies, committed in or upon the Sea, or in any Haven, Creek or Place in or about this Island, or elsewhere in the West-Indies, where the Admiral or Admirals of Our Sovereign Lord the King hath, or have any Power, Authority, or Jurisdiction, let them come forth, and they shall be heard.

Then John Rackam, George Fetherston, Richard Corner, John Davies, John Howell, Patrick Carty, Thomas Earl, James Dobbins, and Noah Harwood, (Nine of the aforesaid Prisoners) were set at the Barr; and were told by the Register to listen to their Charge:

Then the Register read the Articles exhibited against them in the Words following, viz.

Jamaica ff.

ARTICLES Exhibited at a Court of Admiralty, held at the Town of St. Jago de la Vega in the said Island, the Sixteenth Day of November, in the Seventh Year of the Reign of our Sovereign Lord George, by

by the Grace of God, of Great Brittain, France and Ireland, King, and of Jamaica Lord, Defender of the Faith &c. By Virtue of a Commission, from His said Majesty King George, under the Great Seal of Great Brittain, bearing Date, the third Day of April, in the Fourth Year of his said Majesty's Reign, Issued pursuant to an Act of Parliament, made in Great Brittain in the Eleventh Year of the Reign of our late Sovereign Lord King William the Third (since made perpetual) Entituled, [*An Act for the more Effectual surpreſſing of Piracy*] for the trying, hearing, determining, and adjudging, of all Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals, have Power, Authority, or Jurisdiction, before his Excellency Sir Nicholas Luttrell Knt. Captain General and Governor in chief of our said Lord George, in and over this His laid Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same, &c. And others, Commissioners, appointed, in and by the said Commission, by William Norris Esq; Register of the said Court, duly appointed and Sworn against John Rackam, late of the Island of Providence in America, Mariner, late Master or Commander of a certain Pirate Sloop, of an unknown Name, George Fetherston late of the said Island of Providence Mariner, late Master of the said Sloop, Richard Corner, late of the laid Island of Providence Mariner, late Quarter Master of the said Sloop, John Davies, John Howel, Patrick Carty, Thomas Earl, and Noah Harwood, late also of the said Island of Providence Mariners, and James Dobbin, late of the Town of Philadelphia, in the Province of Pennsylvania Mariner, and part of the said Sloops Crew, for Piracies, Felonies, and Robberies, committed by them on the high Sea, and within the Jurisdiction of this Court, (Viz.)

I. THAT they, the said John Rackam, George Fetherston, Richard Corner, John Davies, John Howel, Patrick Carty, Thomas Earl, and Noah Harwood, and every one of them, on the first Day of September, in the Seventh Year of the Reign of our said Lord the King that now is, upon the high Sea, in a certain Sloop of an unknown Name, being; did Solemnly and Wickedly consult, and agree together, to Rob, Plunder and Take, all such Persons, as well Subjects of our said Lord the King that now is, as others in Peace and Amity with His said Majesty, which they shoule meet with on the high Sea, and in execution of their said Evil Designs, afterwards (to wit) on the third Day of September, in the Year last mentioned, with force and Arms, &c. upon the high Sea, in a certain Place distant about two Leagues from Harbour Island in America, and within the Jurisdiction of this Court, did Piratically, Feloniously, and in an Hostile manner, Attack, Engage, and Take, seven certain Fishing Boats, then being Boats of certain Persons Subjects of our said now Lord the King (to the Register aforesaid unknown) and then and there Piratically, and Feloniously, did make an Assault, in and upon certain Fishermen, Subjects of our said Lord the King (whose Names to the Register aforesaid are unknown) in the same Fishing Boats, in the peace of God, and of our said Lord the King, then and there being, and then and there, Piratically, and Feloniously, did put the aforesaid Fishermen, in the said Fishing-Boats, then being, in Corporal Fear of their Lives, and then and there Piratically, and Feloniously, did steal, take, and carry away, the Fish, and Fishing Tackle, of the value of Ten Pounds of Current Money

Money of Jamaica, the Goods and Chattels of the aforesaid Fishermen; then and there upon the high Sea aforesaid, in the aforesaid place, about two Leagues distant from Harbour Island aforesaid, and within the Jurisdiction aforesaid, being found, in the laid Fishing-Boats, in the Custody and Possession of the said Fishermen, from the said Fishermen, and from their Custody and Possession, then and there, upon the high Sea aforesaid, in the place aforesaid, distant about two Leagues from Harbour Island aforesaid, and within the Jurisdiction aforesaid.

II. THAT afterwards, to wit, The first Day of October, in the Year last mentioned, they the said John Rackam, George Fetherston, Richard Corner, John Davies, John Howell, Patrick Carty, Thomas Earl, and Noah Harwood, and every one of them, in the said Pirate Sloop being, by force and Arms, &c. Upon the high Sea, in a certain place, distant about three Leagues from the Island of Hispaniola in America; and within the Jurisdiction of this Court, did Piratically, and Feloniously, set upon, Shoot at, and take, two Merchant Sloops, then being, Sloops of certain Persons, Subjects of our said Lord the King (to the aforesaid Register unknown) and then and there, Piratically, and Feloniously, did make an Assault, in and upon, one James Dobbin, and certain other Mariners (whose Names to the Register aforesaid are unknown) in the same Merchant Sloops, in the peace of God, and of our said now Sovereign Lord the King, then and there being, and then, and there, Piratically, and Feloniously, did put, the aforesaid Mariners, of the same two Merchant Sloops, in the aforesaid two Merchant Sloops then being, in Corporal fear of their Lives, and then and there afterwards, to wit, The said first Day of October, in the Year last mentioned, upon the high Sea, in the place aforesaid, distant about three Leagues from Hispaniola aforesaid, in America aforesaid, and within the Jurisdiction aforesaid, Piratically and Feloniously, did steal, take, and carry away, the said two Merchant Sloops, and the Apparrel and Tackle of the same Sloops, of the Value of One Thousand Pounds of Current Money of Jamaica.

III. THAT they, the said John Rackam, George Fetherston, Richard Corner, John Davies, John Howell, Patrick Carty, Thomas Earl, James Dobbin, and Noah Harwood, and every one of them, in the said Pirate Sloop being, afterwards (to wit) the Nineteenth Day of October, in the Year last mentioned, with force and Arms, &c. Upon the high Sea, in a certain place, distant about Five Leagues from Porto-Maria-Bay, in the said Island of Jamaica, and within the Jurisdiction of this Court, did Piratically Feloniously, and in an Hostile manner, Shoot at, set upon, and take, a certain Scooner, of an unknown Name, wherof one Thomas Spenlow was Master, then being, a Scooner of certain Persons, Subjects of our said Lord the King (to the Register aforesaid unknown) and then and there, Piratically, Feloniously, and in an Hostile manner, did make an Assault, in and upon the said Thomas Spenlow, and certain other Mariners (whose Names to the Register aforesaid are unknown) in the same Scooner, in the Peace of God, and of our said now Lord the King, then and there being, and then and there Piratically and Feloniously, did put the aforesaid Thomas Spenlow, and other the Mariners of the same Scooner, in the Scooner aforesaid, then being, in Corporal Fear of their Lives; and then and there Piratically and Feloniously, did steal, take, and carry away, the said Scooner, and the Apparel and Tackle of the same Scooner, of the value of Twenty Pounds Current Money of Jamaica.

IV. THAT they, the said John Rackam, George Fetherston, Richard Corner, John Davies, John Howell, Patrick Carty, Thomas Earl, James Dobbin, and Noah Harwood, and every one of them, in the aforesaid Pirate Sloop being, afterwards (to wit) the Twentieth Day of October, in the

Year last mention'd, with Force and Arms, &c. upon the high Sea, at a certain Place, distant, about one League from Dry-Harbour-Bay, in the Island of Jamaica, aforesaid and within the Jurisdiction of this Court, did Piratically, Feloniously, and in an Hostile manner, set upon, board, and enter, a certain Merchant Sloop called the *Mary*, then being a Sloop of certain Persons (to the Register aforesaid unknown) whereof *Thomas Dillon* Mariner was Master; and then and there, did make an Assault, in and upon the said *Thomas Dillon*, and certain other Mariners (whose Names to the Register aforesaid are unknown) in the same Sloop, called the *Mary*, in the Peace of God, and of our said now Lord the King, then and there being, and then and there, Piratically, and Feloniously, did put the aforesaid *Thomas Dillon*, and other the Mariners of the same Merchant Sloop, called the *Mary*, in the said Sloop called the *Mary* then being, in Corporal Fear of their Lives; and then and there Piratically, and Feloniously, did steal, take, and carry away, the said Sloop *Mary*, and the Apparel and Tackle of the same Sloop, of the Value of Three hundred Pounds, of Current Money of Jamaica.

William Norris, Reg'.

Afterwards the Prisoners were severally asked by the Register, What they had to say? Whether they were Guilty of the Piracies, Robberies and Felonies, or any of them, in the aforesaid Articles mentioned, which had then been read unto them? Or not Guilty?

Whereto they all of them severally pleaded, Not Guilty.

Then the Register did call and produce Witnesses, to prove the said Articles, and Charge against the Prisoners; Who, being duly sworn, were examined by His Excellency the President, and the Court, in the Prisoners presence, and deposed as follows, viz.

Thomas Spenlow, of Port-Royal, in the Island of Jamaica Mariner, Master of the Scooner in the Third Article mentioned, deposed, That to the best of his Remembrance, on or about the Nineteenth Day of October last, being on the high Seas, in the aforesaid Scooner, he met with a Sloop which fired a small Arm at him; whereupon he brought too, being afraid, and then the Sloops Crew (being the Prisoners at the Bar) boarded him, and took him; and took out of his said Scooner, Fifty Rolls of Tobacco, and Nine Bags of Piemento, and kept him in their Custody about Forty eight Hours, and then let him and his Scooner depart, and go where he would.

And the said *Thomas Spenlow*, being ask'd, by the Court, what he knew of the taking of *Thomas Dillon's* Sloop, in the Fourth Article mention'd, he answer'd, That he saw the Prisoners at the Bar, in their own Pirate Sloop, attack *Dillon's* Sloop, fired several great Guns at her, and afterwards boarded her, and took her, and carried her with them to Sea.

Then *Peter Cornelian* and *John Besneck*, Two other Witnesses, were produced, but being Frenchmen, and not speaking English; *James Burr Esq;* was sworn Interpreter, and afterwards the said *Peter Cornelian* and *John Besneck* were sworn, to give Evidence against the Prisoners at the Bar; And being asked by the Court, What they knew of *Spenlow's* Scooner, and *Dillon's* Sloop being taken by the Prisoners at the Bar; they both declared to the same Effect with *Spenlow*:

And further added, That they were taken off the Shoar of the Island of Hispaniola in America, (as they were hunting wild Hog) by the Prisoners at the Bar, in a Canoa or Pertiago, and afterwards were by them put on Board a Sloop at Sea, commanded by one Rackam, the Prisoner at the Bar, and forced by him and his Crew to go with them.

Then the Register called *James Spathears* of Port-Royal aforesaid Mariner; who, being sworn, deposed, That one Captain Bonnevie, and one Captain

Jonathan Barnet, sailing in Company towards Negril-point, at the West-end of Jamaica, (bound on a Trading Voyage to the South-Keys on the Island of Cuba) Captain Bonevie's Sloop being headmost, lay by, 'till Capt. *Barnet*'s Sloop came up: Then *Bonevie* told *Barnet*, he saw a Sloop lie in with the Shoar, which fired a Gun; whereupon Captain *Barnet* gave Chase to the Sloop which so fired a Gun, and about Ten a Clock at Night came up with her, and hailed her; whereto some of the said Sloops Company answer'd, *John Rackam* from *Cuba*; then *Barnet* bid him strike immediately, to the King of *England*'s Colours; upon which, some Body answer'd from the said Sloop, (but who, by Name, the Deponent could not tell, it being very dark) That they would strike no Strikes, and immediately fired a Swivil Gun (as the Deponent believ'd) at *Barnet*'s Sloop; whereupon *Barnet* order'd his Men to fire a Broad-side and Volley of Small-shot at the said Sloop, which they did, and carried away the Enemy's Sloops Boom, and then they called to *Barnet* for Quarter, which he gave them, and afterwards took the laid Sloop and *Dillon*'s Sloop, which they had before taken, and was then in their Custody, and put all the Mena-shoar at *Davis*'s-Cove, on the Island of *Jamaica*, and delivered them to Major *Richard James* (a Militia-Officer) who procured a Guard, in order to carry them to *Spanish-Town* Goal, as the Deponent heard and believ'd: And further deposed, That all the Prisoners at the Bar were either on Board the said Pirate Sloop, or *Dillon*'s Sloop, at the Time of the Capture by Capt. *Barnet*.

After the Witnesses had severally been examined, His Excellency the President, asked every one of the Prisoners, if they had any Defence to make, or any Witnesses to be sworn on their behalf; or if they would have any of the Witnesses, who had been already sworn, cross-examined; that if they would, they should propose and declare to the Court what Questions they, or any of them, would have asked? If they had any, the Court, or himself, would interrogate them? Whereto they all of them answered, That they had no Witnesses, That they had never committed any Acts of Piracy, That their Design was against the *Spaniards*, and other such-like frivolous and trifling Excuses.

Then the Prisoners were taken away from the Bar, and put into safe Custody, and all the Audience and Standers by withdrew from the Court, except the Register.

Thomas Bernard Esq; (one of the Commissioners) withdrew from the Court, by Reason his Son lay Dying:

Then the Court-House Doors were shut, and His Excellency the President, and Commissioners then sitting, took the Evidence which had been given against the Prisoners into Consideration; and having maturely and deliberately considered thereof, and of the Prisoners Case, all the Commissioners then sitting; and his Excellency the President, unanimously agreed, That *John Rackam*, *George Fetherston*, *Richard Corner*, *John Davies*, *John Howell*, *Patrick Carty*, *Thomas Earl*, *James Dobbin*, and *Noah Harwood*, were all of them Guilty, of the Piracies, Robberies and Felonies, charged against them, in the Third and Fourth Articles (of the aforesaid Articles.)

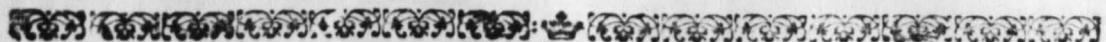
Then the Court-House Doors being opened, the Prisoners before named were set at the Bar, and his Excellency the President acquainted them, one after another, That the Court had unanimously found them all Guilty of the Piracy, Robbery, and Felony, charged against them, in the Third and Fourth Article of the aforesaid Articles, which had been exhibited against them: And being severally asked, Whether they, or any of them had any Thing to say or offer, Why Sentence of Death should not pass upon them, for their said Offences? And they, nor any of them offering any Thing material; His Excellency the President pronounced Sentence of Death upon them in the Words following, viz.

You

YOU John Rackam, George Fetherston, Richard Corner, John Davies, John Howell, Patrick Carty, Thomas Earl, James Dobbin, and Noah Harwood, are to go from hence to the Place from whence you came, and from thence to the Place of Execution; where you, shall severally be hanged by the Neck, 'till you are severally Dead.

And God of His infinite Mercy be merciful to every one of your Souls.

Then the Court adjourn'd 'till to morrow Morning Nine of the Clock in the Forenoon.



Thursday, November the 17th, 1720.

COURT met according to Adjournment.

Court called, by making Proclamation Three several Times.

P R E S E N T,
His Excellency Sir Nicholas Lawes Knight,
P R E S I D E N T.

James Archbould
John Sadler
Ezekiel Gomersall
Samuel Moor
William Nedham,

Captain Vernon,
Captain Davers,
Richard Mill,
Robert Baillie,
Giles Diston,

Esqrs. } Esqrs.

Then Thomas Brown, alias Bourn, and John Fenwick, were set at the Bar, and were told by the Register to listen to their Charge.

Then the Register exhibited Articles against them; which he read in the following Words, viz.

Jamaica ff.

