

A Full and Exact

ACCOUNT,

OF THE

TRIAL

Of all the

PYRATES,

Lately taken by

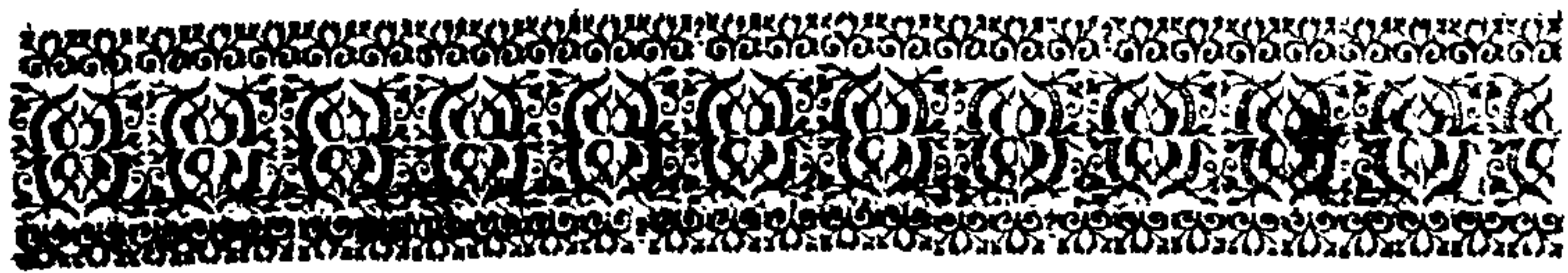
Captain OGLE,

On Board the SWALLOW Man of War,
on the Coast of GUINEA.



L O N D O N:

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The PUBLISHER

TO THE

R E A D E R.



S the great Numbers of Pyrates lately infesting the Seas, have rendred Trade to Foreign Parts very hazardous and precarious, and prodigious Losses have accru'd to the Merchants, from the frequent Attacks, Robberies, and unmerciful Behaviour of those Villains; so nothing could be of more universal Satisfaction to the Trading Part of the World, and of Great Britain in particular, than that happy and glorious Action of Captain Chaloner Ogle, Commander of his Majesties Ship the Swallow, in destroying and extirpating so formidable a Nest of these Vermin, who were headed by, and acted in concert with that Arch-Villain Roberts; the particulars of which are amply set forth, in an Account publish'd by Authority in the London Gazette, of Tuesday the 4th of September last, which is herewith reprinted as an Introduction.

That this memorable Affair may more at large be handed down to Posterity; and that the just Reward such a vile Sort of Life deserves (and met with in the Persons of the major part of that Gang of Pyrates) may appear to the World, to deter others from the like Practices, the following Account of their Tryals at Cape Coast Castle, on the Coast of Guinea in Africa, and the Execution of many of them there, has been thought fit to be published; and all I have to say thereon is, That the Reader may depend upon its being genuine.



Admiralty Office, September 3.

Letter from Captain Ogle Commander of his Majesty's Ship Swallow, dated from Cape Coast Road in Africa, April the 5, 1722.

IN mine bearing Date the 6th of November last, I gave an Account that his Majesty's Ship's Company under my Command were on a Recovery, and that I intended in a few Days to ply to Windward and Cruize between Cape Palmas and Cape Three-Points; I sailed accordingly the 10th Ditto: The *Weymouth* I left here, (most of the Men being sick) with Orders, when she was in all Respects fit for the Sea, to proceed and Cruize between Cape Mount and Cape Three-Points 'till the 30th of December.

On the 30th of November I spoke with a Ship belonging to the African Company, come from London, by which I receiv'd Mr. Secretary *Burchett's* Letter dated the 3d of August, acquainting me that the Lords Commissioners of the Admiralty had ordered me three Months Provisions and Witte in Proportion to be sent for the Use of his Majesty's Ships here; the Master of the said Company's Ship inform'd me he had the Proportion of Beef, Pork, and some of the Bread aboard, and that the other Provisions with the Wine I might expect very soon by a Ship that was to leave England soon after he sailed. The 7th of January I returned hither in Hopes to find the said Provisions were come. The Sicknels aboard the *Weymouth* was not at all abated, but the dry Season being come hindered her being further supplied with Water at this Place, so that Captain *Herdman*, with his small Number of Men that were in Health, and some Soldiers borrowed from this Castle, plyed up to windward to water at Cape Three-Points. I took in a Month's Beef, Pork, and Bread, which with the Provisions I had on board, compleated me to three Months of all Species; Pease, and Oatmeal excepted. On the 10th Ditto the Governour here received Advice from the Dutch, that on the 6th two Pyrate Ships had taken a French Ship off of *Axim*, I left Orders here for Captain *Herdman* at his Return with his Majesty's Ship the *Weymouth* to cruize (as soon as she was in a Condition for the Sea) between Cape Three-Points and Cape Palmas 'till the 5th of March, and I forthwith got under sail, and ranged down the Coast for *Widab*, but could gain no Intelligence of the Pyrates 'till arrived there, though I met with several Ships trading on the Coast in my Passage down. On my Arrival at *Whydab* I was informed that two Pyrate Ships, one of 40 and another of 24 Guns commanded by one *Roberts* had been there, and had sailed about 26 Hours before: I found ten sail of Ships in the Road, two of which were English, three French, and five Portuguese, they had all ransomed at the Rate of eight Pounds Weight of Gold each; an English Ship, for refusing to ransom the Pyrates had been burnt with a considerable Number of Negroes a-board. The Pyrates being informed that a French Ship they had taken sailed well and had formerly been a Privateer of *St. Malo*, did, notwithstanding a Ransom paid for her, carry her away with a Design to fit her for their Service and quit their 24 Gun Ship: Therefore I judged they must go to some Place in the Bite to clean and fit the French Ship, before they would think of cruising again; which occasioned me to stretch away into the Bite, and look
into

into those Places which I knew had Depth of Water sufficient for his Majesty's Ships.