ARTICLES Exhibited at an High Court of Admiralty, held at the Town of St. Jago de la Vega in the said Island, the Seventeenth Day of November, in the Seventh Year of the Reign of Our Sovereign Lord George, by the Grace of God, of Great Brittain, France and Ireland, King, and of Jamaica Lord, Defender of the Faith, &c. By Virtue of a Commission, from His said Majesty King George, under the Great Seal of Great Brittain, bearing Date, the Third Day of April, in the Fourth Year of His said Majesty's Reign, issued pursuant to an Act of Parliament, made in Great Brittain in the Eleventh Year of the Reign of our late Sovereign Lord King William III. (and since made perpetual) Entituled, [An Act for the more Effectual suppression of Piracy] for the trying, hearing, determining, and adjudging, of all Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven,

Haven, River, Creek, or Place where the Admiral or Admirals, have Power, Authority, or Jurisdiction, before His Excellency Sir *Nickolas Latves Knt.* Captain General and Governor in Chief of our said now Lord the King, in and over this His Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same, &c. And others, Commissioners, appointed, in and by the said Commission, by *William Norris Esq;* Register of the said Court, duly appointed and sworn, against *Thomas Brown,* alias *Bourn,* late of the Parish of *Wesemurland,* in the said Island of Jamaica, Yeoman, and *John Fenwick,* late of the County of *Newberland* in Great Britain, Mariner, for Piracy, Felony, and Robbery, by them committed on the high Sea in America, and within the Jurisdiction of this Court, *Viz.*

I. THAT they, the said Thomas Brown, alias Bourn, and John Fenwick, and each of them, natural born Subjects of our said now Lord the King, with divers other Persons, (whose Names to the Register aforesaid are unknown) in a certain Sloop, of an unknown Name, being, on the Seventeenth Day of June, in the Year of our Lord, One Thousand Seven Hundred and Twenty, with Force and Arms, &c. upon the high Sea, at a certain place, distant about Two Leagues from the Island of Hispaniola in America, and within the Jurisdiction of this Court, did, Piratically, and feloniously, set upon, board, break, and enter, a certain Merchant Scooner, called the Neptune, then being, a Scooner, belonging to certain Persons, Subjects of our said now Lord the King, (whose Names to the Register aforesaid are unknown) and then, and there, Piratically, and Feloniously, did make an Assault, in and upon, Thomas Spenlow, late of Port-Royal in the Island of Jamaica aforesaid Mariner, and certain other Persons, Mariners (whose Names to the Register aforesaid are unknown) in the same Merchant Scooner, in the peace of God, and of our said Lord the King, and Subjects of our said Lord the King, then and there being, and then, and there, Piratically, and Feioniously, did put the aforesaid Thomas Spenlow, and the said other Mariners, Subjects of our said Lord the King, in the Scooner aforesaid, then and there being, in corporal fear of their Lives; And then and there, within the Jurisdiction aforesaid, Feloniously, and Piratically, did Steal, take, and carry away, from the said Thomas Spenlow, and the said other Mariners, Subjects of our said now Lord the King, the said Merchant Scooner, called the Neptune, and her Tackle, Apparel, and Furniture, of the Value of Fifty Pounds of Current Money of Jamaica, and also Ten Negroe Slaves, of the value of Three hundred Pounds of like current Money, in the possession of the said Thomas Spenlow, and the said other Mariners, Subjects of our said now Lord the King, then being, and being the Scooner, Goods, and Chartels, of the Subjects of our said now Lord the King, (whose Names to the Register aforesaid are unknown) against the Peace of our said now Sovereign Lord the King, his Crown, and Dignity.

William Norris, Reg'.

Afterwards the Prisoners were severally asked by the Register, What they had to say? Whether they were guilty of the Piracies, Robberies, and Felonies, or any of them, in the aforesaid Article mentioned, which had then been read unto them; or not Guilty?

Whereto both of them pleaded, not Guilty.

Then the Register did call, and produce, Witnesses to prove the said Article, and Charge, against the Prisoners; who, being duly sworn, were examined by His Excellency the President, and the Court, in the Prisoners Presence, and depos'd as follows, *viz.*

Thomas Spenlow Mariner, Master of the Scooner Named in the aforesaid Article, deposed, and said, That about the middle of the Month of June last past, he being in his Scooner, off of the Island of Hispaniola in America, was fired at, by a Sloop, who afterwards hoisted a Spanish Pendant; whereupon he brought to; then the Sloop with the Spanish Pendant boarded

and took his laid Scooner, with Ten Negroes on Board: And further deposed, That about Two Hours afterwards, the said Sloop, and Scooner, were taken by His Majesty's Ship of War, the Mary, Commadore *Vernon* Commander; And that John Fenwick, the Prisoner at the Bar, was on Board the said Sloop, when she took the Deponent, and his Scooner; but was not certain whether the other Prisoner at the Bar, called Thomas Brown, was on Board the Sloop or not.

Then the Prisoners, being asked by His Excellency, Whether they were on Board the said Sloop, at the Time that she boarded and took the Scooner, or not? They both of them answer'd, That they were on Board her.

Mr. Colen, deposed, and said the same as Spennow had declared, and that Fenwick, one of the Prisoners at the Bar, was on Board the Sloop at the Time of the Capture of the Scooner, and believed, That the other Prisoner at the Bar was also on Board the Sloop, but was not certain.

William Swaile deposed, and said, That both the Prisoners at the Bar were on Board the Spanish sloop, when she was taken by the Mary Man of War.

After the Witnesses had severally been examined, His Excellency the President, asked the Prisoners, if they had any Defence to make, or any Witnesses to be sworn on their behalf; or if they would have any of the Witnesses, who had been already sworn, cross-examined; that if they would, they should propole and declare to the Court what Questions they, or either of them, would have ask'd; and that if they had any, the Court, or himself, would interrogate them? Whereto they both answer'd, That they had nothing to say for themselves, nor had any Witnesses to produce.

Then the Prisoners were taken away from the Bar, and put into safe Custody, and all the Audience and Standers by withdrew from the Court, except the Register.

Then the Court-House Doors were shut, and His Excellency the President, and Commissioners then sitting, took the Evidence which had been given against the Prisoners into Consideration; and having maturely and deliberately considered thereof, and of the Circumstances of the Prisoners Case, all the Commissioners then sitting, and his Excellency the President, unanimously agreed, That Thomas Brown, alias Bourn, and John Fenwick, were both of them Guilty, of the Piracy, Robbery, and Felony, charged against them, in the said Article.

Then the Court-House Doors being opened, the Prisoners before-named were set at the Bar, and his Excellency the President, acquainted them, That the Court had unanimously found them both Guilty of the Piracy, Robbery, and Felony, charged against them, in the said Article.

Then His Excellency the President, asked them, Whether they, or either of them, had any Thing to say, or offer, Why Sentence of Death should not pass upon them, for their said Offences? And they having nothing to say, His Excellency the President, pronounced Sentence of Death upon them in the Words following, viz.

YOU Thomas Brown, alias Bourn, and John Fenwick, are to go from hence to the Place from whence you came, and from thence to the Place of Execution; where you, and each of you, are to be hang'd by the Neck, 'till you are severally Dead.

And GOD of His infinite Mercy be merciful to both of your Souls.

Then the Court adjourn'd 'till Monday the Twenty eighth Day of November Instant.

On

(15)

On Friday the 18th Day of November 1720. Five of the said Condemn'd Pirates, viz. Capt. John Rackam, George Fetherston, Master, Richard Corner Quarter-Master, John Davies and John Howell, were executed, at Gallows-Point, at the Town of Port-Royal, according to the aforesaid Sentence; and the Bodies of Rackam, Fetherston and Corner, were afterwards carried to Plum-point, Bush-Key, and Gun-Key; where they were hung on Gibbets in Chains, for a publick Example, and to terrify others from such-like evil Practices.

And the next Day, Noah Harwood, James Dobbin, Patrick Carty, and Thomas Earl, were executed, at the Town of Kingston.

And on Monday following, Thomas Brown, alias Bourn, and John Fenwick, were also executed at Gallows-point, at Port-Royal aforesaid.



Monday, November the 28th, 1720.

COURT met according to Adjournment.

Court called, by making Proclamation Three several Times.

P R E S E N T,

*His Excellency Sir Nicholas Lawes Knight,
PRESIDENT.*

<i>Thomas Bernard</i>	Esq ^{rs} .	<i>Captain Vernon</i>
<i>James Archbould</i>		<i>Captain Davers,</i>
<i>John Sadler</i>		<i>Richard Mill,</i>
<i>Ezekiel Gomersall</i>		<i>Robert Baillie,</i>
<i>Samuel Moor</i>		<i>Giles Diston,</i>
<i>William Nedham,</i>		

Edward Pennant Esquire,

One of the Commissioners named in His Majesty's said Commission, took the Oath directed to be taken in the aforesaid Act of Parliament of the Eleventh and Twelfth of King William the Third.

Then the Prisoners, *Mary Read*, *Ann Bonny*, alias *Bonn*, were brought to the Bar, and were told by the Register to hearken to their Charge.

Then the Register exhibited Articles against them; which he read to them in the following Words, viz.

Jamaica ss.

ARTICLES Exhibited at an High Court of Admiralty, held at the Town of St. Jago de la Vega in the said Island, the Twenty eighth Day of November, in the Seventh Year of the Reign of Our Sovereign Lord George,

George, by the Grace of God, of Great Britain, France and Ireland, King, and of Jamaica Lord, Defender of the Faith, &c. By Virtue of a Commission, from His said Majesty King George, under the Great Seal of Great Britain, bearing Date, the Third Day of April, in the Fourth Year of His said Majesty's Reign, issued pursuant to an Act of Parliament, made in Great Britain in the Eleventh Year of the Reign of our late Sovereign Lord King William III. (since made perpetual) Entituled, [*An Act for the more Effectual Suppression of Piracy*] for the trying, hearing, determining, and adjudging, of all Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals, have Power, Authority, or Jurisdiction, before His Excellency Sir Nicholas Lawes, Kt. Capt. General and Governor in Chief, of Our said Lord King George, in and over this His Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same, &c. And others, Commissioners appointed, in and by the said Commission, by William Norris Esq; Register of the said Court, duly appointed and sworn, against Mary Read, and Ann Bonny, alias Benn, late of the Island of Providence Spinsters, for Piracies, Felonies, and Robberies committed by them, on the High Sea, and within the Jurisdiction of this Court, viz.

I. That they, the said Mary Read, and Ann Bonny, alias Benn, and each of them, on the first Day of September, in the Seventh Year of the Reign of Our said Lord the King, that now is, upon the high Sea, in a certain Sloop of an unknown Name, being ; did feloniously and wickedly, consult, and agree together, and to and with, John Hartman, George Petersten, Richard Corner, John Davies, John Howell, Patrick Carty, Thomas Earl, and Noah Harwood, to rob, plunder, and take, all such Persons, as well Subjects of Our said Lord the King, that now is, as others, in Peace and Amity with His said Majesty, which they should meet with on the high Sea ; and in Execution of their said Evil Designs, afterwards (:o wit) on the Third Day of September, in the Year last mentioned, with Force and Arms, &c. upon the high Sea, in a certain Place, distant about Two Leagues from Harbour-Island in America, and within the Jurisdiction of this Court, did piratically, feloniously, and in an hostile manner, attack, engage, and take, Seven certain Fishing-Boats, then being, Boats of certain Persons, Subjects of our said now Lord the King, (to the Register aforesaid unknown) and then and there, Piratically, and Feloniously, did make an Assault, in and upon, certain Fishermen, Subjects of our said Lord the King, (whose Names to the Register aforesaid are unknown) in the same Fishing-Boats, in the peace of God, and of our said now Lord the King, then and there being, and then and there, Piratically, and Feloniously, did put the aforesaid Fishermen, in the said Fishing-Boats then being, in Corporal Fear of their Lives ; and then and there, piratically and feloniously, did steal, take, and carry away, the Fish, and Fishing-Tackle, of the value of Ten pounds, of Current Money of Jamaica, the Goods and Chancels of the aforesaid Fishermen, then and there upon the high Sea aforesaid, in the aforesaid place, about two Leagues distant from Harbour-Island aforesaid, and within the Jurisdiction aforesaid, being found, in the said Fishing-Boats, in the Custody and Possession of the said Fishermen, from the said Fishermen, and from their Custody and Possession, then and there, upon the high Sea aforesaid, in the place aforesaid, distant about two Leagues from Harbour Island aforesaid, and within the Jurisdiction aforesaid.

II. That

II. THAT afterwards, *to wit*, The first Day of October, in the Year last mentioned, they, the said Mary Read, and Ann Bonny, alias Bonn, and each of them, in the said Pirate Sloop being, by Force and Arms, &c. Upon the high Sea, in a certain place, distant about three Leagues from the Island of Hispaniola in America; and within the Jurisdiction of this Court, did Piratically, and Feloniously, set upon, Shoot at, and take, two certain Merchant Sloops, then being, Sloops of certain Persons, Subjects of our said Lord the King (to the aforesaid Register unknown) and then and there, Piratically, and Feloniously, did make an Assault, in and upon, one James Dobbin, and certain other Mariners (whose Names to the Register aforesaid are unknown) in the same Merchant Sloops, in the peace of God, and of our said now Sovereign Lord the King, then and there being, and then, and there, Piratically, and Feloniously, did put, the aforesaid Mariners, of the same two Merchant Sloops, in the aforesaid two Merchant Sloops then being, in Corporal fear of their Lives, and then and there afterwards, *to wit*, The said first Day of October, in the Year last mentioned, upon the high Sea, in the place aforesaid, distant about three Leagues from Hispaniola aforesaid, in America aforesaid, and within the Jurisdiction aforesaid, Piratically and Feloniously, did steal, take, and carry away, the said two Merchant Sloops, and the Apparrel and Tackle of the same Sloops, of the Value of One Thousand Pounds of Current Money of Jamaica.

III. THAT they, the said Mary Read, and Anne Bonny, *alias* Bonn, and each of them, in the said Pirate Sloop being, afterwards (*to wit*) the Nineteenth Day of October, in the Year last mentioned, with Force and Arms, &c. Upon the high Sea, at a certain place, distant about Five Leagues from Port-Mari-Bay, in the Island of Jamaica aforesaid, and within the Jurisdiction of this Court, did Piratically, Feloniously, and in an Hostile manner, Shoot at, set upon, and take, a certain Scooner, of an unknown Name, whereof one Thomas Spenlow was Master, then being, a Scooner of certain Persons, Subjects of our said Lord the King (to the Register aforesaid unknown) and then and there, Piratically, Feloniously, and in an Hostile manner, did make an Assault, in and upon the said Thomas Spenlow, and certain other Mariners (whose Names to the Register aforesaid are unknown) in the same Scooner, in the Peace of God, and of our said now Lord the King, then and there being, and then and there Piratically and Feloniously, did put the aforesaid Thomas Spenlow, and other Mariners of the same Scooner, in the Scooner aforesaid, then being, in Corporal Fear of their Lives; and then and there Piratically and Feloniously, did steal, take, and carry away, the said Scooner, and the Apparel and Tackle of the same Scooner, of the value of Twenty Pounds of Current Money of Jamaica.

IV. That they, the said Mary Read, and Ann Bonny, alias Bonn, and each of them, in the aforesaid Pirate Sloop being, afterwards (*to wit*) the 20th Day of October, in the Year last mention'd, with Force and Arms, &c. upon the high Sea, at a certain Place, distant, about one League from Dry-Harbour-Bay, in the Island of Jamaica, aforesaid, and within the Jurisdiction of this Court, did Piratically, Feloniously, and in an Hostile manner, set upon, board, and enter, a certain Merchant Sloop, called the *Mary*, then being a Sloop of certain Persons (to the Register aforesaid unknown) whereof Thomas Dillon Mariner was Master; and then and there, did make an Assault, in and upon the said Thomas Dillon, and certain other Mariners (whose Names to the Register aforesaid are unknown) in the same Sloop, called the *Mary*, in the Peace of God, and of our said now Lord the King, then and there being, and then and

there, Piratically, and Feloniously, did put the aforesaid *Thomas Dillon*, and other the Mariners of the same Merchant Sloop, cailed the *Mary*, in the said Sloop called the *Mary* then being, in Corporal Fear of their Lives; and then and there Piratically, and Feloniously, did steal, take, and carry away, the said Sloop *Mary*, and the Apparel and Tackle of the same Sloop, of the Value of Three hundred Pounds, of Current Money of *Jamaica*.