On the 5th of February at Daylight, I saw Cape Lopez bearing W. S. W. about three Leagues; and at the same Time discovered three Ships at Anchor under the Cape, which I believed to be the Pyrates, two of them having Pendants flying. I was obliged to hawl off N. W. and W. N. W. to clear the French-mans Bank, the Wind at S. S. E. and in less than an Hour one of the three got under Sail and gave me Chace; and I, to give her a fair Opportunity of coming up with me without being discovered, kept on the same Course, with the same Sail abroad I had when I first saw her: About eleven that Morning she got within Gun-shot of me and fired several Chace Guns, under English Colours and a black Flag at her Mizzen-Peck; soon afterwards being come within Musket shot, I Starboarded my Helm and gave her a Broad-side, and in an Hour and an half's Time she struck and called for Quarter, we having disabled her very much, and shot down her Main-Top-Mast; she proved to be the French Ship they had taken out of *Wydah* Road, and had put into her 32 Guns and 132 Men, 23 of whom were Blacks, she had 26 Men killed and wounded the, Captain's Name was *Skym*, who had a Leg shot off; the Prisoners informed me, that the two Ships they left at Anchor under the Cape were *Roberts* in the 40 Gun Ship, and the other 24 Gun Ship they had that Morning quited for the Prize. The 6th Ditto in the Night, I left the Prize, having put her into the best Condition for sailing so short a Time would allow of, and ordered her away to the Island *Princes*. I made the best of my Way to Windward again, in Order to descry the two Ships that remained at Anchor under Cape Lopez. On the 9th Ditto in the Evening, I made the Cape, and saw two Ships stretching-in under the Land about five Leagues Distance, having Day-light enough, I was obliged to stand off and on all Night, and in the Morning I stretched in under the Cape, where I saw at Anchor three Ships, the biggest of them with Jack, Ensign, and Pendant flying, whom I lay up with till I got within Random shot, when the Wind took me a-head and made two Trips, in which time she slipped and got under Sail and came down upon me, with English Ensign and Jack, and a black Pendant flying at her Main-top-mast-head, and I shewed her a French Ensign, when she came within Pistol shot I hoisted my proper Colours and gave her a Broadside, which she returned, and endeavoured to get from me, by making all the Sail she could, but in less than two Hour shot her Main-top-mast down, and than she struck, her Mizzen-top-mast being shot away some time before: The Captain, whose Name was *Roberts*, was killed, his Prize (formerly called the *Onslow*, and since by the Pyrates the *Royal Fortune*) had 40 Guns mounted and 152 Men, 25 of whom were Negroes. The next Day I plied back again for the Cape, in order to take out the 24 Gun Ship the Pyrates had quited, and to restore to the third (which was a Ship freighted by the African Company — *Hill* Commander,) such Provisions as the Pyrates had robbed him of, together with his Surgeon and four Men, *Roberts* having seized her the Day before I took him, as she was coming to under the Cape to Water; but anchoring again under the Cape the 12th ditto, I found there only the Pirate Ship of 24 Guns without any Body aboard her, all the Mens Chests being broke open and rifled, which occasions me to believe that by the speedy sailing of the abovesaid Company's third Ship, which had but a very small quantity of Water or Provisions a-board two Days before, they must have robbed her otherwise could not possibly have sailed so soon. The Pyrates informed me that they had left in their Chests a-board a considerable Quantity of Gold, but not above 10 ounces of it we

found a-board her; The Quantity of Gold I have got out of all the Prizes will amount to about 3000l. and I beg the Lords of the Admiralty will use their good Offices with his Majesty that the Prizes may be shared among the Captors. The 18th of February I completed Watering and sailed for *Princess*, from whence I took out the Prize and then proceeded directly for *Cape Coast*. The three Prizes lost Company with me in a *Tornado* near *St. Thomas*. The 15th of March I arrived here, where I found the dry Provisions and Wine, which arrived not here before the latter end of February. The 26th of the same Month the *Weymouth* anchored here, and then proceeded to the Trial of the Pyrates, Captain *Heardman* sitting as President of the Court; I being Captor, was disqualified from sitting. The 3d of April the three Prizes arrived. As soon as the Court has made an end of trying the Pyrates I shall lose no Time, but according to my Instructions, shall proceed by the Way of *Barbadoes* and *Jamaica*, to *Great Britain*.



The



THE
TRIALS
OF THE
PIRATES,

Lately Taken by

His *Britannick* Majesty's Ship

THE
SWALLOW.



ACCORDING to the Direction in the Commission, Summonses were sent to Lieutenant *John Barnsley*, and Lieutenant *Charles Fanshawe*, to attend at *Cape Coast Castle*, to make up the Number required for a Court.

SUMMONS.

BY Virtue of the Power and Authority to Us given from the King, under the Seal of Admiralty, You are hereby required to attend here, and make one of the Court, for the Trying and Adjudging of the Pyrates lately taken by His Majesty's Ship the *Swallow*:

To *Mr. John Barnsley*, First Lieutenant of His Majesty's Ship the *Weymouth*.

Given under our Hands this 28th of March, 1722, at *Cabo Corso Castle*, on the Coast of *Africa*.

Mungo Herdman,
James Phipps;
Henry Dodson,

S U M M O N S.

BY Virtue of the Power and Authority to Us given from the King, under the Seal of Admiralty, You are hereby required to attend, and make one of the Court for the Trying and Adjudging of the Pyrates lately taken by His Majesty's Ship the *Swallow*.

To *Mr. Charles Fanshaw, Second Lieutenant of His Majesties Ship the Weymouth.*

Given under our Hands
this 28th of March, 1722,
at *Cabo Corso Castle, on the Coast of Africa.*

*Mungo Herdman,
James Phipps,
Henry Dodson.*

The Court consisted of

Captain Mungo Herdman, President.

*James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,*

*Mr. Edmund Hyde,
Mr. John Barnsley,
Mr. Charles Fanshaw.*

A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, March the 28th, 1722, for the Tryal of such Pyrates as were taken in the Royal Fortune and Ranger.

Captain Mungo Herdman, President.

*James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,*

*Mr. Edmund Hyde,
Mr. John Barnsley,
Mr. Charles Fanshaw.*

When the Gentlemen were all met,

The Commission was read by the Register to open the Court; and the President after this, having taken the Oath, as in the Act of Parliament is required Administer'd it to the rest of the Members: And then the Prisoners lately belonging to, and taken in the Pyrate Ship *Ranger*, were commanded before them, and the following Charge exhibited.

James Skyrn, *Commander*; Michael Lemmon, Robert Hartley, (*1st.*) George Smithson, Roger Pye, Peter la Fever, James Barrow, William Smith, William Church, David Littlejohn, William Graves, Henry Dawson, Thomas Stratton, John Arnought, Peter de Vine, Josiah Robinson, John Davies, William

William Guineys, Thomas Clyphen, William Shuren, John Johnson, Hercules Himkins, Thomas Howard, James Crane, William Glas, William Watts, William Wood, Thomas Wills, John Mitchel, Edward Simmonds, Christopher Long, John Stodgill, Robert Fletcher, John Rynier, Joseph Lee, William Petty, Valentine Ashplant, John Johnson, John Horn, Henry Dennis, Cuthbert Gofs, Robert Hartley; (2d.) Thomas How, Philip Hawk, Richard Hardy, William Main, Hugh Harris, Henry Dyer, Robert Birlson, Richard Harris, Andrew Rance, William Davies; (1st.) William Mackintosh, James Cousins, Thomas Gills, Edward Watts, Thomas Withstandycnot, John Walden, James Greenam, Israel Hynd, Henry Graves, Adam Comrie, Peter Robin, John Degau, James Ardoen, Peter Shilot, Rancee Marro, John Gitton, Joseph Richardeau, John La'veque, John Duplaise, Peter Croilsey, Rancee Ffroger, Lewis Arnaut, Renneet Thoby, Mathurim Roulau, John Gumar, John Pacquet, Allan Pygan, Anthony Gilliot.

At the Information and Indictment of Captain *Chaloner Ogle*:

Ye are all and every one of you, in the Name, and by the Authority of our most Dread Sovereign Lord **GEORGE**, King of *Great Britain*, Indicted as follows:

FORASMUCH as in open Contempt of the Laws of your Country, ye have all of ye been wickedly United and Articled together for the Annoyance and Destruction of His Majesty's Trading Subjects by Sea: And in Conformity to such evil and mischievous Intentions, ye have twice been down this Coast; once in the beginning of *August*; and a second time in *January* last, Sinking, Burning, and Destroying the Goods and Vessels that happen'd in your way: Particularly, ye stand Indicted at the Information of Captain *Chaloner Ogle*, of His Majesty's Ship *Swallow*, as Traytors, Robbers, Pyrates, and common Enemies of Mankind.