William Norris, Reg'.

After the Articles were read, the Prisoners were severally asked by the Register, What they had to say? Whether they were Guilty of the Piracies, Robberies and Felonies, or any of them, in the said Articles mention'd, which had then been read unto them? Or not Guilty?

Whereto they both of them pleaded, *Not Guilty*.

Then the Register did call and produce Witnesses, to prove the said Articles, and Charge against the Prisoners; Who, being duly sworn, were examined by His Excellency the President, and the Court, in the presence and hearing of the Prisoners; And they deposed as follows, *viz.*

Dorothy Thomas deposed, That she, being in a Canoa at Sea, with some Stock and Provisions, at the North-side of *Jamaica*, was taken by a Sloop, commanded by one Captain *Rackam* (as she afterwards heard;) who took out of the Canoa, most of the Things that were in her: And further said, That the Two Women, Prisoners at the Bar, were then on Board the said Sloop, and wore Mens Jackets, and long Trouzers, and Handkerchiefs tied about their Heads; and that each of them had a Machet and Pistol in their Hands, and cursed and swore at the Men, to murther the Deponent; and that they should kill her, to prevent her coming against them; and the Deponent further said, That the Reason of her knowing and believing them to be Women then was, by the largeness of their Breasts.

Thomas Spenlow, being sworn, deposed, That when he was taken by *Rackam*, the two Women, Prisoners at the Bar, were then on Board *Rackam's* Sloop.

John Beswick, and *Peter Cornelius*, two Frenchmen, were produced as Witnesses, against the Prisoners at the Bar, and were sworn.

Mr. *Simon Clarke* was sworn Interpreter;

Then the said Two Witnesses declared, That the Two Women, Prisoners at the Bar, were on Board *Rackam's* Sloop, at the Time that *Spenlow's* Scooner, and *Dillon's* Sloop, were taken by *Rackam*; That they were very active on Board, and willing to do any Thing; That *Ann Bonny*, one of the Prisoners at the Bar, handed Gun-powder to the Men, That when they saw any Vessel, gave Chase, or Attacked, they wore Men's Cloaths; and, at other Times, they wore Women's Cloaths; That they did not seem to be kept, or detain'd by Force, but of their own Free-Will and Consent.

Thomas Dillon, being sworn, declared, That on or about the Twentieth Day of *October* last, he was lying at Anchor, with the Sloop *Mary* and *Sarah*, whereto he was Master, in Dry-Harbour, in *Jamaica*; and that a strange Sloop came into the said Harbour, which fired a Gun at the Deponent's Sloop; whereupon the Deponent and his Men went ashore, in order to defend themselves, and Sloop; And that after several Shot had been fired at them, by the said Sloop, the Deponent hailed them, and one *Fetherston* (as the Deponent believ'd) answer'd, That they were English Pirates, and that they need not be afraid, and desired the Deponent to come on Board; whereupon the Deponent went on Board, and found that the said Sloop was commanded by one *John Rackam*; afterwards the said *Rackam*, and his Crew, took the Deponent's Sloop, and

and her Lading, and carried her with them to Sea ; and further said, That the two Women, Prisoners at the Bar, were then on Board Rackam's Sloop ; and that Ann Bonny, one of the Prisoners at the Bar, had a Gun in her Hand, That they were both very profligate, cursing and swearing much, and very ready and willing to do any Thing on Board.

After the aforesaid Witnesses had severally been examined, His Excellency the President, asked both the Prisoners at the Bar, if they, or either of them, had any Defence to make, or any Witnesses to be sworn on their behalf ; or if they would have any of the Witnesses, who had been already sworn, cross examined ; that if they would, they should propose and declare to the Court what Questions they, or either of them, would have asked ? and if they had any, the Court, or himself, would interrogate them ? Whereto they both of them answer'd, That they had no Witnesses, nor any Questions to ask.

Then the Prisoners were taken away from the Bar, and put into safe Custody, and all the Standers by withdrew from the Court, except the Register.

Afterwards His Excellency the President, and Commissioners, then sitting, took the Evidence which had been given against the Prisoners into Consideration ; and having maturely, and deliberately, considered thereof, and of the Circumstances of the Prisoners Case, all the Commissioners then sitting, and his Excellency the President, unanimously agreed, That Mary Read, and Ann Bonny, alias Bonn, were both of them Guilty, of the Piracies, Robberies, and Felonies, charged against them in the Third and Fourth Articles, of the Articles aforesaid.

Then the Prisoners before-named were brought back to the Bar, and His Excellency the President, acquainted them, That the Court had unanimously found them both Guilty of the Piracies, Robberies, and Felonies, charged against them, in the Third and Fourth Articles, of the Articles which had been Exhibited against them.

And being severally asked, Whether they, or either of them, had any Thing to lay, or offer, Why Sentence of Death should not pass upon them, for their said Offences ? And they, nor either of them, offering any Thing material, His Excellency the President, pronounced Sentence of Death upon them in the Words following, viz.

YOU Mary Read, and Ann Bonny, alias Bonn, are to go from hence to the Place from whence you came, and from thence to the Place of Execution; where you, shall be severally hang'd by the Neck, 'till you are severally Dead.

And GOD of His infinite Mercy be merciful to both of your Souls.

After Judgment was pronounced, as aforesaid, both the Prisoners inform'd the Court, that they were both quick with Child, and prayed that Execution of the Sentence might be stayed.

Whereupon the Court ordered, that Execution of the said Sentence should be respite, and that an Inspection should be made.

Then the Court adjourn'd 'till Monday the Nineteenth Day of December next

St.

St. Jago de la Vega,

Monday, December the 19th, 1720.

The C O U R T met according to Adjournment.

Court called, by making Proclamation Three several Times.

P R E S E N T,

His Excellency Sir Nicholas Lawes Knight,
P R E S I D E N T.

<i>James Archbould</i>		<i>Captain Vernon</i>
<i>Edward Pennant,</i>	Esqrs.	<i>Captain Davers,</i>
<i>William Nedham</i>		<i>Richard Mill,</i>
		<i>Giles Diston,</i>

His Excellency deliver'd two Papers to the Register, which he had receiv'd from the Lords Commissioners of the Admiralty, and are as follows, viz.

TO ALL CHRISTIAN PEOPLE, To whom this present Publick Writing shall come, *Greeting;* KNOW Y E, That on the Seventeenth Day of October, in the Year of our Lord God One thousand Seven hundred and twenty, before me, William Gandy Esquire, Mayor of the C ty of Exon, and in the presence of Richard Atkey of the same City, Notary Publick, by Royal Authority Sworn, and Constituted, appeared Personally, Thomas Wish of Exmouth in the County of Devon Mariner, and Caleb Langford, first and Second Mates on board the late Ship called the Expectation of Exon, Burthen about One hundred Tons, Andrew Norton Master, now in a Voyage at Sea, George Brown and James Coleman, Sailors; belonging to the same; who upon their Oaths Voluntary taken, on the Holy Evangelists, do Seriously and bona fide affirm, and declare, that on the Eighth Day of June, Anno Domini 1720, They being in a Fishing Voyage at Newfoundland, in the Latitude of 44 deg. 30 min. they were surprised and taken, by a Pirate Sloop of Ten Guns, and Eighty five Men, as these Affirmants were Informed, call'd the Fortune, of which was Commander, one Roberts, a Tall black Man, who came directly on board him, and in a short time commanded their Crew on board the said Sloop, and with Violence and Threats, forced Jacob Manson of Limston in the said County of Devon Shipwright, and John Nossliter of Sidbury, in the said County Sailor; Two of the Crew belonging to the said Ship Expectation, and well known to these Affirmants, into the Service of the said Pirate Sloop; that the said Roberts and Crew, having Plundered the said Ship of all her Guns and Ammunition, cut down her Main and Mizan-Masts, cut a hole three foot under Water in the Starboard side of their said Vessel, by means of which, the said Ship and Cargo soon perished, and sank in the Sea; and these Affirmants being with the rest of their Crew, on board the said Pirate Sloop, were sent the next Day following, into Newfoundland, in a Ship taken by the said Pirates, belonging to Poole; and that the above Jacob Manson, who is, in these Affirmants Judgments, aged about Twenty Years, is of a fair Compiection, about 6 Foot high, having a Mole about the middle of his Thigh, and the above-named Joseph Nossliter, who is a short black Man, aged about Twentyfive Years, were forcibly detained on board the said Pirate, contrary to their Wils and Inclinations: And in Testimony of the Truth of the Premisses, the said Affirmants, have hereunto subscribed their Names in

in presence of me, the said Mayor, and the said Notary Publick; who, in Witness there-
or, have hereunto subscribed our Names, and set our Publick Seals, being hereunto
requested, the Day and Year abovesaid.

Signed,

William Gandy, Mayor.

Richard Atkey, Notary Publick.

A True Copy,
BURCHETT.

*Thomas Wish, Caleb Langford,
George Brown, James Coleman,*

Burg' of Lanc' St.

JOHN Tomson of Lancaster Mariner, and James Thornton of the same place, Mar-
iner, Master, and Mate, of the Ship Love of Lancaster aforesaid, co jointly, and
severally make Oath, that on the Eighteenth Day of July last past, being on board
the said Vessel, in her passage Homewards, from Virginia, in the Latitude Forty three
Forty four, they were chased by two Pirates, One a Ship of Twenty Eight Guns, and
the other a Sloop of sixteen Guns, who came up with them; and after firing Three
Guns, took them, and Plundered them, of several of the Ships Stores; and took with
them, by Force and Compulsion, six Mariners, belonging to the said Ship, whose
Names and Persons are herein mention'd, and described, (viz) Miles Dateithwaite Car-
penter, aged about Twenty five Years, of middle stature, black Hair, a large Nose, and
swarthy Complexion, Michael Ashburner, aged about Thirty Years, of middle stature,
Black Hair, mixed with Grey, occasioned by several old Scars, and mark'd in the Face with
the small Pox, Thomas Waller, aged about Twenty three Years, short and broad set,
dark Brown Hair, with a Scar in his Face, near his Nose, occasioned by a Burn, Ben-
jamin Woodburne, aged about Twenty four Years, a little Man, flesh colored, with
Light Hair, and a smooth Face, John Jayson, aged about Twenty four Years, a
little Man, with lank black Hair, swarthy Complexion, and a Roman Nose, and Roger
Jackson, aged about Twenty Years, a slender middle sized Man, dark brown Hair,
and fresh Complexion: And these Deponents further say, That after the said Pirates had
robbed the said Ship Love, and taken the Men above-named, they left the said Ship
to make the best of her Way homeward, and sailed away.

*Jurat' apud' Lanc' Pred' 27 die Augusti 1720.
Coram Nobis Sigilli Burgi, pred' etiam affixat.*

*John Tomplon,
James Thornton.*

Rich. Simpson, Thomas Westmore.

A True Copy, BURCHET.

Then the Court adjourn'd to Wednesday the 18th Day of Jan. next, at St. Jago de la Vega.

Wednesday, January the 18th, 1720.

The COURT met according to Adjournment.

Court called, by making Proclamation Three several Times:

P R E S E N T,
His Excellency Sir Nicholas Lawes Knight,
P R E S I D E N T.

<i>Thomas Bernard</i>	<i>William Nedham</i>
<i>Edward Pennant</i>	<i>Robert Baillie</i>
<i>John Gregory</i>	<i>Giles Diston,</i>

Esqrs. *Esqrs.*

His Excellency the President, publickly, in open Court, took the Oath directed for
him to be taken in the beforementioned Act:

Then His Excellency Administred the same Oath to the Honourable the Commissio-
ners before-named, then sitting.

Then the Cryer made Proclamation Three several Times in the Words following, viz.

ALL manner of Persons that can inform this Honourable Court, now sitting, of any Piracies, Felonies or Robberies, committed in or upon the Sea, or in any Haven, Creek or Place in or about this Island, or elsewhere in the West-Indies, where the Admiral or Admirals of Our Sovereign Lord the King hath, or have any Power, Authority, or Jurisdiction, let them come forth, and they shall be heard.

Then Robert Deal was brought to the Bar ; and was told by the Register to hearken to his Charge.

Then the Register exhibited Articles against him ; which were read in the following Words, viz.

Jamaica ff.

ARTICLES Exhibited at a Court of Admiralty, held at the Town of St. Jago de la Vega in the Island of Jamaica aforesaid, on Wednesday the 18th Day of January, in the Seventh Year of the Reign of Our Sovereign Lord George, by the Grace of God, of Great Britain, France and Ireland, King, and of Jamaica Lord, Defender of the Faith, &c. By virtue of a Commission, from His said Majesty King George, under the Great Seal of Great Britain, bearing Date, the Third Day of April, in the Fourth Year of His said Majesty's Reign, issued pursuant to an Act of Parliament, made in Great Britain in the Eleventh Year of the Reign of our late Sovereign Lord King William III. (and since made perpetual) Entituled, [*An Act for the more Effectual Suppression of Piracy*] for the trying, hearing, determining, and adjudging, of all Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals, of Our said Sovereign Lord the King, hath, or have, Power, Authority, or Jurisdiction, before His Excellency Sir Nicholas Lawes, Knt. Capt. General, and Governor in Chief, of Our said Lord King George, in and over this His said Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same, &c. And others, Commissioners appointed, in and by the said Commission, by William Norris Esq; Register of the said Court, duly appointed and sworn, against Robert Deal, late of the Town and Parish of Kingston, in the said Island of Jamaica, Mariner, and one of the Crew, who lately belonged to a certain Pirate Brigantine or Vessel, of an unknown Name, then commanded by one Charles Vane, a notorious Pirate ; and also Master, or one of the Crew, who lately belonged to another certain Pirate Sloop or Vessel, of an unknown Name, for Piracies, Felonies, and Robberies committed by him, on the High Seas, and within the Jurisdiction of this Court.

I. That he, the said Robert Deal, on the Twenty third Day of October, in the Fifth Year of the Reign of Our said Lord the King, that now is, upon the high Seas, in a certain Brigantine or Vessel, of an unknown Name, then being, commanded by one Charles Vane, a notorious Pirate, did feloniously and wickedly, consult, and agree with the said Charles Vane, and divers other notorious Pirates, then on Board the said Brigantine (whose Names to the Register aforesaid are unknown) To rob, plunder, and take, all such Persons, as well Subjects of Our said Lord the King, that now is, as others, in Peace and Amity with His said Majesty, which he, the said Robert Deal, and the aforesaid Pirates, should meet with on the high Sea ; and in Execution of his said Evil Designs, afterwards (to wit) on the Twenty third Day

Day of October, in the Year aforesaid, with Force and Arms, &c. upon the high Sea, in a certain Place, distant about Two Leagues from Long-Island in America, and within the Jurisdiction of this Court, did piratically, feloniously, and in an hostile manner, attack, shoot at, and take, a certain Brigantine or Vessel, called the *Endeavour*, whereof one *John Shattock* was Master, then being, a Brigantine or Vessel of certain Persons, Subjects of our said Lord the King, (to the Register aforesaid unknown) and then and there, Piratically, Feloniously, and in an hostile manner, did make an Assault, in and upon, the said *John Shattock*, and certain other Mariners and Persons, (whose Names to the Register aforesaid are unknown) in the same Brigantine, in the peace of God, and of our said now Lord the King, then and there being, and then and there, Piratically, and Feloniously, did put the said *John Shattock*, and other the Mariners and Persons, of the same Brigantine, in the Brigantine aforesaid, called the *Endeavour*, then being, in Corporal Fear of their Lives; and then and there, piratically, and feloniously, did steal, take, and carry away, the said Brigantine, with her Lading, Furniture and Apparel, of the value of Two hundred pounds, of Current Money of Jamaica.

II. THAT afterwards, *to wit*, on the sixteenth Day of December, in the Year before mentioned, he, the said *Robert Deal*, in another certain Pirate Sloop or Vessel, of an unknown Name, then being, and acting as Master or Commander of her, by Force and Arms, &c. Upon the high Sea, in a certain place, called the Bay of Honduras, in America; and within the Jurisdiction of this Court, did Piratically, and Feloniously, set upon, shoot at, and take, a certain Merchant Sloop or Vessel, called the *Pearl*, whereof one *Charles Rowling* was then Master; and the said Sloop then being, a Sloop of certain Persons, Subjects of our said Lord the King (to the Register aforesaid unknown) and then and there, Piratically, and Feloniously, and in an hostile manner, did make an Assault, in and upon, the said *Charles Rowling*, and certain other Mariners and Persons, Subjects of Our said Lord the King (whose Names to the Register aforesaid are unknown) in the said Sloop, in the peace of God, and of our said now Lord the King, then and there being, and then, and there, Piratically, and Feloniously, did put the said *Charles Rowling*, and other the Mariners, and Persons, of the same Sloop, in the Sloop aforesaid, called the *Pearl*, then being, in Corporal fear of their Lives, and then and there Piratically and Feloniously, did steal, take, and carry away, the said Sloop, with her Lading, Tackle and Apparrel, of the Value of One hundred Pounds of Current Money of Jamaica, against the Peace of Our said sovereign Lord the King, his Crown and Dignity.

William Norris, Reg'.

Afterwards the Prisoner was asked by the Register, What he had to say? Whether he was guilty of the Piracies, Robberies, and Felonies, in the aforesaid Articles mentioned, which had then been read unto him; or not Guilty?

Whereto he pleaded, not Guilty.

Then the Register did call, and produce, Witnesses to prove the said Article, and Charge, against the Prisoner; who, being duly sworn, were examined by His Excellency the President, and the Court, in the Prisoner's Presence, and depos'd as follows, *viz.*

John Shattock, Master of the Brigantine *Endeavour*, of Salem in New-England, deposed, That on or about the Third Day of October, 1718. he sailed from Jamaica, in his said Brigantine, bound for Salem in New-England, and on Thursday the 23d Day of the same Month, he met a Pirate Brigantine of Twelve Guns, commanded by one *Charles Vane*; who bore down on him.

hoisted

hoisted a black Flag, and fired a Shot at him, and ordered the Deponent to hoist out his Boat, and come on board him, which the Deponent did; where he saw Robert Deal, the Prisoner at the Bar, acting as Mate of the said Pirate Brigantine, and under Arms, and continued to be so, when Opportunity offer'd, during the Deponent's Confinement on board, the Pirate Brigantine; That on Saturday the Twenty fifth Day of the said Month, the Deponent having been much beat and abused by the said *Charles Vane*, to force him to discover if he had any Money on board his Vessel, and the Prisoner at the Bar being present, the Deponent complained to him of his hard Usage; the Prisoner at the Bar replied, Damn you, you old Dog, then tell where your Money is; and further said, If we find you in one Lye, we'll Damn you, and your Vessel also: And further said, That afterwards the same Day, when the Pirates had done plundering and rifling his Brigantine, they gave her to him again, and let him depart.

Hosea Tisdell, of the Parish of *Kingston*, Tavern-keeper, deposed, That on or about the Third Day of *October*, in the Year of Our Lord 1718. he sailed, as a Passenger, in the Brigantine *Endeavour*, *John Shattock* Master, from the Island of *Jamaica*, bound for *Salem* in *New-England*; And that on Thursday, the Twenty third Day of the same Month, they met with a Pirate Brigantine of Twelve Guns, commanded by one *Charles Vane*, off of *Long-Island*, who bore down on them, hoisted a black Flag, and fired a Shot at them; and then ordered the said Captain *Shattock* to hoist out his Boat, and come on Board them; which the said *Shattock* did, the Pirates threatening to fire a Volley of small S'ot into them, if they did not make haste. And further deposed, That on Saturday, the Twenty fifth Day of the same Month, the Pirates put the said Captain *Shattock*, on board his own Brigantine; and, at the same Time, took the Deponent from on board *Shattock's* Brigantine, and carried him by force on board their Pirate Brigantine, having first rifled *Shattock's* Brigantine, and taken out several Goods;) That the next Morning, after the Deponent came on board the Pirate, he saw *Robert Deal*, (the Prisoner at the Bar) on board, acting as Mate of the said Pirate Brigantine; And further said, That after the Pirates had suffered Captain *Shattock* to go from them, they resolved to cruize between Cape *Meise* and Cape *Nicholas*; where, on or about the Twenty third Day of *November* following, they met a French Man of War, whom they attacked; during which Time, the Deponent observ'd, that the Prisoner at the Bar commanded as Mate, and appeared active, and compleatly armed; but, being beat off by the French Ship, the Pirates quarrelled among themselves, and divided their Company.

That the Quarter-Master, being made Captain of their Brigantine, they turn'd out *Charles Vane*, *Robert Deal*, (the Prisoner at the Bar) and Fifteen Men more, and put them on Board a small Sloop which they had with them, giving them Provisions and Ammunition to provide for themselves; afterwards the Brigantine proceeded towards the Caribee-Islands; and in their Way, took and plundered two or three Vessels, one of which was a Madera Man, bound for *Jamaica*; which, after they had plundered, they gave back again to the Master of her, and then permitted the Deponent to depart with him for *Jamaica*.

John Hill Mariner, deposed, That he, being on Board the Sloop *Pearl*, of *Jamaica*, Captain *Charles Rowling* Master, at the Bay of *Honduras*, about the middle of *December* 1718. he saw two Sloops, coming down on them; and, being at Anchor, they got ready to get under Sail; which having done, and the two Sloops coming near, and shewing no Colours, Captain *Rowling* fired at them; whereupon one of the Sloops hoisted a black Flag, and the other

other a red Flag, and fired Three Guns each at Rowling's Sloop; which Sloop, thereupon, immediately struck; and Robert Deal (the Prisoner at the Bar) from one of the Two Sloops, called to them to bring their Boat on board; upon which Captain Rowling went into the Boat, intending to go on board the Sloop, from whence Robert Deal (the Prisoner at the Bar) called, but was ordered by the said Deal to go on board the other Sloop; which he accordingly did, one Vane being Commander of her; and the said Deal (the Prisoner at the Bar) commanded the other Sloop, That after they were taken, the two Pirate Sloops, with Rowling's Sloop, their Prize, went to the Island of Bernacko, where the Deponent was several times on board Deal's Sloop; That Deal (the Prisoner at the Bar) acted as Master, and took another Sloop during the Time the Deponent was Prisoner on Board him, one Capt. Wallden Commander, from Jamaica, going down to the Bay.

After the aforesaid Witnesses had severally been examined, His Excellency the President, asked the Prisoner at the Bar, if he had any Defence to make, or any Witnesses to be sworn and examined on his behalf; or if he would have any of the Witnesses, who had been already sworn against him, cross-examined; that if he would, he should propose and declare to the Court what Questions he would have asked? and that if he had any, the Court, or himself, would interrogate them? Whereto he answer'd, That he had no Witnesses in this Island, That he had the King's Pardon from the Governor of Providence, but that the same had been taken from him, and torn in Pieces by the Pirates; That what the Witnesses had sworn against him was false.

Then the Prisoner was taken away from the Bar, and put into safe Custody; and all the Standers by withdrew from the Court, except the Register.

Afterwards His Excellency the President, and Commissioners, then sitting, took the Evidence which had been given against the Prisoner into Consideration; and having maturely, and deliberately, considered thereof, and of the Circumstances of the Prisoners Case, all the Commissioners then sitting; and his Excellency the President, unanimously agreed, That Robert Deal, was Guilty, of the Piracies, Robberies, and Felonies, charged against him in the aforesaid Articles.

Then the Prisoner before-named was brought back to the Bar, and His Excellency the President, acquainted him, That the Court had unanimously found him Guilty of the Piracies, Robberies, and Felonies, charged against him in the aforesaid Articles, which had been Exhibited against him, by the Register.

And he, being asked, Whether he had any Thing to say, or offer, Why Sentence of Death should not pass upon him, for his said Offences? And he, not offering any Thing material, His Excellency the President, pronounced Sentence of Death upon him in the Words following, viz.

TO YOU Robert Deal, are to go from hence to the Place from whence you came, and from thence to the Place of Execution; where you, are to be hang'd by the Neck, 'till you are Dead.

And GOD of His infinite Mercy be merciful to your Soul.

Then the Court adjourn'd 'till to morrow Morning Eight of the Clock.

Shortly after the said Robert Deal was Executed, at Gallows-Point, at Port-Royal.

St. Jago de la Vega,
Thursday, January the 19th, 1720.

The COURT met according to Adjournment.
Court called, by making Proclamation Three several Times.

P R E S E N T,
His Excellency Sir Nicholas Lawes Knight,
P R E S I D E N T.

<i>Thomas Bernard</i>	{ Esqrs.	<i>William Nedham</i>
<i>Edward Pennant</i>		<i>Robert Baillie</i>
<i>John Gregory</i>		<i>Giles Diston,</i>

The President and Commissioners being duly sworn:

The Prisoners, *John Whitcomb*, *Robert Sparkes*, *William Mething*, and *William Thorpe*, were brought to the Bar; and were told by the Register to hearken to their Charge; which he read to them, in the Words following, viz.

Jamaica ss.

ARTICLES Exhibited at a Court of Admiralty, held at the Town of St. Jago de la Vega in the Island of Jamaica aforesaid, on Thursday the 19th Day of January, in the Seventh Year of the Reign of Our Sovereign Lord George, by the Grace of God, of Great Britain, France and Ireland, King, and of Jamaica Lord, Defender of the Faith, &c. By virtue of a Commission, from His said Majesty King George, under the Great Seal of Great Britain, bearing Date, the Third Day of April, in the Fourth Year of His said Majesty's Reign, issued pursuant to an Act of Parliament, made in Great Britain in the Eleventh Year of the Reign of our late Sovereign Lord King William III. (and since made perpetual) Entituled, [*An Act for the more Effectual suppression of Piracy*] for the trying, hearing, determining, and adjudging, of all Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals, of Our said Sovereign Lord the King, hath, or have, Power, Authority, or Jurisdiction, before His Excellency Sir Nicholas Lawes, Knt. Capt. General, and Governor in Chief, of Our said Lord King George, in and over this His said Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same, &c. And others, Commissioners appointed, in and by the said Commission, by *William Norris* Esq; Register of the said Court, duly appointed and sworn, against *John Whitcomb*, and *Robert Sparkes*, late of the City of Corke, in the Kingdom of Ireland Mariners; and also against *William Mething*, and *William Thorpe*, late of the City of Bristol, in the Kingdom of Great Britain, Mariners, for Consulting, Combining, and Confederating together, and to and with divers other Per-

Persons, (whose Names to the Register aforesaid are unknown) to run away with, and to make a Revolt in, a certain Ship or Vessel, called the *Abington*, on the High Seas, and within the Jurisdiction of this Court, viz.

I. That they, the said *John Whitcomb*, *Robert Sparkes*, *William Metting*, and *William Thorpe*, and every one of them, on the Eighth Day of July, in the Sixth Year of the Reign of Our said Sovereign Lord the King, that now is, upon the high Sea, near the Coast of *Guinea*, in *Africa*, in the aforesaid Ship or Vessel, called the *Abington*, then, and now belonging, to the Port of *Bristol*, in the Kingdom of *Great Britain* aforesaid, (whereof *John Smith* then was, and still is Commander) then being, and then bound on a Trading Voyage for Negroe Slaves, to the Coast of *Old Callabar*, in *Africa*, aforesaid, did feloniously and Piratically, consult, combine, and confederate together, and to, and with, divers other Persons (whose Names to the Register aforesaid are unknown) To run away with the said Ship, called the *Abington*, and the Goods, Wares, and Merchandizes in her then being.

II. That they, the said *John Whitcomb*, *Robert Sparkes*, *William Metting*, and *William Thorpe*, and every one of them, on the Eighth Day of July, in the sixth Year of the Reign of our said Sovereign Lord the King, that now is, upon the high Sea, near the Coast of *Guinea*, in *Africa*, in the aforesaid Ship or Vessel, called the *Abington*, then, and now, belonging to the Port of *Bristol*, in the Kingdom of *Great Britain*, aforesaid (whereof one *John Smith* then was, and still is, Commander) then being; and then bound on a Trading Voyage, for Negroe Slaves, to the Coast of *Old Callabar* aforesaid, did feloniously, and piratically, consult, combine, and confederate together, and to, and with, divers other Persons, (whose Names to the Register aforesaid are unknown) to turn Pirates.

III. That they, the said *John Whitcomb*, *Robert Sparkes*, *William Metting*, and *William Thorpe*, and every one of them, on the Eighth Day of July, in the sixth Year of the Reign of our said Sovereign Lord the King, that now is, upon the high Sea, near the Coast of *Guinea*, in *Africa*, in the aforesaid Ship or Vessel, called the *Abington*, then and now belonging to the Port of *Bristol*, in the Kingdom of *Great Britain* aforesaid, (whereof one *John Smith* then was, and still is, Commander) then being; and then being bound on a Trading Voyage for Negroe Slaves, to the Coast of *Old Callabar*, in *Africa* aforesaid; did attempt, and endeavour, to corrupt, *John Panick*, *Hugh Roberts*, and *Thomas Byam*, being then Mariners on Board of, and belonging to, the said Ship, to run away with the said Ship; and the Goods, Wares and Merchandizes in her being.

IV. That they, the said *John Whitcomb*, *Robert Sparkes*, *William Metting*, and *William Thorpe*, and every one of them, on the Eighth Day of July, in the sixth Year of the Reign of Our said Sovereign Lord the King, that now is, upon the High Sea, near the Coast of *Guinea*, in *Africa*, in the aforesaid Ship or Vessel, called the *Abington*, then and now belonging to the Port of *Bristol*, in the Kingdom of *Great Britain* aforesaid (whereof one *John Smith* then was, and still is, Commander) then being; and then bound on a Trading Voyage for Negroe Slaves, to the Coast of *Old Callabar*, in *Africa* aforesaid, did endeavour to make a Revolt, in the said Ship.

William Norris, Reg'.

'After the Articles were read, the Prisoners were severally asked, Whether they were Guilty? or not Guilty?

Whereto they all of them pleaded, not Guilty:

Then

Then the Witnesses were called (by the Register) to prove the Articles, and Charge, against them; Who, being duly sworn, were examined by His Excellency the President, and the Court, in the Presence, and Hearing of the Prisoners, and depos'd as follows, viz.