For that on the 5th of *February* last past, upon sight of His Majesty's Ship *Swallow*, commanded by Captain *Chaloner Ogle*. Ye did immediately weigh Anchor from under *Cape Lopez*, on the Southern Coast of *Africa*, in a *French* built Ship of 32 Guns, call'd the *Ranger*, and made such quick and suitable Preparations in pursuing her, as declared Ye common Robbers and Pyrates.

That about Ten of the Clock the same Morning, drawing within Gun Shot of the same Ship, Ye hoisted a Pyritical black Flag, and fired several Chase Guns, to deter (as much as in You lay) His Majesty's good Subjects from their Duty.

That an Hour afterwards, being close up with the Ship *Swallow*, Ye did Audaciously, and in open Violation of the Laws, (to which Ye ought to have been subject,) continue a Hostile Defence and Assault for about two Hours more, in Defyance of the King's Colours, and the Commission she fought under.

That for the Acting and Compassing of all this, Ye were all and every one of You, in a wicked Combination voluntarily to exert, and actually did in your several Stations, use Your best Endeavours for Distressing the said King's Ship, (*super alto Mare*,) and Murdering His Majesty's good Subjects, fighting therein, under lawful Authority for the Suppression of Robbers.

To which they severally pleaded.

James Skyrn	Not Guilty.	William Wood	Not Guilty.
Michael Lemon	Not Guilty.	Thomas Wills	Not Guilty.
Robert Hartley	Not Guilty.	John Mitchell	Not Guilty.
George Smithson	Not Guilty.	Edward Simmonds	} Not Guilty. (died before Tryal)
Roger Pye	Not Guilty.	Christopher Long	
Peter La Fever	Not Guilty.	John Stodgill	Not Guilty.
James Barrow	Not Guilty.	Robert Fletcher	Not Guilty.
William Smith	Not Guilty.	John Rymer	Not Guilty.
William Church	Not Guilty.	Joshua Lee	Not Guilty.
David Littlejohn	Not Guilty.	William Petty	Not Guilty.
William Graves	Not Guilty.	Valentine Ashplant	Not Guilty.
Henry Dawson	Not Guilty.	John Jaynson	Not Guilty.
Thomas Stretton	Not Guilty.	John Horn	Not Guilty.
John Arnaught	Not Guilty.	Henry Dennis	Not Guilty.
Peter de Vine	Not Guilty.	Cuthbert Gofs	Not Guilty.
Josiah Robinson	Not Guilty.	Robert Hartley (2d)	Not Guilty.
John Davies	Not Guilty.	Thomas How	Not Guilty.
William Guineys	Not Guilty.	Philip Haak	Not Guilty.
Thomas Clyphen	Not Guilty.	Richard Hardy	Not Guilty.
William Shuren	Not Guilty.	William Main	Not Guilty.
John Johnson	Not Guilty.	Hugh Harris	Not Guilty.
Hercules Hunkins	Not Guilty.	Henry Dyer (dyed	} Not Guilty. before Tryal)
Thomas Howard	Not Guilty.	Robert Birlson	
James Crane	Not Guilty.	Richard Harris	Not Guilty.
William Glas	Not Guilty.	Andrew Rance	Not Guilty.
William Davies	Not Guilty.	John Gittson	Not Guilty.
William Mackintosh	Not Guilty.	Joseph Richardeau	Not Guilty.
James Couzins	Not Guilty.	John L'Veque	Not Guilty.
Thomas Gills	Not Guilty.	John Duplaisée	Not Guilty.
Edward Watts	Not Guilty.	Peter Croissey	Not Guilty.
Thomas Withstandyenot	Not Guilty.	Reney Froger Gabie	Not Guilty.
John Walden	Not Guilty.	Lewis Arnot	Not Guilty.
James Greenham	Not Guilty.	Renet Thoby	Not Guilty.
Israel Hynde	Not Guilty.	Mathurime Roulage	Not Guilty.
Henry Graves	Not Guilty.	John Gumar	Not Guilty.
Adam Comrie	Not Guilty.	John Lacquet, Mate	Not Guilty.
Piere Ravon	Not Guilty.	Allan Pugan	Not Guilty.
John Dugaw, Carpenter,	Not Guilty.	Piere Shillot	Not Guilty.
James Ardoen	Not Guilty.	Rance Marraud	Not Guilty.
Ethien Giliot	Not Guilty.		
William Watts	Not Guilty.		

In maintenance of this Charge, Mr. *Isaac Sim*, Lieutenant, Mr. *Ralph Baldrick* Boatswain; and *Daniel Mac-Laughlin*, Mate of His Majesty's Ship *Swallow*, deposed upon Oath, That on *Monday* the 5th of *February*, 172½, at Day-breaking in the Morning, we discover'd three Ships, under *Cape Lopez*, on the Coast of *Africa*, it bearing then from us *W. S. W.* about three Leagues, and seeing one of them to have a Pendant flying, we immediately suspected them to be *Roberts* and his Consort, (the two *Pyrate-Ships* we had been in search of,) together with the *French Ship* they had lately taken out of *Windward Road*.

We were obliged to haul off *N. W.* and *W. N. W.* to avoid the *Frenchman's Bank*, the Wind then at *S. S. E.* and found in half an Hour's Time,
one

one of the three had got under Sail, and was in Chase of us; which we, to give a fairer Opportunity of her coming up, still kept on the same Course, making very bad Steerage; and likewise for the same Purpose kept our Tacks on Board, tho' before the Wind, and the Main-Yard braced.

About half an Hour past Ten in the Morning, she came within Gun-shot of us, and fired four Chase Guns, some of the Shot dropping along our side, the Black Flag at the same time being hoisted at the Mizzen-Pique, and their Sprit-Sail-Yard, got under their Bow-Sprit for Boarding.

About Eleven the same Morning, the Pyrate-Ship being come within Musket-shot, we Star-board our Helm, and gave her a Broad-side both alow and aloft, she also bringing too, and returning the same.

After this the Fire grew slack for some time; because being shot a-head, on our Weather-Bow, few of our Guns cou'd be made to bear upon her; and in this Interval, the Black Flag was either shot or haul'd down a little Space, and then hoisted again; but at length thro' their ill Steerage, we got near 'em a second time; and about Two in the Afternoon shot away their Main-top-mast.

The Colours they fought under (beside the Black Flag) were a red *English* Ensign, a King's Jack, and a *Dutch* Pendant, which they struck at or about Three in the Afternoon, and called for Quarters; it being a *French* built Ship of 32 Guns, called the *Ranger*.

The Men that were taken out of this Pyrate-Ship we have seen, as they were called before this Court to answer their Indictment, and know them to be the Pyrates taken out of one or other of the Pyrate-ships, but verily believe them to be the very same that were taken out of the *Ranger*,

Isaac Sun,
Ralph Baldrick,
Daniel M Laughlin.

After the Evidence was given in, and the Prisoners were ask'd how they came to be on Board this Pyrate-Ship, and the Reason of their audacious Resistance against the King's Colours.