Joseph Bicknor, third Mate of the Ship Abington, John Smith Commander, deposed, That on Thursday the 30th Day of June last past, being on the Coast of Guinea in the Ship Abington, Capt. John Smith Commander, in 3 Deg. 8 Min. North Latitude, and bound for old Callabar for Negroe Slaves; the Main-top-sail wanting to be mended, the Deponent was directed to do it, and going up to the main Top, in order thereto, he there found, John Whitcomb, and Robert Sparkes, Mariners, belonging to the said Ship, and having asked them what they were doing there, they both answered, that they were just come up before him, in order to help him, for they had something to say to him, That after he was settled to his work, Robert Sparkes asked him, whereabouts he reckon'd the Ship to be, and how long he thought it might be, before we should get to Callabar, if ever we did. The Deponent answered it was uncertain, but hoped to be there in a little time; John Whitcomb replied, damn Callabar, for he did not care if she never got thither, Then Robert Sparkes said, he believed that he could make the Ship to go much better than she did; he asked how? Robert Sparkes said, by Ripping off the upper Deck, and then she would be a Ship fit for business; that he answered, he did not know but that she might, and asked Robert Sparkes, what business he meant; That Robert Sparkes asked him, if he could be trusted with a Secret, and whether he would be true to them; That he asked Sparkes and Whitcomb what Secret it was? That he would be true, and desired them to proceed in their Discourse; Sparkes then said, she would make a good Pirate Ship, for he believed, that she would be stiffer and go better; for that they had better be dead than live in Misery, that they only waited for his Consent, that they had appointed him their Captain, and that they all would obey his Command, That he, hearing this, and being surprized, pawzed a little, and then asked them, who was concern'd with them; they both asked him again, if he would certainly be true to them, in what had been proposed, That if he would, they would name their Gang, that all Things were done, and contrived a'ready, save on'y his Consent, That he answer'd them, he would be true; whereupon they both bid him to give them his Hand, and swear to be true to them, else they would cut him to Peices, for that they would not be baulked of their Design, since that they had given their Hands, and Oaths, to the first Proposers, who were Junes Oglesby, and William Mething; That he answered them, Gentlemen, since that you are so resolute, save my Life, and I must be at your Command, at which they demanded his Hand again, which he gave them, then they smiled, and said, all was now well, and that according to Agreement, he should be Captain in less than Twenty four Hours, for that they had got nine, or ten, who had consented, and five or six more, whom they would make consent, when the time came; That they had the stoutest Men in the Ship, namely, James Oglesby, William Mething, Hugh Roberts, John Fenwick, alias Old Dad the Cooper, William Davis, John Aspinwall, and themselves; That he asked them, if those were all; Whitcome reply'd, it had been propos'd to Thomas Byam, and one more, but that they were afraid to trust them, that they were enough; that they themselves, (Sparkes and Whitcomb) would be Two of the six, upon Occasion, to perform the Work, and that Two of the Clock, that same Night, was the Time proposed (if he thought fit) when the Chief Mate was heaving the Log, first to secure him easily, else, toss him over-board, That Whitcomb said, that he and the Cooper, would seize the great Cabbin, there being no more Arms than four Pistols, which they would secure, and then secure the Captain and Doctor, whilst the others, should secure the second Mate, Boatswain, Carpenter, and Gunner; and as for the rest, they would soon yield themselves, and consent, To which he answered, That it would be pity to murder any Body, that it was a very great sin, and heinous Crime; That Whitcomb reply'd, it was much better to Murder, when they had once begun, than not to go through with it; That Sparkes said, there would be no Occasion of committing Murder, That he would be very honourable to the Captain, and that it would be the best way, to put them ashore, who would not condescend to go with them, except the Carpenter, and his Mate, and the Surgeon, who would be very useful especially the Carpenter, to rip up the upper Deck, and fit the Ship; and asked him, where he thought proper to carry her; he said he could not tell, but upon second Thoughts, (for his own safety, and the benefit of the Owners) he said, to Guinea; Sparkes answered, That would not do, that they had laid a better Scheme, for that they

they had agreed to go to the Isle of May; Whitcomb said, that would do best, for that they could get Men, and Guns, and all other Necessaries, out of the Ships, which usually came thither, and that if any Ship of Force was there, he could Pilot the Ship to a very good Island, where no Ships came; and as for Provisions, and Liquors, they had enough, in their own Ship, to last them Nine Months: And further, as to the Great Enterprise at Two a Clock, the following Night, Sparkes and Whitcomb said, that the Cooper had proposed to steal the Key of the Arm-Chest from his Mess-mate, the Gunner, and so easily convey Guns, Pistols, Cutlasses, and Ammunition, to the Main-hatch-way, for that he had the Keys of all the Hold; and in case the Captain did not serve the Ships Company with Brandy, he would give every one concern'd a small Case-Bottle of Spirits, out of the Ships Cargo, to put in their Pockets: Whitcomb and Sparkes further said, that if he (the Deponent) was afraid, of the Fidelity of the Cooper, and the rest, they would acquaint them that they had imparted the Secret to him, and that they should speak to him about it, and desir'd him to draw the Contents of a Round-Robin, and they would all sign it; That he told them he could not do it, they had better do it themselves; That Oglesby could write better than he, and that he did not know the Nature of such a thing, having never seen any; And then their Discourse ended in the Main-top; and he having finish'd his Work, went down upon the Deck, That a little Time after, he being at Dinner with James Oglesby, and William Mething, (who were both his Mess-Mates) they both asked him, if Sparkes and Whitcomb had laid any thing to him in the Top, he answered, that he could not tell, whereupon Mething left off eating, and went away; Oglesby, then asked him, what made him so strange, for that they all knew what Sparkes and Whitcomb, had said to him in the Main-top, and of his giving them his Hand, to go their Commander, which was all they waited for, and bid him welcome, for that now they would soon make an End of the business, if he thought fit; Of the time proposed: That he answered no, that it would be better to defer it a Night or two longer, Oglesby replied, he believed it would, and that Saturday Night, would be a good time, for then they would be merry with drinking, and then desired him to draw a Round-Robin, and that they would all sign it, That he told him he did not know how; Oglesby then said, he would do it himself, which he agreed to, and told Oglesby, to get them all to sign it, and give it to him, and then their Discourse ended. That afterwards, he, (the Deponeat) was very uneasy in his Mind, 'till he had discovered this matter; and being desirous to know the bottom of their Design, especially the Cooper's, he went to Oglesby and asked him, if he thought the Cooper, and the rest were true, Oglesby said yes, he was sure of their being true, and that they wou'd spend their dearest Blood, for each other; and as for those blows, which he had formerly received, they were but lnt; And for those Threats, which he had received from the Boatswain, he would requite them with a Ball through his Body: Then came William Mething to them, and said Damn his Blood, if he had not now his Revenge on those Dogs, and then they both went away. That in the Afternoon, of the same Day, the Captain spared (them that wanted,) Brandy, and about Eight a Cock at Night, he (the Deponent) begged a little Sugar, from the Doctor, and made a Can of Philip, and sent for the Cooper, who presently came, and William Mething with him, and asked if they should send for James Oglesby, he told them there was no occasion, for that he had talk'd with them all already; then the Cooper said, I understand that you are willing, and think it proper to stay 'till Saturday Night, and we are all of the same Opinion, for by that time I will get Pistols, Cutlasses, and Ammunition, to the Main-hatch-way and shall also have an Opportunity, to get the Key of the Arm Chest, and that on Saturday Night he would (if possible) make the Boatswain drunk, That Mething said, they would keep him sometime for a Sacrifice, naming the Boatswain; That the Cooper said, don't you fear, for I will play my part, for I and Whitcomb will seize the great Cabbin; where there will only be the Doctor, and Captain, and if they made any Noise, they would shoot the Captain through the Breast, with one of the Pistols that was there, That he then asked them, what bold Fellow it was, who first proposed it, the Cooper answered, it was Oglesby and Mething, then Mething said, Damn it, it was better to be hanged, than live so; That then they went away, and at twelve a Clock the same Night, he (the Deponent) acquainted the Chief Mate, with the whole Matter, and desired him immediately, to disclose it to the Captain, wh.ch he did, so the Design was prevented.

Captain John Smith, Commander of the Ship Abington, deposed, That his first Mate having told him one Night, what Bicknor had informed him, of some of the Men's Design to run away with the Ship, (as Bicknor had sworn before) the next Morning he put the Prisoners at the Bar, (with some others of his Men) in Irons, where he kept

kept them several Days, That after he came to Kingston in Jamaica, the Prisoners at the Bar, were not under any Confinement, but staid on Board Fourteen Days, did their work on Board, as the other Men, and afterwards went ashore.

Thomas Byam Mariner, one of the said Ships Crew, deposed, That John Whitcomb asked him, if he would put his Hand to a Paper to run away with the Ship, and be true to them, which he refused.

Hugh Roberts Mariner, another of the said Ships Crew, deposed, That Robert Sparkes, called him aside, and told him, there was a talk amongst them, of running away with the Ship; and asked him, what he thought of it, that he answered, he would wash his Hands of it, and advised Sparkes to do the same, which he said he would do.

John Panick Mariner, another of the laid Ships Crew, deposed, That he, being with William Thorp, on board (or taking) Thorp asked him, that if they could get Hands to run away with the Ship, whether he would not join with them? And further said, that he would steal the Key from the Gunner, when he was asleep, and get the Arms and Powder forward, That he answered he would have nothing to do with it.

William Hutchins, Mariner, first Mate of the said Ship, deposed, That presently after Bicknor had told him of part of the Ship's Crews Design of running away with the Ship; he acquainted the Captain, who caused the Prisoners at the Bar to be put in Irons for several Days, with others of the Crew, That the Prisoners at the Bar were several times sick, and when they were well, they worked on Board with the rest of the Crew.

Then the Prisoners were asked, what they had to say for themselves? Whether they, or any of them had any Witnesses to produce in their Favour? Whether they would have any Questions asked the Witnesses, who had already given Evidence against them? they answer'd, That they had no Witnesses; That they, nor any of them, ever saw the Round-Robbin, nor ever signed any, and desired that Captain Smith might be asked, Whether he knew, or believed they did? And a blank Round-Robbin, being produced in Court, drawn by one of the Ship's Crew, who is since dead, and found amongst his Papers, and shewn to the Captain; who declared, That he believed the Prisoners at the Bar, nor any of them, had ever seen it; they further said, That they had done their Duty on Board all the Voyage, That they never designed any Attempt, That they worked on Board Thirteen or Fourteen Days after they came to Kingston, in Jamaica; That they were several Days ashore, and might have run away if they had thought that they were Guilty; and that they should never have been tried for this Crime, if they hadn't asked the Captain for their Wages; upon which he sent them to Goal.

The Captain was afterwards severely reprimanded by His Excellency the President, and the Court, for suffering the Prisoners to go at large, and his Negligence and Delay in prosecuting them.

And then the Prisoners were taken away, and all the Persons present withdrew, except the Register.

Then the Court took the Evidence which had been given against the Prisoners into Consideration; and after some Debate thereupon, they were all of Opinion, That John Whitcomb, and William Thorp, were Guilty; and that William Mething, and Robert Sparkes, were not Guilty.

Then the Court ordered the Prisoners back again to the Bar, and John Whitcomb, and William Thorp, were told by the President, That the Court had found them guilty of the Charge laid against them in the Articles; And asked them, Whether they had any Thing to say, Why Sentence of Death should not pass against them? And they, having nothing to say (save only that they were innocent) the President, proceeded to pronounce the usual Sentence viz.

That they should go to the Place from whence they came, and from thence to the Place of Execution; where they were to be hanged by the Neck, 'till they were both Dead; And the Lord have Mercy on their Souls.

Then

Then William Mething, and Robert Sparkes, were told by His Excellency the President, That the Court had found them not Guilty (for want of full Evidence only) and Admonished them to take Warning, and have a Care of such Evil Practices for the Time to come.

Then the Court adjourn'd 'till Tuesday Morning next, at St. Jago de la Vega.

St. Jago de la Vega,

Tuesday, January the 24th, 1720.

The COURT met according to Adjournment.

Court called, by making Proclamation Three several Times.

P R E S E N T,

His Excellency Sir Nicholas Lawes Knight,
P R E S I D E N T.

<i>Thomas Bernard</i> <i>James Archbould</i> <i>John Sadler</i> <i>Ezekiel Gomersall</i> <i>John Gregory</i>	<i>Esq^{rs}.</i>	<i>William Nedham</i> <i>Ch. Chamberlain</i> <i>Richard Mill</i> <i>Robert Raillie</i> <i>Giles Diston,</i>	<i>Esq^{rs}.</i>
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The President and Commissioners being duly sworn:

The Prisoners, John Eaton, Edward Warner, Thomas Baker, Thomas Quick, John Cole, Benjamin Palmer, Walter Rouse, John Hanlon, and John Howard, were brought to the Bar; and were told by the Register to hearken to their Charge; which he read to them, in the Words following, viz.

Jamaica ff.

ARTICLES Exhibited at a Court of Admiralty, held at the Town of St. Jago de la Vega in the said Island, the Twenty fourth Day of January, in the Seventh Year of the Reign of Our Sovereign Lord George, by the Grace of God, of Great Britain, France and Ireland, King, and of Jamaica Lord, Defender of the Faith, &c. By virtue of a Commission, from His Majesty King George, under the Great Seal of Great Britain, bearing Date, the Third Day of April, in the Fourth Year of His said Majesty's Reign, issued pursuant to an Act of Parliament, made in Great Britain in the Eleventh Year of the Reign of our late Sovereign Lord King William III. (and since made perpetual) Entituled, [An Act for the more Effectual suppression of Piracy] for the trying, hearing, determining, and adjudging, of all Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals, of Our

Our said Sovereign Lord the King, hath, or have, Power, Authority, or Jurisdiction, before His Excellency Sir Nicholas Lawes, Knt. Capt. General, and Governor in Chief, of Our said Lord King George, in and over this His said Majesty's Island of *Jamaica*, and the Territories thereon depending in *America*, Chancellor and Vice-Admiral of the same, &c. And others, Commissioners appointed, in and by the said Commission, by *William Norris* Esq; Register of the said Court, duly appointed and sworn, against *John Eaton*, *Edward Warner*, *Thomas Baker*, *Thomas Quick*, *John Cole*, *Benjamin Palmer*, *Walter Rouse*, *John Hanson*, and *John Howard*, all late of the Parish of *Port-Royal*, in the said Island of *Jamaica*, Mariners; for Piracy, and Felony, by them committed, on the High Sea, and within the Jurisdiction of this Court, viz.

That they, the said *John Eaton*, *Edward Warner*, *Thomas Baker*, *Thomas Quick*, *John Cole*, *Benjamin Palmer*, *Walter Rouse*, *John Hanson*, and *John Howard*, and every one of them, in a certain Pettiauger or Vessel (of an unknown Name) being, on the 22d Day of October, in the seventh Year of the Reign of our said Sovereign Lord the King, that now is, upon the high Sea, in a certain Place, distant about one League from *Negril-Point*, in the Island of *Jamaica*, in *America*, and within the Jurisdiction of this Court; did piratically and feloniously, go over to, *John Rackam*, *George Fetherston*, *Richard Corner*, *John Davies*, *John Howell*, *Patrick Carty*, *Thomas Earl*, *Noah Harwood*, and *James Dobbin*, then notorious Pirates, and then known by the said *John Eaton*, *Edward Warner*, *Thomas Baker*, *Thomas Quick*, *John Cole*, *Benjamin Palmer*, *Walter Rouse*, *John Hanson*, and *John Howard*, to be Pirates and Robbers, which said *John Rackam*, *George Fetherston*, *Richard Corner*, *John Davies*, *John Howell*, *Patrick Carty*, *Thomas Earl*, *Noah Harwood*, and *James Dobbin*, had been Guilty, of several Piracies, Felonies, and Robberies by them committed, on the High Sea, and particularly, of the piratical and felonious stealing, and taking, of a certain Sloop, or Vessel, called the *Mary*, whereof *Thomas Dillon* Mariner, then was Master; being a Sloop of certain Persons (to the Register aforesaid unknown) with the Apparel and Tackle of the same Sloop, of the Value of Three hundred Pounds, of Current Money of *Jamaica*, for which said Piracy, Felony, and Robbery, they, the said *John Rackam*, *George Fetherston*, *Richard Corner*, *John Davies*, *John Howell*, *Patrick Carty*, *Thomas Earl*, *Noah Harwood*, and *James Dobbin*, have lately been Tried, Condemn'd, and Executed.

William Norris, Reg'.

After the Articles were read, the Prisoners were severally asked, Whether they were Guilty? or not Guilty?

Whereto they all of them pleaded, not Guilty.

Then the Witnesses were called (by the Register) to prove the Articles, and Charge, against them; Who, being duly sworn, were examined by His Excellency the President, and the Court, in the Presence, and Hearing of the Prisoners, and depos'd as followeth, viz.

Mr. Justin Maccarty, and *Mr. John Bonfield*, were first sworn Interpreters.

John Besneek (a French Man) deposed, That *John Rackam*, the Pirate, sent his Canoa ashore at *Negril-point*, and that the Prisoners at the Bar came in her, on board Captain Rackam's Pirate Sloop, That they brought Guns, and Cutlasses, on board with them: That they drank together with the Pirates Crew, That when Captain *Barnet* chased them, some were Drinking, and

and others Walking the Deck: That there was a great Gun, and a small Arm fired by the Pirate Sloop, at Captain *Barnet's* Sloop, when he chased them; and that when Captain *Barnet's* Sloop fired at *Rackam's* Sloop, the Prisoners at the Bar went down under Deck; That during the Time Captain *Barnet* chased them, some of the Prisoners at the Bar (but which of them he could not tell) helped to row the Sloop, in order to escape from *Barnet*, That they all seemed to be consorted together.