To this each Prisoner replied, and owned himself to be one of those taken out of this *Ranger*, that the Resistance made by her against the King's Ship, was in the manner had been set forth in their Accusation, and in the Evidence that every one of them signed their Pyritical Articles, and shared their Plunder, some few only excepted, who since their being on Board, had never seen a Prize taken: No one pretended to have deserted his Station at this Attack and Resistance; but most of them, in Extenuation of it, said they were forced Men, that they had never fired a Gun; and what other Assistance they might lend on this Occasion, was thro' a Terror of Death, which they said they were sure would be their Portion should they refuse.

On mature Debating on this Charge, and the Evidence given in, the Court was of Opinion the Indictment was sufficiently proved, as to the unlawful Attack and Resistance, had been made against His Majesty's Ship *Swallow*: But then having some Reason to believe many of the Prisoners found on Board were New-entred Men, and forced, thro' Fear, to act the Part they did in it, came at Length to the following merciful Resolution.

That further Evidence should be brought on that Particular against every Person singly; and that Circumstances of Burning, Sinking, or Robbery of any Ship in which any one of 'em was immediately concerned, tho' it was not particularly specified in the Indictment, would yet be a Conviction the

Man or Men were Voluntiers in this, such Evidence, tho' it might want a Form, still carried the Reason of the Law with it.

This following Charge, was likewise exhibited against the Pyrates taken out of the Royal Fortune; commanded by Bartholomew Roberts.

Harry Glasby, Thomas Davies, Christopher Granger, William Davinson, William Champnies, Samuel Murrel, Richard Wood, Hugh Riddle, Charles Bunce, William Magnes, Peter Lashly, Thomas Sutton, Nicholas Bratton, William Darling, Christopher Moody, John Jessup, John Lane, Edward Tarlton, John Philips, John King, William Williams, Roger Scot, Benjamin Par, Robert Lillbourn, Thomas Owen, Samuel Fletcher, Thomas Sever, John Parker, David Simpton, Thomas Roberts, Thomas Wincon, Edward Evans, Robert Johnson, Clement Sloecomb, William Philips, James Philips, Jacob Johnson, William Tayler, Haggy Jacobson, Marquis Johnson, Richard Scot, Abraham Harper, Daniel Harding, Michael Mare, Robert Crow, Philip Bill, Thomas Digles, Joseph More, Joseph Nositer, John Stephenson, James Crombie, George Smith, George Dawson, John Dufrock, George Wilson, Thomas Gerrat, William May, Robert Bevans, John Richards, Isaac Russel, John Cane, Roger Gorsuch James Morris, Hugh Menzies, Benjamin Jeffrys, Joseph Mansfield, John Coleman, William Farnham, John Watson, John Francois, James Clements, Thomas Ouchterlanny, Robert Haws, John Wilden, John Griffen, William Williams, (1.) George Ogle, Robert Hays, Edward Thornden, David Rice, Robert Armstrong, Stephen Thomas, Samuel White, Thomas Watkins, Peter Scudamore, William Child, William Mead, James Harris, John Jessup.

Ye are all and every one of you, in the Name and by the Authority of your Dread Sovereign Lord GEORGE, King of Great Britain, indicted as follows :

FORASMUCH as in open Contempt of the Laws of your Country; Ye have all of you been wickedly united, and Articled together, for the Annoyance and Destruction of his Majesty's Trading Subjects (*Super Alto Mare*) at Sea, and in Conformity to such Evil and Mischievous Intentions: Ye have Twice been down this Coast of *Africa*; once in the Beginning of *August*, and a second Time in *January* last; Sinking, Burning, and Destroying, such Goods and Vessels, as then happen'd in your Way; particularly, you stand indicted at the Information and Instance of Captain *Chaloner Ogle*, of his Majesty's Ship *Swallow*; are Traytors, Robbers, Pyrates, and common Enemies of Mankind.

For that ye did on the 10th of *February* last, in a Ship ye were possessed of called the *Royal Fortune*, of 40 Guns, make a Hostile Defence and Resistance for some Hours, against his Majesties Ship *Swallow*, commanded by Captain *Chaloner Ogle*, nigh Cape *Lopez-Bay*, on the Southern Coast of *Africa*.

That ye not only made this Fight and insolent Resistance against the King's Ship, without any Pretence of Authority more than that of your own private depraved Wills, but did it also under a Black Flag, flagrantly by that, denoting your selves common Robbers, Opposers and Violators of all Laws, Human and Divine.

And Lastly, That in this Resistance, ye were all of you Volunteers; and did, as such, contribute your utmost Vigour and Efforts, to annoy and disable the aforesaid King's Ship, that so with less Disturbance, ye might continue on those evil Practices, and Robberies, ye were mutually engaged in.

To

To which they severally Pleaded.

Henry Glasby	Not Guilty.	Michael Mare	Not Guilty.
Thomas Davies	Not Guilty.	Robert Crow	Not Guilty.
Christopher Granger	Not Guilty.	Philip Bill	Not Guilty.
William Davinson	Not Guilty.	Thomas Digles	Not Guilty.
William Champnies	Not Guilty.	Joseph Moor	Not Guilty.
Samuel Morwell	Not Guilty.	Joseph Nositer	Not Guilty.
Richard Wood	Not Guilty.	John Stevenson	Not Guilty.
Hugh Ridley	Not Guilty.	James Crumey	Not Guilty.
Charles Bunce	Not Guilty.	George Smith	Not Guilty.
William Magnets	Not Guilty.	George Danson	Not Guilty.
Peter Lashley	Not Guilty.	John Dufrock	Not Guilty.
Thomas Sutton	Not Guilty.	George Wilson	Not Guilty.
Nicholas Brattle	Not Guilty.	Thomas Gerrat	Not Guilty.
William Darling	Not Guilty.	William May	Not Guilty.
Christopher Moody	Not Guilty.	Robert Bevans	Not Guilty.
John Jessup	Not Guilty.	John Richards	Not Guilty.
John Lane	Not Guilty.	Isaac Ruffel	Not Guilty.
Edward Tarlton	Not Guilty.	John Cane	Not Guilty.
John Philips	Not Guilty.	Roger Goresuch	Not Guilty.
John King	Not Guilty.	James Morris	Not Guilty.
William Williams 2d	Not Guilty.	Hugh Menzies	Not Guilty.
Roger Scot	Not Guilty.	Benjamin Jeffries	Not Guilty.
Benjamin Par	Not Guilty.	Joseph Mansfield	Not Guilty.
Robert Lillburn	Not Guilty.	John Coleman	Not Guilty.
Thomas Owen	Not Guilty.	William Farnon	Not Guilty.
Samuel Fletcher	Not Guilty.	John Watson	Not Guilty.
Thomas Sever	Not Guilty.	John Francois	Not Guilty.
John Parker	Not Guilty.	James Clemens	Not Guilty.
David Simpson	Not Guilty.	Thomas Ouchterlannys	Not Guilty.
Thomas Roberts	Not Guilty.	Robert Hays	Not Guilty.
Thomas Wincon (dyed before Tryal)	Not Guilty.	John Wilden	Not Guilty.
Edward Evans	Not Guilty.	John Griffin	Not Guilty.
Robert Johnson	Not Guilty.	William Williams	Not Guilty.
Clement Sloecomb (dyed before Tryal)	Not Guilty.	George Ogle	Not Guilty.
William Philips	Not Guilty.	Robert Hays	Not Guilty.
James Philips	Not Guilty.	Edward Thornden	Not Guilty.
Jacob Johnson	Not Guilty.	David Rice	Not Guilty.
William Taylor	Not Guilty.	Robert Armstrong	Not Guilty.
Haggy Jacobson	Not Guilty.	Stephen Thomas	Not Guilty.
Marquis Johnson	Not Guilty.	James White	Not Guilty.
Richard Scot	Not Guilty.	Thomas Watkins	Not Guilty.
Abraham Harper	Not Guilty.	Peter Scudamore	Not Guilty.
Daniel Harding	Not Guilty.	William Child	Not Guilty.
		William Mead	Not Guilty.
		James Harris	Not Guilty.