Peter Cornelius (another French-man) deposed the same, or to the like Effect, as *Befinek*.

Then the Prisoners were asked, what they had to say for themselves? Whether they, or any of them, had any Witnesses to produce in their Favour? Whether they, or any of them, would have any Questions asked the Witnesses, who had already given Evidence against them?

John Eaton answered for himself, and the rest of the Prisoners at the Bar; That they had no Witnesses, That they had bought a Pettiauger, in order to go a Turtleing; and being at *Negril-point*, and just got ashore, they saw a Sloop with a white Pendant, coming towards them; upon which they took their Arms, and hid themselves in the Bushes; That one of the Prisoners, afterwards, hailed the Sloop, who answer'd, They were Englishmen, and desired them all to come on Board, and drink a Bowl of Punch; which they at first refused, but afterwards, with much Perswasion, they went on Board in the Sloops Canoe, and left their own Pettiauger at Anchor; That they had been but a short Time on Board when Capt. *Barnet's* Sloop heaved in Sight; That *Rackam* ordered the Prisoners at the Bar to help to weigh the Sloops Anchor immediately, which they all refus'd; That *Rackam* used violent Means to oblige them; and that when Captain *Barnet* came up with them, they all readily and willingly surrendered themselves.

Then the Prisoners were taken from the Bar, and the Persons present being withdrawn, the Court took into Consideration the Prisoners Case, and the Evidence which had been given against them; and after reading the aforesaid Act of Parliament, and debating the whole Matter for some Time, the major part of the Commissioners were of Opinion, That the aforesaid *John Eaton*, *Edward Warner*, *Thomas Baker*, *Thomas Quick*, *John Cole*, *Benjamin Palmer*, *Walter Rose*, *John Hanson*, and *John Howard*, were all of them Guilty, of the Piracy and Felony charged against them in the said Articles.

Then the Court ordered the Prisoners back again to the Bar, and were told by the President, That the Court had found them guilty of the Charge laid against them in the Articles; And asked them, Whether they, or any of them, had any Thing to say, Why Sentence of Death should not pass against them? And they, having nothing to say (save only that they were innocent) the President proceeded to pronounce the usual Sentence, viz.

That they, and every of them, should go to the Place from whence they came, and from thence to the Place of Execution; where they, and every of them, were to be hanged by the Neck, 'till they were severally Dead; And the Lord have Mercy upon their Souls.

Then the Court adjourn'd 'till Friday, the Tenth Day of March next, at St. Jago de la Vega.

On Friday the 17th of February, 1720. *John Eaton*, *Thomas Quick*, and *Thomas Baker*, were Executed at Gallows-Point at Port-Royal: And the next Day, *John Cole*, *John Howard*, and *Benjamin Palmer*, were Executed at Kingston.



St. Jago de la Vega,
Friday, March the 10th, 1720.

The COURT met according to Adjournment.
Court called, by making Proclamation Three several Times:

P R E S E N T,
His Excellency Sir Nicholas Lawes Knight,
PRESIDENT.

<i>Thomas Bernard</i>	Esqrs.	<i>William Nedham</i>
<i>James Archbould</i>		<i>Edward Vernon</i>
<i>Ezekiel Gomersall</i>		<i>Digby Dent</i>
<i>William Pusey</i>		<i>Richard Mill</i>
		<i>Robert Baillie</i>

The President and Commissioners being duly sworn: Proclamation was made, for all Persons, That could inform the Court of any Piracies, Felonies, or Robberies committed, That they should come forth, and they should be heard. Then Robert Hudlon was brought to the Bar; and was told by the Register to listen to the Charge which he was then going to read against him, which was in the Words following, viz.

Jamaica fl.

ARTICLES Exhibited at a Court of Admiralty, held at the Town of St. Jago de la Vega, in the Island of Jamaica aforesaid, on Friday the Tenth Day of March, in the Seventh Year of the Reign of Our Sovereign Lord George, by the Grace of God, of Great Britain, France and Ireland, King, and of Jamaica Lord, Defender of the Faith, &c. By virtue of a Commission, from His said Majesty King George, under the Great Seal of Great Britain, bearing Date, the Third Day of April, in the Fourth Year of His said Majesty's Reign, issued pursuant to an Act of Parliament, made in Great Britain in the Eleventh Year of the Reign of our late Sovereign Lord King William III. (and since made perpetual) Entituled, [*An Act for the more Effectual suppression of Piracy*] for the trying, hearing, determining, and adjudging, of all Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals, of Our said Sovereign Lord the King, hath, or have, Power, Authority, or Jurisdiction, before His Excellency Sir Nicholas Lawes, Knt. Capt. General, and Governor in Chief, of Our said Lord King George, in and over this His said Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same, &c. And others, Commissioners appointed, in and by the said Commission, by *William Norris* Esq; Register of the said Court, duly appointed and sworn, against *Robert Hudlon*, late of the Town and Parish of Port-Royal, in the Island of Jamaica aforesaid, Mariner; and one

one of the Crew, who lately belonged to a certain Pirate Sloop or Vessel, (of an unknown Name) then commanded by one *Charles Vane*, a notorious Pirate, for Piracy, Felony, and Robbery, committed by him, on the High Sea, and within the Jurisdiction of this Court.

That he, the said Robert Hudson, on the Twenty ninth Day of March, in the Year of Our Lord, One thousand Seven hundred and Eighteen, in the Fifth Year of the Reign of our said Sovereign Lord the King, that now is, upon the high Sea, in a certain Sloop or Vessel (of an unknown Name) then being, commanded by one *Charles Vane*, a notorious Pirate, did feloniously and wickedly, consult, and agree with the said *Charles Vane*, and divers other notorious Pirates, then on Board the said Sloop, (whose Names to the Register aforesaid are unknown) to rob, plunder, and take, all such Persons, as well Subjects of Our said Lord the King, that now is, as others, in Peace and Amity with his said Majesty, which he the said *Robert Hudson*, and the aforesaid Pirates, should meet with, on the high Sea ; and the said *Robert Hudson*, in Execution of his Evil Designs, afterwards, *to wit*, on the said Twenty ninth Day of March, in the Year aforesaid, with Force and Arms, &c. upon the High Sea, in a certain Place, distant about Two Leagues from *Abbaco*, in *America*, and within the Jurisdiction of this Court ; did piratically and feloniously, and in an hostile manner, attack, shoot at, and take, a certain Sloop or Vessel, called the *John and Elizabeth*, with several Hundred Spanish Pieces of Eight, and divers Goods and Merchandizes on board her, whereof one Benjamin Bill was Master, going from St. Augustine, to the Island of Providence, in America, then being, a Sloop or Vessel, of certain Persons, Subjects of our said Lord the King that now is, (to the Register aforesaid unknown) and then, and there Piratically, feloniously, and in an Hostile manner, did make an Assault in, and upon, the said Benjamin Bill, and certain other Mariners, and Persons, (whose Names to the Register aforesaid are unknown) in the same Sloop, in the Peace of God, and of our said Lord the King, then and there being, and then and there, piratically, and feloniously, did put the said *Benjamin Bill*, and other the Mariners, and Persons, of the said Sloop, in the Sloop aforesaid, called the *John and Elizabeth*, then being, in Corporal Fear of their Lives ; and then and there, piratically and feloniously, did steal, take, and carry away, the said Sloop, with her Lading, Tackle, Furniture and Apparel, of the Value of One Thousand Pounds, of Current Money of *Jamaica*, against the Peace of Our Sovereign Lord the King, his Crown and Dignity.

Not Guilty.

William Norris, Reg'.

After the Articles were read, the Prisoner was asked, Whether he was Guilty ? Or not Guilty ?

Whereto he pleaded, *Not Guilty*.

Then the Witnesses were called (by the Register) to prove the said Article, and Charge against him ; Who, being duly sworn, was examined by His Excellency the President, and the Court, in the presence and hearing of the Prisoner ; And deposed as followeth, *viz.*

Alexander Gilmore (a Mariner, belonging to His Majesty's Ship *Phoenix*, Captain Vincent Pearce Commander) deposed ; That on or about the Twentyninth Day of March, in the Year of our Lord, One Thousand Seven Hundred and Eighteen, being then a Mariner, on Board of a Sloop called the *John and Elizabeth*, whereof one Benjamin Bill was then Master, going from St. Augustine, to the Island of Providence in America ; the said Sloop was taken by Two Sloops, both commanded by one *Charles Vane*, a Notorious Pirate, and his Gang, together with several hundred Pieces of Eight, and other Goods and Merchandizes which they had then on Board : That

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Robert Hudson, the Prisoner at the Bar, (who had some time before deserted from His Majesty's Ship *Phoenix*) was then on Board the smallest of the said Two Sloops, who was Vane's Consort: That the next Morning, after they were taken, Robert Hudson, the Prisoner at the Bar, went on Board the said Sloop John and Elizabeth, and acted as one of Charles Vane's Gang, in carrying her down to the East-end of Providence Harbour, That in their Passage, the Prisoner at the Bar cocked his Piece at the Deponent, and said, Damn your Blood, I'll kill you, for sending me on the Main-Yard in the Storm; That Charles Vane interposed, and prevented him at that time, and protected him afterwards, during his stay on Board: That Hudson had his share of the Plunder, with the said Pirates.

Ricca d' Liscomb and David Clarke, Two other Mariners, belonging to His said Majesty's Ship *Phoenix*) deposed the same, or to the like Effect as Alexander Gilmore.

Then the Prisoner was asked, What he had to say for himself, Whether he had any Witnesses to produce in his Favour; Whether he would have any Questions asked the Witnesses, who had already given Evidence against him? and he answering, That he had no Witnesses, nor any Questions to ask, that were material,

The Court ordered the Prisoner to be taken from the Bar, and the Persons present being withdrawn, the Court took into Consideration the Prisoner, Case, and the Evidence which had been given against him, and were unanimously of Opinion, That he, the said Robert Hudson, was Guilty, of the Piracy, Felony, and Robbery, charged against him in the said Article.

Then the Court ordered the Prisoner back again to the Bar; who was told by the President, That the Court had unanimously found him Guilty of the Charge laid against him in the said Article; and asked him, Whether he had any Thing to say, Why Sentence of Death should not pass against him, and he having nothing material, the President proceeded to pronounce the usual Sentence, *viz.*

That he should go to the Place from whence he came, and from thence to the Place of Execution; where he was to be hang'd by the Neck, 'till he was Dead; and the Lord have Mercy upon his Soul.

Then the Court adjourn'd 'till Monday, the First Day, May next, at St Jago de la Vega.

St. Jago de la Vega, Wednesday, March 22. 1720.

*At a Court of Admiralty, held this Day, before His Excellency Sir Nicholas Lawes, Knight,
P R E S I D E N T.*

<i>James Archbould,</i>	<i>Richard Mill,</i>
<i>Edward Vernon,</i>	<i>Robert Baillie,</i>
<i>Digby Dent,</i>	<i>Giles Diston,</i>

Commissioners named, and appointed, in His Majesty's Commission for the trying of Pirates.

Proclamation having been made for Silence; The King's Commission was openly read, and new publish'd.

Then the Court was solemnly and publickly called, and proclaimed.

Then His Excellency Sir Nicholas Lawes Knt. President of the said Court, publickly, in open Court, took the Oath directed (for him to be taken) in the said Act.

Then His Excellency Administred the same Oath, to the Honourable the Commissioners before-named, then sitting.

Then

Then the Cryer made Proclamation, for all Persons who could inform the Court, of any Piracies, Felonies, and Robberies, committed in or upon the Sea; or in any Harbour, Creek, or Place, where the Admiral, or Admirals, of Our Sovereign Lord the King, hath, or have, any Power, Authority, or Jurisdiction, that they should come forth, and they should be heard.

Then the Marshal brought his Prisoner, Charles Vane, to the Bar; who was told by the Register to hearken to the Articles, and Charge, which he was then going to read against him; which he read in the Words following, *Viz.*

Jamaica *ff.*

A R T I C L E S Exhibited at a Court of Admiralty, held at the Town of St. Jago de la Vega, in the Island of Jamaica aforesaid, on Wednesday the 2d Day of March, in the Seventh Year of the Reign of Our Sovereign Lord George, by the Grace of God, of Great Britain, France and Ireland, King, and of Jamaica Lord, Defender of the Faith, &c. By virtue of a Commission, from His said Majesty King George, under the Great Seal of Great-Brittain, bearing Date, the Third Day of April, in the Fourth Year of His said Majesty's Reign, issued pursuant to an Act of Parliament, in Great Britain, made in the Eleventh Year of the Reign of our late Sovereign Lord King William III. (and since made perpetual) Entituled, [An Act for the more effectual suppression of Piracy] for the trying, hearing, determining, and adjudging, of all Piracies, Felonies, and Robberies, committed in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals, of Our said Sovereign Lord the King, hath, or have, Power, Authority, or Jurisdiction, before His Excellency Sir Nicholas Lawes, Knt. Capt. General, and Governour in Chief, of Our said Lord King Geo. ge, in and over this His said Majelty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same, &c. And others, Commissioners appointed, in and by the said Commission, by William Norris Esq; Register of the said Court, duly appointed and sworn, against Charles Vane, late of the Town and Parish of Port-Royal, in the Island of Jamaica aforesaid, Mariner; late Master, or Commander of several Pirate Sloops and Vessels, of unknown Names, for divers and sundry Piracies, Felonies, and Robberies, by him committed on the High Sea, and within the Jurisdiction of this Court.

I. That he, the said *Charles Vane*, on the Twenty ninth Day of March, in the Year of Our Lord One thousand Seven hundred and Eighteen, and in the Fifth Year of the Reign of our said Sovereign Lord the King that now is, upon the high Seas, in a certain Sloop or Vessel (of an unknown Name) then being, and commanded by him the laid *Charles Vane*, did feloniously, and wickedly, consult and agree, with divers notorious Pirates, then on Board the said Sloop, (whose Names to the Register aforesaid are unknown) to rob, plunder, and take, all such Persons, as well Subjects of Our said Lord the King, that now is, as others, in Peace and Amity with His said Majesty, which he the said *Charles Vane*, and the aforesaid Pirates should meet with on the High Sea.

And the laid *Charles Vane*, in Execution of his said Evil Designs, afterward's (*towit*) on the 29th Day of March, in the Year aforesaid, with Force and Arms, &c. upon the high Sea, in a certain Place, distant about two Leagues from Abbaco, in America, and within the Jurisdiction of this Court; did piratically, feloniously, and in an hostile manner, attack, shoot at, and take, a certain Sloop or Vessel, call'd the John and Elizabeth, with several Hundred Spanish Pieces of Eight, and divers Goods and Merchandizes on Board her, whereot one Benj. Bill was Master (going from St. Augustine to the Island of Providence in America) then being, a Sloop or Vessel, of certain Persons, Subjects of our said Lord the King, that now is, (to the Register aforesaid unknown) and then and there, piratically, feloniously, and in an hostile manner, did make an Assault, in and upon, the said Benj. Bill, and certain other Mariners and Persons, whose (Names to the Register aforesaid are unknown) in the same Sloop, in the Peace of God, and of our said Lord the King, then and there being, and then, and there, piratically, and feloniously, did put the said Benjamin Bill, and other the Mariners, and Persons, of the said Sloop, in the Sloop aforesaid, called the John and Elizabeth, then being, in Corporal fear of their Lives, and then and there Piratically and Feloniously, did steal, take, and carry away, the said Sloop, with her Lading, Tackle, Furniture, and Apparrel, of the Value of One thousand Pounds of Current Money of Jamaica.