We being Officers on Board his Majesties Ship *Swallow*, standing into Cape Lopez, on the Coast of Africa, Saturday the 13th of February, 172½ saw Three Ships at Anchor there, the largest with Jack, Ensign, and Pendant flying, who on sight of us, had their Boats passing and repassing, which we supposed to be with Men; the Wind not favouring us, we were obliged to Tack twice before we cou'd lye nigh enough to fetch them; and at half

past ten in the Morning, the aforesaid largest Ship slip'd her Cable, and got under Sail.

About eleven of the Clock, she being come within Pistol Shot abreast of us, and a Black Flag, or Pendant hoisted at the Maintop-Mast Head, we struck the French Ensign, that had continued hoisted at our Staff till now, and displayed the King's Colours, giving her at the same time our Broad side, which was return'd by them again, not with equal Damage their Mizzen-top-Mast falling, and some of their Rigging being disabled.

The Pyrate Sailing better than we, shot a Head, half a Gun Shot, while we continued Firing without Intermission, such Guns as we cou'd bring to bear; and they returning at Us in the same Manner, till by Favour of the Wind, we came along his Side again; and after exchanging a few more Shot, about half an Hour past One, his Main-top-Mast came down, being shot a little below the Parrel.

At Two he struck, and called for Quarters, proving to be the *Royal Fortune* of Forty Guns, formerly the *Onslow*: And the Prisoners assuring Us, that the small Ship remaining in the Road, and from which we had seen the Boats pass and repass, at our first appearing in the Bay, was called the *Little Ranger*; and did belong to their Company, they Deserting her sooner than they design'd on this Occasion. The Total of the Men on Board were 152, of which 52 were Negroes.

I *Isaac Sun*, I *Ralph Baldrick*, and I *Daniel Mac-Laughlin* do also swear, That having seen the Prisoners as they appeared in Court to answer to their Charge, we know them to be the Pyrates taken out of one or other the Pyrate Ships *Ranger* or *Fortune*, verily believe them to be the same Men that were taken by us, out of the aforesaid Ship the *Royal Fortune*.

Isaac Sun,
Ralph Baldrick,
Daniel Mac-Laughlin.

After the Evidence was given in, the Prisoners were ask'd, How they came to be on Board this Pyrate Ship, and the reason of their audacious Resistance against the King's Colours.

To which each Prisoner reply'd, and own'd himself to be one of those taken out of this *Royal Fortune*. That the Resistance made by her against the King's Ship, was in the manner had been set forth in their Acculation, and the Evidence against them, that every one of them had sign'd their Pyritical Articles, and shared their Plunder, some few only excepted; who since their being on Board, had never seen a Prize taken. No one pretended to have deserted his Station at this Attack and Resistance; but most of them, in Extenuation of it, said that they were forced Men, and had never fired a Gun in it. What other Assistance they might lend on this Occasion, was thro' a Terror of Death, which they said they were sure wou'd be their Portion, shou'd they refuse.

On the mature debating of this Charge, and the Evidence given in, the Court was of Opinion, the Indictment was sufficiently proved, that an unlawful Resistance had been made against his Ma'esty's Ship the *Swallow*, but then having some Reasons to think many of the Prisoners found on Board, were new entred Men, and forced to Act the Part they did in it, came to the following merciful Resolutions.

That further Evidence shou'd be brought on that Particular against every Person singly; and that Circumstances of Burning, Sinking, or Robbery of
any

any Ship, tho' not particularly specified in the Indictment, wou'd yet be a Conviction the Man or Men were Volunteers in this, such Evidence tho' it might not answer to the Form, wou'd to the Reason of the Law.

Adjourn'd till to Morrow Morning Nine a-Clock.

By Order of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle, this 29th of March, 1722.

Captain Mungo Herdman, President.

*James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,*

*Mr. Edmund Hyde,
Mr. John Barnsley,
Mr. Charles Fanshawe.*

THE Court being set, called for the several Prisoners following, to answer to the Charge against them of Yesterday, particularly to acquit themselves of being Volunteers, in their Resistance of the King's Ship.

Stephen Thomas produced Evidences in his Behalf, as follows:

Captain Joseph Trabern, who deposed on Oath, That the said *Stephen Thomas*, being taken the Day before him, did beg the said *Joseph Trabern* to apply to *Roberts* and his Company for a Discharge for him; that he was very melancholy, and was sure he would have been glad to have got away with him.

Thomas Castles deposed on Oath, That he was taken in the same Vessel with him, being a Sloop called the *Diligence*, belonging to the *Royal African Company*; that he was very sure the said *Thomas* wou'd have been glad to have got from the Pyrates, and made Application to the Company for it; and when he was going over the side with this *Thomas Castles*, the Quarter-Master of the Pyrates beat him, and forced him in again.

The Court considering of which, and that it was unlikely a Master of a Vessel at 6 l. per Month should be a Volunteer among such Villains, and that they also had sunk the Vessel he was Master of, *Acquitted* him.

John Stodgill.

Captain Joseph Trabern deposed upon Oath, That the Prisoner belonged to the Ship *King Solomon*, when he was taken by the Pyrates, off *Cape Appollonia*, the 6th of *January* last; that the said *Stodgill* cried when he saw him, and told him he was forced.

George Fem Second Mate of the same Ship, deposed, That he was very sure the Prisoner was forced by the Pyrates; that he the said *Stodgill* was beat from the Helm, and named several of the Pyrates that did it.

John Stratton, Surgeon, deposed to the same Purpose, That he saw him beat, and forced from the Helm away out of the Ship.

At which Evidence, the Court having consider'd, thought fit to *Acquit* him.

Jacob Johnson.

Captain *Joseph Trabern* deposed, That he earnestly begg'd of him to apply to *Roberts*, and the Company of Pyrates, for a Discharge for him; that he was dragged along to the Signing of their Articles; that he was the last among his Men that did sign them, and shew'd himself the most unwilling to go.

George Fenn the Mate swore, That the Pyrates forced him into the Boat, and that before they did do it, he had express'd himself extremely glad, for that he had heard the Pyrates would accept of no Foreigners, he being a *Dutchman*. And *Stephen Thomas*, (one of the Prisoners just acquitted,) gave Oath; That he had never been on Board at the Robbery of any Ship the Company had taken, since he was amongst them. On which the Court *Acquitted* him.

William Smith.