II. That afterwards (*to wit*) on Thursday the 17th Day of April, in the Year before-mentioned, he, the said *Charles Vane*, in a certain Pirate Sloop or Vessel, (of an unknown Name) then being, and acting as Master or Commander, by Force and Arms, &c. upon the high Sea, in a certain Place, distant about One League from Crooked-Island in *America*, and within the Jurisdiction of this Court; did Piratically, and Feloniously, set upon, shoot at, and take, a certain Merchant Sloop or Vessel, called the *Betty*, whereof one *Benjamin Lee* was then Master; the said Sloop then being, a Sloop of certain Persons, Subjects of Our said Lord the King (to the Register aforesaid unknown) and then and there, Piratically, Feloniously, and in an Hostile manner, did make an Assault, in and upon the said *Benjamin Lee*, and certain other Mariners and Persons, Subjects of Our said Lord the King, (whose Names to the Register aforesaid are unknown) in the said Sloop, in the Peace of God, and of our said Lord the King, then and there being; and then and there Piratically and Feloniously, did put the said *Benjamin Lee*, and other the Mariners, and Persons, of the same Sloop, in the Sloop aforesaid, called the *Betty*, then being, in Corporal Fear of their Lives; and then and there Piratically and Feloniously, did steal, take, and carry away, the said Sloop, with her Lading, Tackle and Apparel, of the value of 200 Pounds of Current Money of *Jamaica*, aforesaid.

III. That afterwards (*to wit*) on Tuesday the 22^d Day of April aforesaid, in the Year aforesaid, he, the said *Charles Vane*, in a certain Pirate Sloop or Vessel (of an unknown Name) then being, and acting as Commander of her, by Force and Arms, &c. upon the high Sea, distant, about Three Leagues from Crooked-Island aforesaid, in *America* aforesaid, and within the Jurisdiction of this Court, did Piratically, and Feloniously, set upon, shoot at, and take, a certain Merchant Sloop, or Vessel, called the *Fortune*, whereof one *George Guy* was then Master, the said Sloop then being, a Sloop of certain Persons, Subjects of Our said Lord the King, (to the Register aforesaid unknown) and then and there, Piratically, and Feloniously, and in an hostile manner, did make an Assault, in and upon, the said *George Guy*, and certain other Mariners and Persons, Subjects of our said Lord the King (whose Names to the Register aforesaid are unknown) in the said Sloop, in the Peace of God, and of our said now Lord the King, then and there being, and then and there, piratically, and feloniously, did put the said *George Guy*, and other the Mariners, and Persons, of the same Sloop, in the Sloop aforesaid, called the *Fortune*, then being, in Corporal fear of their Lives; and then and there, piratically, and feloniously, did steal, take, and carry away, the said Sloop, with her Lading, Tackle and Apparrel, of the value of One hundred and Fifty Pounds, of Current Money of the Island of *Jamaica* aforesaid.

IV. That on Friday the Twenty third Day of May, in the Year of Our Lord, One thousand Seven hundred and Eighteen; he, the said *Charles Vane*, in a certain Pirate Sloop or Vessel (of an unknown Name) then being, and acting, as Master or Commander of her, by Force and Arms, &c. upon the high Sea, in a certain place, distant about Four Leagues off of Crooked-Island aforesaid, in *America* aforesaid, and within the Jurisdiction of this Court, did piratically, and feloniously, set upon, shoot at, and take, a certain Merchant Sloop or Vessel, called the *Richard and John*, whereof *Joseph Cockran* was then Master; the Sloop then being, a Sloop of certain Persons, Subjects of Our said Lord the King, (to the Register aforesaid unknown) and then and there, piratically and feloniously, and in an hostile manner, did make an Assault, in and upon, the said *Joseph Cockran*, and certain other Mariners and Persons, Subjects of Our said Lord the King (whose Names to the Register aforesaid are unknown) in the said Sloop, in the Peace of God, and of Our said now Lord the King, then and there being, and then and there, piratically, and feloniously, did put the said *Joseph Cockran*, and other the Mariners, and Persons, of the said Sloop, in the Sloop aforesaid, called the *Richard and John*, then being, in Corporal Fear of their Lives; and then and there, piratically, and feloniously, did steal,

Steal, take, and carry away, the said Sloop, with her Lading, Tackle, and Apparel, of the value of 200 Pounds of Current Money of the Island aforesaid.

V. That he, the said Charles Vane, on the Twenty third Day of October, in the Year of our Lord, One thousand seven hundred and Eighteen, in the Fifth Year of the Reign, of our Sovereign Lord the King, that now is, in a certain Pirate Brigantine or Vessel, (of an unknown Name) then being; and acting, as Commander of her, with Force and Arms, &c. upon the high Sea, in a certain place, distant, about Two Leagues from Long Island, in America aforesaid, and within the Jurisdiction of this Court; did Piratically, Feloniously, and in an hostile manner, Attack, Shoot at, and Take, a certain Brigantine or Vessel called the Endeavour, whereto one John Shattock was Master, then being, a Brigantine or Vessel, of certain Persons, Subjects of our said Lord the King, (to the Register aforesaid unknown) and then and there, Piratically, Feloniously, and in an Hostile manner, did make an Assault, in and upon, the said John Shattock, and certain other Mariners, and Persons, (whose Names to the Register aforesaid are unknown) in the same Brigantine, in the Peace of God, and of Our said now Lord the King, then and there being, and then and there, piratically and feloniously, did put the said John Shattock, and other the Mariners and Persons of the same Brigantine, in the Brigantine aforesaid, called the Endeavour, then being, in Corporal Fear of their Lives, and then and there, piratically, and feloniously, did steal, take, and carry away, the said Brigantine, with her Lading, Furniture, and Apparel, of the Value of 250 Pounds of Current Money of Jamaica aforesaid.

VI. That he, said Charles Vane, on the Sixteenth Day of December, in the Year of Our Lord, One thousand Seven hundred and Eighteen aforesaid, and in the said Fifth Year of the Reign of Our Sovereign Lord the King, that now is, in a certain Pirate Sloop or Vessel (of an unknown Name) then being, and acting, as Master or Commander of her, by Force and Arms, &c. upon the High Sea, in a certain place, called the Bay of Honduras, in America aforesaid, and within the Jurisdiction of this Court; did piratically and feloniously, set upon, shoot at, and take, a certain Merchant Sloop or Vessel, called the Pearl, whereto one Charles Rowling, was then Master, the said Sloop, then being, a Sloop of certain Persons, Subjects of our said Lord the King that now is, (To the Register aforesaid unknown) and then and there, Piratically, feloniously, and in an Hostile manner, did make an Assault, in and upon, the said Charles Rowling, and certain other Mariners, and Persons, Subjects of our said Lord the King (whose Names to the Register aforesaid are unknown) in the said Sloop, in the Peace of God, and of Our said now Lord the King, then and there being, and then and there, Piratically, and Feloniously did put the said Charles Rowling, and other the Mariners and Persons, of the same Sloop, in the Sloop aforesaid, called the Pearl, then being, in Corporal fear of their Lives, and then and there, Piratically, and Feloniously, did steal, take, and carry away, the said Sloop, with her Lading, Tackle, and Apparel, of the Value of One hundred Pounds, of Current Money of Jamaica, against the Peace of our Sovereign Lord the King, his Crown and Dignity.

Not Guilty pleaded.

William Norris, Reg'.

After the Articles were read, the Prisoner was asked, Whether he was guilty? or not guilty.

Whereto he pleaded not Guilty. Then the Witnesses were called by the Register, to prove the said Articles and Charge against him; Who, being duly sworn, were examined by His Excellency the President, and the Court, in the Presence and Hearing of the Prisoner; and deposed as follows, viz.

Alexander Gilmore (a Mariner belonging to His Majesty's Ship Phoenix, Captain Vincent Pearce Commander) deposed, That on or about, the Twenty ninth Day of March, in the Year of Our Lord, One thousand Seven hundred and Eighteen, being then a Mariner, on Board a Sloop called the John and Elizabeth, whereto one Benjamin Bill, was then Master, going from St Augustine, to the Island of Providence, in America, the said Sloop was taken, by two Sloops, both commanded by Charles Vane, the Prisoner at the Bar, with several Hundred Pieces of Eight, and other Goods and Merchandizes on board, and afterwards, he carried the said Sloop to the East-end of Providence, where the Prisoner at the Bar, and his Crew, shared the Plunder.

David

David Clarke, and Richard Liscomb, two other Mariners, belonging to His said Majesty's Ship Phoenix, deposed the same, or to the like Effect as Alexander Gilmore Then the Prisoner at the Bar confessed the first Article, that he took the said Sloop and her Cargo.

Then Capt. Benj. Lee, and Capt. Will. Cooke, were call'd to prove the second Article.

Captain Lee deposed, That on or about the Seventeenth Day of April, in the Year of our Lord One thousand Seven Hundred and Eighteen, he being then Master of a Sloop, belonging to Jamaica, called the Betty, coming from the Island of Providence, bound to Jamaica, in his Passage he put into Crooked-Island, to fill Water, where he saw four Sloops at Anchor, and not Mistrusting them to be Pirates, he stood close in, and coming pretty near, the largest of the Four Sloops, fired a Shot at him, and Hoisted a Bloody Pendant, and finding he could not get clear, he struck his Colours, and was ordered on board a Sloop called the Lark, then commanded by Charles Vane, the Prisoner at the Bar: And the same Day he carried the Deponent, and his Sloop to the West-End of Crooked-Island, and the next Morning he took all the Goods, and every thing of Value, out of his Sloop, and shared amongst his Crew, and then gave back the Deponent his Sloop, and left him to fill Water; That the Pirate Sloop Lark, and another Sloop, his Consort, stood to the Southward; That on the Nineteenth Day of the said Month of April, after the Deponent had filled his Water, he weighed Anchor, from Crooked-Island, and making the best of his way, for Jamaica, he saw one Ship, and two Sloops, under White Key, which proved to be Charles Vane, the Prisoner at the Bar, and his Consort, and the Ship in their Company, they had lately taken coming from Jamaica, and bound to Boston, one Captain Richards Commander.

Capt. William Cooke deposed the sam. (or to the like Effect) as Captain Benjamin Lee.

Hugh Adderley of Port-Royal Mariner, deposed, That in the Month of April, in the Year of our Lord, One thousand Seven Hundred and Eighteen, he was a Mariner on board the Sloop Fortune, belonging to Jamaica, George Guy Master, bound on a Trading Voyage, from Port Royal, in Jamaica, to the Island of Providence, in America; and in their Passage, they met with Two Sloops, off Crooked-Island, Commanded by Charles Vane, the Prisoner at the Bar, which enquired them, and coming up, they hoisted a Red Flag, and ordered Guy to lower his Sails, and sent their Colours on board, and fired Two small Arms, and ordered Guy to follow them to an Anchor, which he did; That the Prisoner at the Bar, ordered Guy, and his Men, which were but three in all, to come on board his Sloop, which they did; That afterwards, the Prisoner at the Bar, with the rest of his Crew, took away by force, out of Captain Guy's Sloop Fortune, Seven Casks of Bottled Liquor, and other Goods and Merchandise, (the particulars whereof he did not know) and then returned Guy his Sloop, and his three Men, and ordered him to bear away, and Sail for Harbour-Island.

Joseph Cockran of Port Royal in the Island of Jamaica Mariner, deposed, That on or about the Twenty third Day of May, in the Year of our Lord, One thousand seven Hundred and Nineteen, he being then Master of the Sloop Richard and John, was taken on the High Sea, Four Leagues distant from Crooked-Island, by Charles Vane, the Prisoner at the Bar, in a Sloop call'd the Lark, and afterwards put him, and one of his Men ashore at Crooked-Island, and carried his Sloop, and her Lading, with him to sea.

Captain Vincent Pearce, Commander of His Majesty's Ship of War the Phoenix, deposed, That about the latter end of March, 1718. being then at Providence, and having His Majesty's Proclamation on board, for the pardoning of Pirates, Charles Vane, the Prisoner at the Bar, surrendered himself to him, in order to obtain the benefit of the said Proclamation, which he received, and afterwards turned Pirate, as hath been before deposed.

Then the Prisoner was asked, what he had to say for himself? Whether he had any Witnesses to produce in his favour. Whether he would have any Questions asked the Witnesses who had already given Evidence against him? and he answering he had no Witnesses, nor any Questions to ask, that were material,

The Court ordered the Prisoner to be taken from the Bar, and the Persons present being withdrawn, the Court took into Consideration the Prisoner's Case, and the Evidence which had been given against him, and were unanimously of Opinion, That he, the said Charles Vane, was guilty of the Piracy, Felony and Robbery, charged against him, in the first and second Articles.

Then the Court Ordered the Prisoner back again to the Bar, who was told by the President that the Court, had unanimously found him Guilty, of the Charge laid against him, in the said Articles; And asked him, whether he had any thing to say, Why Sentence of Death shold not pass against him? And he having nothing material, the President proceeded to pronounce the usual Sentence; That he should go to the Place from whence he came, and from thence, to the place of Execution, where he was to be Hanged by the Neck, 'till he was dead, and the Lord have Mercy upon his Soul.

Then the Court was Adjourn'd 'till Monday the First Day of May next.

On Wednesday the 29th Day of March 1721. John Hanson, and Robert Hudson, (lately Condemned for Piracy) and the said Charles Vane, were Executed at Gallows-Point, at Port-Royal; And the Body of Charles Vane was afterwards hung on a Gibbet in Chains at Gun-Key.

An ACT made at Westminster in the Kingdom of Great Britain in the Eleventh and Twelfth Years of the Reign of King William III. Entituled,

An Act for the more effectual Suppression of PIRACY.

WHEREAS by an ACT of Parliament made in the Twenty eighth Year of the Reign of King Henry the Eighth, it is Enacted, That Treasons, Felonies, Robberies, Murthers and Confederacies committed on the Sea shall be enquired of, tried, and determined according to the Common Course of the Laws of this Land used for such Offences upon the Land within this Realm; whereupon the Tryal of those Offenders before the Admiral, or his Lieutenant, or his Commissary hath been altogether disused: And whereas that since the making of the said Act, and especially of late Years, it hath been found by experience, that Persons committing Piracies, Robberies and Felonies on the Seas, in or near the East and West Indies, and in Places very remote, cannot be brought to condign Punishment without great Trouble and Charges in sending them into England to be tried within the Realm, as the said Statute directs, insomuch that many idle and profligate Persons have been thereby encouraged to turn Pirates, and betake themselves to that sort of wicked Life, trusting that they shall not, or at least cannot easily be questioned for such their Piracies and Robberies, by reason of the great trouble and expence that will necessarily fall upon such as shall attempt to apprehend and prosecute them for the same: And whereas the Numbers of them are of late very much increased, and their Insolencies so great, that unless some speedy Remedy be provided to suppress them, by a strict and more easie way for putting the Ancient Laws in that behalf in Execution, the Trade and Navigation into remote Parts will very much suffer thereby: Be it therefore Declared and Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all Piracies, Felonies & Robberies committed in or upon the Sea, or in any Haven, River, Creek or Place, where the Admiral or Admirals have Power, Authority or Jurisdiction may be examined, inquired of, tryed, heard and determined, and adjudged, according to the Directions of this Act, in any Place at Sea, or upon the Land in any of His Majesty's Islands, Plantations, Colonies, Dominions, Forts or Factories, to be appointed for that purpose by the King's Commission or Commissions under the Great Seal of England, or the Seal of the Admiralty of England, directed to all or any of the Admirals, Vice Admirals, Rear-Admirals, Judges of Vice-Admiralties or Commanders of any of His Majesty's Ships of War, and also to all or any such Person or Persons, Officer or Officers by Name, or for the time being, as his Majesty shall think fit to appoint; which said Commissioners shall have full Power jointly or severally, by Warrant under the Hand and Seal of them, or any one of them, to commit to safe Custody any Person or Persons, against whom Information of Piracy, Robbery or Felony upon the Sea, shall be given upon Oath (which Oath they or any one of them shall have full Power, and are hereby required to administer) and to call and assemble a Court of Admiralty on Shipboard, or upon the Land, when and as often as occasion shall require; which Court shall consist of seven Persons at the least.

II. AND if so many of the Persons aforesaid cannot conveniently be Assembled, Be it further Enacted by the Authority aforesaid, That any Three of the aforesaid Persons (whereof the President or Chief of some English Factory, or the Governor, Lieutenant-Governor, or Member of His Majesty's Councils in any of the Plantations or Colonies aforesaid, or Commander of one of His Majesty's Ships, is always to be one) shall have full Power and Authority, by Virtue of this Act, to call and assemble any other Persons on Ship-board, or upon the Land, to make up the Number of Seven.