John Sharp, Master of the *Elizabeth*, deposed, That the said *William Smith* was one of the Ship's Company, when the Pyrates took his Ship at *Jacque a Jacques* on the Coast of *Africa*, and saw him very much against his Inclinations forced out of her, and thrown into the Pyrates Boat; That *Roberts* also himself told him the said *Smith* was, and should be compell'd into their Company.

James Munjoy, Cooper of the same Ship, deposed, That he saw *Smith* beat and forced into the Boat from them; that when he returned again, with Leave of the Pyrates, for some things of his own that were left, they would not trust him without a Guard of their own Men, and he begg'd if possible his Ship-mates could to hide him from the Pyrates.

The Court on considering the whole of their Depositions, *Acquitted* him.

Peter Divine.

George Fenn, Second Mate of the *King Solomon*, deposed, That he saw no ill Usage from the Pyrates to him, that might look like Force, and verily believed he enter'd with them voluntarily, for that he had, by his own Confession to him, received the Benefit of an Act of Grace before.

Captain *Joseph Trabern* could say on his Oath only, that he shew'd his Allowance on Board the Pirate, to incense them against him, and that he heard his Men say, he had been twice a Pyrating before.

Thomas Brown, who was a Passenger in the Ship *King Solomon*, deposed, That he seemed to go willingly, having had no ill Usage from them, and was for Scutling the Ship to sink her, which the Pyrates prevented him in.

Ebenezer Delver, a Passenger, likewise deposed the same, and withal said he used some Threatnings to his Ship-mates, as that it was their time before, but it was his now; and the like.

The Prisoner confessed he had received the Act of Grace, for belonging to *Major Bonnet* in the *Revenge Sloop* out of *Barbadoes*; but denied what the Evidence accused him of about Scutling the Ship.

The Court having consider'd the Weakness of his Defence, against positive Evidence, brought him in *Guilty*.

John King.

George Fenn deposes on Oath, That he saw no ill Usage from the Pyrates to force him out of his own Ship the *King Solomon*; that he came cheerfully up out of the Gun-Room; with a new Hat on belonging to the Chief Mate; and was presently in the Bow of the Boat to go off with the Pyrates; but withal that he thought him not sober.

Stephen Thomas, (one of the Prisoners who had been acquitted,) deposes; That he saw him armed that Day they made the Resistance in the Ship *Fortune*, against His Majesty's Ship *Swallow*, that is, he had his Pistols on. He also on his Oath says, that no New-Comer amongst the Company were suffer'd to go plundering of any Prize.

John Stratton, the Surgeon of the *King Solomon*, deposes, That he came to him, and ask'd him for two or three Shirts, which he would reserve and return to him again, but never did, and took some thin Drawers without his Leave: Nor did he see or hear of any ill Threatnings or Usage made by the Pyrates to force him.

The Prisoner in his Defence, laid he was drunk; and that when he came to his Senses, he was sorry and repented: And that as to plundering any Tan, or Ship, he had never done it since he belonged to them, and hoped, as being Young, and not knowing the Nature of Piracy, the Court would be merciful. *Guilty.*

William Philips.

Captain *Joseph Trabern* deposes on Oath, that the Prisoner *William Philips*, was his Boatswain in the *King Solomon*, when a Boat, which they supposed by the Number of Men in her, were Pyrates, drew near them as they were at Anchor off *Cape Apolonia*, that he hailed them, and thought they answered the Defiance; when the Boat drew nearer, he snatched a Musket from one of his Men and fired at her, upon which they return'd a Volley. He asked his Men, whether they would stand by him to defend the Ship, and that this same *William Philips* answered he wou'd not, and call'd out to the Boat for Quarters, laying down his Arms, which the rest followed also; that the Master of the Pyrate told him that he had endeavoured to have him ill used by *Roberts*; he likewise deposes, that when *Roberts* commanded him on Board the *King Solomon* again, to fetch the Provisions out, he was very ready in obeying.

George Fenn Mate of the *King Solomon*, likewise deposes, That the Prisoner *William Philips*, when he returned from the Pyrates, told him, that he had been obliged to Sign the Pyrates Articles that Night, for that a Pistol was laid upon the Table to force him to it, and hoped that he, the said *George Fenn*, would put him in the News Paper, but was very brisk, and at rumaging, calling out to the Pyrates if they wanted *Marlin*, and other Things as they came in his way, returning some threatening Language against the Officers, because the Captain had once threaten'd to cut his Ears off, for cutting Cordage without his Order, and believes from his Heart, he entred Volunteer.

Thomas Castles deposes on Oath, that he appear'd very brisk and forward among them, after the Ship was taken, and told him he was as free and willing to go as stay,

John Stratton Surgeon of the *King Solomon*, deposed the same; That he was unconcerned that he saw no Force made use of to compell him with them.

Stephen Thomas deposed, that he saw him armed in that Action against the *Swallow*, and that no Pistol or Articles, were produced that Night by the Pyrates for his Signing; and that both *John Stratton* and *George Fenn* say, that he challenged a Cheese from among the Pyrates, that they had seized; and
was

was so warm in his persisting about his having of it, as a share he claimed among them, that he quarrell'd with the Quarter-master, and was beat by another of the Pyrates.

He said in his Defence, That he was friendless in this part of the World; that the Witnesses wronged him to say that he enter'd voluntarily; yet owned that he made no Application to his Captain to seek a Discharge from among them; that as to the Cheese, it was his own, and he thought he might want it, which engaged him into the Quarrel with the Quarter-master; and lastly, that if he did tell Mr. *Fenn* that the Pyrates had already obliged him to sign the Articles, it was a Lye he had told. *Guilty of the whole Indictment.*

And then the Court Adjourn'd 'till Morrow Morning at Nine of the Clock.

By Order of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle in Africa, on Friday the 30th of March, 1722.

Captain Mungo Herdman, President.

James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,

Mr. Edmund Hyde,
Mr. John Burdett,
Mr. Charles Fanshawe.

WHEN the Court was set, the Prisoners following were called upon.

Samuel Fletcher.

George Fenn, the Mate, knew him to belong to the Ship *King Solomon*, and deposes, That after his first going from their Ship, on Board the Pyrates, which he believes might have been by their Orders, he never return'd again; that in the term of the Voyage he was always grumbling when order'd to any Duty, and several times wish'd to God Almighty they might meet the Pyrates; saw no Force used towards him, and believes he was a Volunteer.

Captain *Joseph Trabern* deposeth the same, That he was always denying Command, and at several times wish'd to meet the Pyrates; that he never spoke to him, while he continued on Board of *Roberts*, to endeavour at an Acquittance for him.

Stephen Thomas deposeth, He was always drunk; but had his Arms on the Day they fought the *Swallow*.

The Prisoner in his Defence said, That *Roberts* forced him to remain on Board: As to his Wishing for the Pyrates, when on Board the *King Solomon*, his Passion on some little cross Accidents that occur'd to him, might provoke him to say so, as it does other Men what they should not do often; and that

that it would be hard for every Man if punished for inadvertent Words; was never on Board plundering of any Ship, and if he did sign the Articles of the Pyrates, and share the Money they had taken, it was no more than what every one was obliged to do. *Guilty of the whole Indictment.*

John Johnson.

Thomas Brown deposes, That he the said Prisoner was coming a Soldier to *Cape Coast Castle* in the *King Solomon*, where he also was a Passenger; that he heard the Pyrates talk sharp and sternly to him, and believed there was a Force used in putting him out of the Ship, he being the last Man that went; nor was he active, or any way busy with the Pyrates in plundering, while they remain'd together on Board.

Ebenezer Delver says likewise on Oath, That he did not see him rumaging with the Pyrates about the Ship, after they were taken; that he was cheerful in their Company.

He said for himself, That the Pyrates hearing he was a Taylor, and wanting such a Person very much, did oblige him to continue on Board them, that he was always busied by them in that Employ; and the Day of their Action with the *Swallow*, was order'd with Threats of being kill'd, to fill Cartridges in the Powder Room.

Which the Court, for several Reasons, thinking it carried a Face of Truth, *Acquitted* him.

John Lane.

Captain *Joseph Trabern* deposes in his Behalf, That he spoke several times to him, while he remain'd a Prisoner on Board of *Roberts*, to help him any way if he could to a Discharge from the Pyrates; and that when *Roberts* was telling that they took none but Sailors into their Company, Why then, says the Prisoner, I am a Soldier; hoping (the Witness supposes) to have made his Escape by it; but *Roberts* cry'd out, No, I have heard (says he) that you have been a Boatwain's Mate, such Men we want, and you shall go with us.

George Fern Mate of the *King Solomon*, where the Prisoner was a Passenger, could not be positive whether he was forced, or a Volunteer.

Stephen Thomas, the Prisoner acquitted Yesterday, deposes, That he saw him in Arms, when the Pirate Ship went into *Whydah*; that he was flourishing his Cutlass on the Fore-Castle, and cry'd out to *Roberts*, *D—n you, give the French Ship a Broad-side, and board him at once*; himself being then just wounded in several places by the splitting of a Gun.

Jacob Johnson (a Prisoner acquitted) swears he went on Board of Captain *Hill*, at *Cape Lopez* in his turn; that he told *Roberts* he was a Soldier, when he said he wanted Sailors; he was armed in the Action at *Whydah*.

He said little in Defence of himself. *Guilty.*

Edward Thornden.

John Sharp Master of the *Elizabeth*, deposes, That the Prisoner did belong to his Ship, when the Pyrates took him at *Jacque a Jacques* the 2d of last *January*, That *Roberts*, who commanded the said Pirate Ship, told him, the Prisoner was a Volunteer; which he had some Reason to believe was true, because the said *Thornden* never apply'd to him for obtaining a Release, during the time he was detain'd among them, tho' he knew he had got Leave for another of his Men to go back with him; yet could not help confessing that the Prisoner said, (together with one *May*, which was also a Man of his.) *Pray, Captain Sharp don't forget to speak for us*; as likewise that his Behaviour 'till this time had been very obedient.

James Munjoy, one of the same Ship's Company with the Prisoner when taken; deposes, That coming to him the said Prisoner, and bidding him go to the Helm, he answer'd with an Oath, that he had taken Tricks enough, and did not now belong to the Ship; nor did he see any of the Pyrates use Force to carry him away. He also swears in Corroboration of his Belief, that he was not forced, that he discover'd to the Pyrates some Rings and Buckles that the Cook of the Ship had, and caused them to be taken away; on which the Prisoner called for one *John Taylor*, a Man belonging to the said Ship *Eliza'eth*.

John Taylor who deposed upon Oath, That he had often heard the Cook say, he would give any thing to know the Rogue had been the occasion of his losing the Buckles and Rings; he says likewise, that a Quarrel happening between one *Dyer* one of the Pyrates, and the Prisoner, about a Lock and a Key, which the Prisoner would have to belong to him, the Quarter-master came forward, and took the Pyrate off from beating him, asking him how he would like it were he a Prisoner: Why, (says the other,) he is sawcy. Nay, then (says the Quarter-Master) take him on Board of us: But saw no other Force. He did not see him plundering, he says; but at the Pyrates Orders, went to fixing a Top-sail-sheet-block when he return'd again.

Stephen Thomas deposes, That he never saw him in Arms, neither going into *Whidah*, nor in the Action with the Ship *Swallow*, but seem'd to be uneasy in the Company he had got into, and cried, laying, he hoped the Captain would do him Justice, which he interpreted was, that he would represent him a forced Man.

Roger Shelton Mr. *Sharp's* Cook, deposes on Oath, That the Rings were the Prisoner's, having given a Note for them to his Order, and knows nothing of his discovering of them to the Pyrates.

The Prisoner said for himself, That he was misused and beat by the Pyrates, and afterwards forced on Board; that he desired one of his Ship-Mates, (since unhappily kill'd by the Negroes, as was confess'd by the Evidence,) to take notice of it, and insert it in the *Gazette*: That as to his telling *Munjoy*, he did not belong to the Ship, it was said jokingly; that as to his obeying the Pyrates in fixing the Top-sail-sheet-block, it was out of his Power to deny, without Hazard of beating, or worse from the Pyrates. And, lastly, denies *Munjoy's* Charge of causing the Cook's Buckles and Rings to be taken away; they were his own, for that he had given the Cook a Note of 21 s. for them, and the Cook telling him one of the Pyrates had took them, why then, (says the Prisoner, cancel the Note. *Acquitted.*

William May.

John Sharp Master of the Ship the Prisoner was taken out of by the Pyrates, lays on Oath as he did of *Thornden*, That *Roberts* shou'd give him leave to take back again one of his Men, and told him at the same time, that for these two Fellows, *May* and *Thornden*, they were Volunteers; yet yields, that both the Prisoner and *Thornden* did desire he would speak for them.

John Taylor belonging to the said Ship *Elizabeth*, deposes, That he heard the Quarter-Master of the Pyrates order him into the Boat, and heard that he was beat very much, either for denying this Order, or because the Prisoner told some of the Pyrates, that he should see presently what brave Fellows they were, when they should come to fix the Top-sail-sheet-block; and the Deponent says he saw the Marks of the Blows upon his Body.

James Munjoy belonging to the same Ship *Elizabeth*, swears concerning the Top-sail-sheet-block much to the same purpose, and that the Quarrel he had was with one *Parson* a Pyrate; who in Answer to the Prisoner when he was going up the Stairs, and had said, We shall see what brave Fellows ye are:

Ah,

Ah, G—d d——n you, (says this Fernon,) and I shall see too what a brave Fellow you are, when you come down; and beat him very much.

The Prisoner said he had a Wife and Family that was too near to him, to think of leaving for such a Life as Pyrating; that if he had had any Inclination to it, the Beating he had received as an Earnest of their good-liking, would have discouraged him from thinking of it; that possibly *Roberts* might be Rogue enough to say he was Volunteer, but protested his Innocence, and said one *Moody* a Pirate, who had known him on Board of a Man of War formerly, was the Man that forced him, and quarter'd him in the Top with himself on Board the *Fortune*.

The Court weighing the Evidence, and the Prisoner's Defence, *Acquitted* him.

And then the Court Adjourn'd 'till Morrow Morning at Nine of the Clock.

By Order of the Court.

John Atkins, Register.

The Tryal of *George Wilson* came on this Day, and was farther put off to the 7th of *April* following.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle in Africa, on Saturday the 31st of March, 1722.