III. PROVIDED that no Persons but such as are known Merchants, Factors or Planters, or such as are Captains, Lieutenants, or Warrant Officers in any of His Majesty's Ships of War, or Captains, Masters or Mates of some English Ship shall be capable of being so called, and Sitting and Voting in the said Court.

IV. AND

IV. AND be it Enacted by the Authority aforesaid, That such Persons called and assembled, as aforesaid, shall have full Power and Authority, according to the Course of the Admiralty, to issue Warrants for bringing any Persons accused of Piracy or Robbery before them to be tried, heard and adjudged; and to summon Witnesses, and to take Informations and Examinations of Witnesses upon their Oath; and to do all things necessary for the hearing and final Determination of any Case of Piracy, Robbery and Felony; and to give Sentence and Judgment of Death; and to award Execution of the Offenders convicted and attainted, as aforesaid, according to the Civil Law, and the Methods and Rules of the Admiralty; and that all and every Person and Persons so convicted and attainted of Piracy or Robbery, shall have and suffer such Losses of Lands, Goods and Chattels, as if they had been attainted and convicted of any Piracies, Felonies and Robberies, according to the aforesmentioned Statute, made in the Reign of King Henry the Eighth.

V. PROVIDED always, and be it further Enacted by the Authority aforesaid, That so soon as any Court shall be assembled, as aforesaid, either on Ship-board, or upon the Land, the Kings Commission shall first be openly read, and the said Court then and there shall be solemnly and publickly called and proclaimed; and then the President of the Court shall in the first place, publicly in open Court, take the following Oath, viz.

I A B. do swear, in the presence of Almighty God, That I will truly and impartially Try, and judge the Prisoner or Prisoners which shall be brought upon his or their Tryals before this Court, and honestly and duly on my part, put His Majesty's Commission for the trying of them in Execution, according to the best of my Skill and Knowledge: And that I have no Interest, directly or indirectly, in any Ship or Goods, for the Piratically taking of which any Person stands accused, and is now to be tried: So help me God.

VI. AND he having taken the Oath in manner aforesaid, shall immediately Administer the same Oath to every Person who shall sit, and have and give a Voice in the said Court upon the Tryal of such Prisoner or Prisoners, as aforesaid; and immediately thereupon the said Prisoner or Prisoners shall be formally brought before them; and then the Register of the said Court shall openly and distinctly read the Articles against such Prisoner or Prisoners, upon which they or any of them is or are to be tried; wherein shall be set forth the particular Fact or Facts of Piracy, Robbery and Felony, with the Time and Place, when and where, and in what manner it was committed; And then each Prisoner shall be asked, Whether he be Guilty of the said Piracy and Robbery, or Felony, or not Guilty. Whereupon every such Prisoner shall immediately plead thereunto, Guilty or not Guilty, or else it shall be taken as confessed; and he shall suffer such Pains of Death, Loss of Lands, Goods and Chattels, and in like manner as if he or they had been Attainted or Convicted upon the Oath of Witnesses, or his own Confession; But if any Prisoner shall plead not Guilty, Witnesses shall be produced by the Register, and duly sworn and examined openly, *viva voce*, in the Prisoners Presence; and after a Witness hath answered all the Questions proposed by the President of the Court, and given his Evidence, it shall and may be Lawful for the Prisoner to have the Witness cross examined, by first declaring to the Court what Questions he would have asked; and thereupon the President, or the Court, shall interrogate the Witness accordingly: And every Prisoner shall have liberty to bring Witnesses for his Defence, who shall be sworn, and examined upon Oath, as the Witnesses were that testified against him; and afterwards the Prisoner shall be fairly heard what he can say for himself; all which being done, the Prisoner shall be taken away, and kept in safe Custody, and all other Persons, except the Register, shall withdraw from the said Court; and then the Court shall consider of the Evidence which hath been given, and debate the Matters and Circumstances of the Prisoners Case; and the President of the Court shall collect all the Votes of the Persons who do sit and have Voices in the said Court, beginning at the Junior first, and ending with himself; and according to the Plurality of Voices, Sentence and Judgment shall be then given and pronounced publicly in the presence of the Prisoner or Prisoners, being called in again; and according to such Sentence and Judgment the Person or Persons attainted shall be Executed and put to Death, at such time, in such manner, and in such place upon the Sea, or within the Ebbing or Flowing thereof, as the President, or the major part of the Court, by Warant directed to a Provost-Marshal (which the President or said major part shall have Power to constitute) shall appoint.

VII. AND be it further Enacted by the Authority aforesaid, That some Person, being a Publick Notary, shall be Register of the Court; and in case of his Absence, Death, or Incapacity, or for want of a Person so qualified, the President of the Court shall and may appoint a Register, giving him an Oath, which he is hereby empowered to administer, duly, faithfully and impartially to execute his Office; which Register shall prepare all Warrants and Articles, and take Care to provide all things requisite for any Tryal, according to the Substantial and Essential Parts of Proceedings in a Court of Admiralty, in the most Summary Way; and shall take Minutes of the whole Pro-

ceedings, and enter them duly in a Book, by him to be kept for that purpose; and shall from time to time, as opportunity offers, transmit the same, with the Copies of all A titles and Judgments given in any such Cases, in any Court whereof he shall be Register, unto the High Court of Admiralty of England.

VIII. AND be it further Enacted by the Authority aforesaid, That if any of His Majesty's Natural Born Subjects, or Denizens of this Kingdom, shall commit any Piracy or Robbery, or any Act of Hostility against others His Majesty's Subjects upon the Sea, under Colour of any Commission from any Foreign Prince or State, or Pretence of Authority from any Person whatsoever, such Offender and Offenders, and every of them, shall be deemed, adjudged, and taken to be Pirates, Felons and Robbers, and they and every of them, being duly Convicted thereof, according to this Act, or the aforesaid Statute of King Henry VIII. shall have and suffer such Pains of Death, Loss of Lands, Goods and Chattels, as Pirates, Felons and Robbers upon the Seas ought to have and suffer.

IX. AND be it further Enacted, That if any Commander or Master of any Ship, or any Seaman or Mariner, shall, in any Place where the Admiral hath Jurisdiction, betray his Trust, and turn Pirate, Enemy or Rebel, and Piratically and Feloniously run away with his or their Ship or Ships, or any Barge, Boat, Ordnance, Ammunition, Goods or Merchandizes, or yield them up voluntarily to any Pirate, or shall bring any seducing Messages from any Pirate, Enemy or Rebel, or consult, combine or confederate with, or attempt or endeavour to corrupt any Commander, Master, Officer or Mariner, to yield up or run away with any Ship, Goods, or Merchandizes, or turn Pirate, or go over to Pirates, or if any Person shall lay violent Hands on his Commander, whereby to hinder him from fighting in Defence of his Ship and Goods committed to his Trust, or that shall confine his Master, or make, or endeavour to make a Revolt in his Ship, shall be adjudged, deemed and taken to be a Pirate, Felon and Robber, and being convicted thereof, according to the Directions of this Act, shall have and suffer Pains of Death, Loss of Lands, Goods and Chattels, as Pirates, Felons and Robbers upon the Seas ought to have and suffer.

X. AND whereas several evil-disposed Persons in the Plantations and elsewhere, have contributed very much towards the Increase and Encouragement of Pirates, by setting them forth, and by Aiding, Abetting, Receiving and Concealing them and their Goods, and there being some Defects in the Laws for bringing such evil-disposed Persons to condign Punishment, Be it Enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, who, after the Twenty ninth Day of September, in the Year of our Lord, One thousand seven hundred, shall either on the Land, or upon the Seas, wittingly or knowingly set forth any Pirate, or Aid and Assist, or Maintain, Procure, Command, Counsel or Advise any Person or Persons whatsoever, to do or commit any Piracies or Robberies upon the Seas, and such Person or Persons shall thereupon do or commit any such Piracy or Robbery, then all and every such Person or Persons whatsoever, so as aforesaid, setting forth any Pirate, or Aiding, Assisting, Maintaining, Procuring, Commanding, Counselling or Advising the same, either on the Land or upon the Sea, shall be, and are hereby declared, and shall be deemed and adjudged to be Accessary to such Piracy and Robbery done and committed: And further, That after any Piracy or Robbery is or shall be committed by any Pirate or Robber whatsoever, every Person and Persons, who, knowing that such Pirate or Robber has done or committed such Piracy and Robbery, shall on the Land, or upon the Sea, receive, entertain or conceal any such Pirate or Robber, or receive or take into his Custody any Ships, Vessels, Goods or Chattels, which have been by any such Pirate or Robber piratically and feloniously taken, shall be, and are hereby likewise declared, deemed and adjudged to be Accessary to such Piracy and Robbery; And that after the said Nine and twentieth Day of September, all such Accessaries to such Piracies and Robberies, shall and may be Enquired of, Tried, Heard, Determined and Adjudged, after the common Course of the Laws of this Land, according to the said Statute made in the Twenty eighth Year of King Henry the Eighth, as the Principals of such Piracies and Robberies may and ought to be, and no otherwise; and being thereupon Attainted, shall suffer such Pains of Death, loss of Lands, Goods and Chattels, and in like manner as the Principals of such Piracies, Robberies and Felonies ought to suffer, according to the said Statute of King Henry the Eighth, which is hereby declared to be and continue in full Force; Any Thing in this present Act contained to the contrary notwithstanding.

XI. AND forasmuch as it will also conduce to the suppressing of Robberies on the Sea, if due Encouragement be given, and Rewards allowed to such Commanders, Masters and other Officers, Seamen and Mariners, as shall either bravely defend their own Ships, or take, seize and destroy Pirates, Sea-Rovers and Enemies, Be it further Enacted by the Authority aforesaid, That when any English Ship shall have been defended against any Pirates, Enemies or Sea-Rovers by Fight, and brought to her designed Port, in which Fight any of the Officers or Sea-

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men shall have been killed or wounded, it shall and may be Lawful to and for the Judge of His Majesty's High Court of Admiralty, or his Surrogate in the Port of London, or the Mayor, Bailiff or Chief Officer in the several Out-Ports of this Kingdom, upon the Petition of the Master or Seamen of such Ship so defended, as aforesaid, to call unto him Four or more good and substantial Merchants, and such as are no Adventurers or Owners of the Ship or Goods so defended, and have no manner of Interest therein, and by Advice with them to raise and levy upon the respective Adventurers and Owners of the Ship and Goods so defended, by Process out of the said Court, such Sum or Sums of Money as himself and the said Merchants, by plurality of Voices shall determine and judge reasonable, not exceeding Two Pounds per Cent. of the Freight, and of the Ship and Goods so defended, according to the first Costs of the Goods; which Sum or Sums of Money so raised, shall be distributed among the Captain, Master, Officers and Seamen of the said Ship, or Widows and Children of the Slain, according to the Direction of the Judge of the said Court, or his Surrogate in the Port of London, or the Mayor, Bailiff or Chief Officer in the several Out-Ports of this Kingdom, with the Approbation of the Merchants aforesaid; who shall proportion the same, according to their best Judgment, unto the Ships Company, as aforesaid, having special regard unto the Widows and Children of such as shall have been slain in that Service, and such as have been wounded or maimed.

XII. AND for the better and more effectual prevention of Combinations and Confederacies, for the Running away with, or Destroying of any Ship, Goods or Merchandizes, Be it further Enacted by the Authority aforesaid, That a Reward of Ten Pounds for every Ship or Vessel of One hundred Tons or under, and Fifteen Pounds for every Ship or Vessel of a greater Burthen, shall be paid by the Captain, Commander or Master of every Ship or Vessel wherein any such Combination or Confederacy shall be set on foot, for the Running away with, or Destroying any such Ship, or the Goods and Merchandizes therein Laden, to such Person as shall first make a Discovery thereof, upon due Proof of such Combination or Confederacy, the same to be paid at the Port where the Wages of the Seamen of the said Ship are or ought to be paid, after such Discovery and Proof made.

XIII. PROVIDED also, That this Act shall be in force for Seven Years, and to the end of the next Session of Parliament, after the Expiration of the said Seven Years, and no longer.

XIV. AND for the more effectual prosecution and punishment of Piracies, Felonies and Robberies upon the Sea, and of all other Offences aforesaid; Be it Declared and Enacted by the Authority aforesaid, That the Commissioners appointed, or to be appointed by the aforementioned Statute of King Henry the Eighth, or the Commissioners for Tryal of Pirates, appointed by this Act, shall from and after the said Nine and twentieth Day of September One thousand seven hundred, have the sole Power and Authority of Trying, hearing, and Determining the said Crimes and Offences, whether in any of the Colonies and Plantations in America, Governed by Proprietors, or under Grants or Charters from the Crown, and of bringing the Offenders to condign punishment; and shall and may issue forth their Warrant or Warrants for the seizing and apprehending of any Pirates, Felons, or Robbers upon the Sea, or their Confederates or Accesaries, being within any of the said Colonies and Plantations, in order to their being brought to Tryal within the same, or any other Plantation in America, according to this Act, or sent into England to be Tryed there; and that all and every Governoeur and Governor, Person and Persons in Authority in the said Colonies and Plantations, governed by Proprietors, or under Charters, as aforesaid, shall assist the Commissioners and their subordinate Officers in doing their Duty, and also in the Execution of such Warrants and otherwise, and shall deliver up to such Commissioner or Commissioners, Officer or Officers, any Pirates, Felons and Robbers upon the Sea, and their Confederates and Accesaries, in order to their being Tryed, or sent into England, as aforesaid; Any Letters-Patents, Grants or Charters of Government, in and about the said Plantations, or other Usages heretofore had or made to the contrary notwithstanding.

XV. AND be it hereby further Declared and Enacted, That if any of the Governors in the said Plantations, or any Person or Persons in Authority there, shall refuse to yield Obedience to this Act, such refusal is hereby declared to be a Forfeiture of all and every the Charters granted for the Government or Proprietary of such Plantation.

XVI. PROVIDED always, and be it Enacted by the Authority aforesaid, That whensover any Commission for the Tryal and Punishment of the Offences aforesaid, or any of them, shall be directed or sent to any place within the Jurisdiction of the Cinque-Ports, that then every such Commission shall be directed unto the Lord Warden of the Cinque-Ports for the time being, or to his Lieutenant, and unto such other Persons as the Lord High Chancellor, or Keeper of the Great Seal of England, for the time being, or Commissioners for the Custody of the Great Seal, shall name and appoint; And likewise that every Inquisition and Tryal to be had by virtue of such Commission so directed and sent to any place in the said Cinque-Ports, shall be made and had by the Inhabitants of the said Cinque-Ports, or the Members of the same; Any thing in this Act to the contrary thereof notwithstanding.

XVII. AND for the prevention of Seamen Deserting of Merchant Ships abroad in Parts beyond the Seas, which is the chief occasion of their turning Pirates, and of great detriment to Trade and Navigation in general; Be it Enacted by the Authority aforesaid, That all such Seamen, Officers or Sailors, who shall desert the Ships or Vessels wherein they are hired to serve for that Voyage, shall for such Offence forfeit all such Wages as shall be then due to him or them.

XVIII. AND be it further Enacted by the Authority aforesaid, That in case any Master of a Merchant Ship or Vessel, shall after the Nine and twentieth Day of September, One thousand and seven hundred, during his being abroad, force any Man on Shore, wilfully leave him behind in any of His Majesty's Plantations, or elsewhere, or shall refuse to bring Home with him again all such of the Men which he carried out with him, as are in a condition to return, when he shall be ready to proceed in his Homeward-bound Voyage, every such Master shall, being thereof legally Convicted, suffer Three Months Imprisonment without Bail or Mainprize.

Jamaica

The Tryals of several
Pyrates at Jamaica, in
Nov: 1720.

Received with Sir
Nicholas Law's Letter, of
12th June 1721.

Recd August 14.th

Recd Ditto 17th

1721.

Q. 4.