Captain Mungo Herdman, President.

<i>James Phipps, Esq;</i>	<i>Mr. Edmund Hyde,</i>
<i>Mr. Henry Dodson,</i>	<i>Mr. John Barnsley,</i>
<i>Mr. Francis Boye,</i>	<i>Mr. Charles Fanshaw.</i>

WHEN the Court was set, the following Prisoners were called for.

George Wilson came on this Day, but was farther put off to the 7th of *April* following.

Philip Haak.

The Evidence in his Favour was *Gerrit de Haen* Master of the *Flushingham*, who deposes on Oath, That the 4th of *January* last, having been taken by two Pirate Ships a little above *Axim*, the Prisoner was forced out of his Ship, tho' he had begg'd hard for his Release, being Trumpeter, and a decrepid Fellow unfit for their purpose. *Acquitted.*

Thomas

Thomas Sutton.

Benjamin Krest Master of the *Gertruyt* a Dutch Ship, deposes on Oath, That on the 14th of December, N. S. being at Sea off the River *Gabone* on the Coast of *Africa*, he was taken by two Pyrates, and swears, That the Prisoner is known to him very well, and that he was very active in Robbing him, taking all his Gunner's Stores out.

Gerrat de Haen Master of a Dutch Ship call'd the *Flushingham*, deposes on Oath, That being a little above *Axim* on the Coast of *Africa*, two Pyrate Ships fired and brought him too with the Ship, and that this Prisoner *Sutton*, whom he remembers very well, came on Board armed, and took his Gunner's Stores out.

The Prisoner said little in his Defence, owned the Facts; only to the first Evidence he said, he had only taken half the Stores out, owned he had been three Years with them. *Guilty.*

William Magness.

Benjamin Krest Master of the *Gertruyt*, deposes, That the Prisoner is well known to him; that he came on Board as Quarter-Master of the Pyrates, and order'd his Provisions out, favouring him (as he call'd it) with only enough to carry him to the *Mine*.

Captain Trabern swears, That the Prisoner commanded the Boat that boarded and took his Ship, that he remembers him well, that he commanded the Goods out of his Cabin, and took eleven Ackies of Gold from him, being all as he then had, was active at plundering.

Thomas Castle deposes on Oath, That the Prisoner is well known to him; that when the *Onslow* was taken by the Pyrates the 8th of August last, this Prisoner was very active, and order'd many of her Goods to be thrown over Board.

The Prisoner owned that these Evidences had sworn against him with little Variation; but said his Place of Quarter-Master, which obliges him to go on Board what they call *Pieces*, was imposed on him, and that it always went against his Conscience to do them. *Guilty.*

David Simpson.

Edward Crisp deposes, That being taken in the *Onslow*, the Prisoner was particularly cruel beyond the rest of the Pyrates, driving them about with his Cutlafs, and bragging he was as good a Man as *Roberts*; that by the Prisoner's Orders, he saw several of the *Onslow's* Goods thrown over Board, and thought none so brisk at it as himself.

Thomas Castles, That he order'd the *Onslow's* Goods over Board, and was a very active Man.

Gerrit de Haen swears, The Prisoner was on Board very active in Robbing his Ship, and said, *If all were of my Mind, we'd burn or sink her.*

More Evidences would have appear'd, but the Prisoner not denying these Facts, and only excusing it with a Plea of Force, and in Concert with others who were doing the same, the Court knowing him to be an old Offender, having served the Company as Quarter-Master 'till he was turn'd out, very readily found him *Guilty.*

Christopher Moody.

Gerrit de Haen swears, That at the taking of his Ship, the same Prisoner, whom he knows very well, came on Board armed with the rest of the Pyrates, and robb'd him, being a very active Man at that Service.

Captain

Captain *Trabern* deposes, That this same *Moody* was one of the Pyrates that came on Board of him in the Boat, and after Seizing his Ship, was one of the forwardest in Robbing her.

Edward Crispe and *John Wingfield*, That they knew him well to be a distinguish'd and active Man among the Pyrates on all Occasions, but knew no particular Facts.

The Prisoner owned all that was witnessed against him; and the Court being fully assured of his being an old and notorious Offender, found him *Guilty*.

Philip Bill.

Gerrit de Haen swears, That the Prisoner was among the rest of the Pyrates, Plundering and Robbing of his Ship, after he had unfortunately fell into their Hands.

Thomas Castle deposes, That he went voluntarily with the Pyrates, he being a Passenger in the Ship *Onslow*, to which the Prisoner belonged, and told his Comrade at Parting, that he was sorry he was sick, and could not go with him, taking a laced Hat from one *Mr. Winthrop*, and very active in the plundering Part.

John Wingfield swears him to have been a Leading Man amongst them, very brisk and active, but knows no particular Fact.

The Prisoner could make no Denial to this Charge of the Evidences, and was was found *Guilty*.

Richard Hardy.

Thomas Castles deposes on Oath, That the 5th of *January*, about two Leagues from *Affinee* on the Coast of *Africa*, he being then on his Affairs in the *Diligence* Sloop belonging to the *African* Company, *Roberts* the Pirate, and his Consort, two Ships of them took the same Sloop, and that he is positive of the Prisoner being one, and the busiest one among the Pyrates, at plundering, taking the Gold and the Captain's Buckles, who he swore should suffer for denying he had any Silver: And after this, that he was the Man that scutled the Sloop and sunk her. He likewise says of the five foregoing Prisoners they were the activest and leadingest Men among the Company.

John Wingfield swears, That falling into the Hands of the Pyrates in a Brigantine called the *Hannibal*, belonging to the *African* Company, and then at *Callabar*, the Prisoner not only robb'd the Ship, broke the Hinges of a Case to get the Gold out, directed the Pyrates to throw the Red-Wood that was in the Brigantine over Board, but broke his Cutlafs with a Blow he gave the Master of her.

More might have been proved, but the Prisoner owning this, and knowing him an old Offender, found him *Guilty*.

John Ouchterlauney.

Captain *Joseph Trabern* deposes of the Prisoner, That he came in the Pyrates Boat armed on Board all together threatning no Quarters, and after firing and seizing his Ship, he saw the said Prisoner with one of his Shirts, his Wig, and other Cloaths on, very brisk and active.

Thomas Castles swears, That none were forced on these Occasions to go on Board, and that he being on Board of the Pirate Ship when the Boat went from her to take the *King Solomon*, the Word was given, Who would go on Board, and he saw this *Ouchterlauney* was one, and afterwards saw him with a long Wig of Captain *Trabern's* on.

The Prisoner owned his being on Board and at the Robbery, but that any Irregularity he might commit, was thro' Drink only; that he was a forced

Thomas Sutton.

Benjamin Krest Master of the *Gertruyt* a Dutch Ship, deposes on Oath, That on the 14th of *December*, N. S. being at Sea off the River *Gabone* on the Coast of *Africa*, he was taken by two Pyrates, and swears, That the Prisoner is known to him very well, and that he was very active in Robbing him, taking all his Gunner's Stores out.

Gerrat de Haen Master of a Dutch Ship call'd the *Flushingham*, deposes on Oath, That being a little above *Axim* on the Coast of *Africa*, two Pyrate Ships fired and brought him too with the Ship, and that this Prisoner *Sutton*, whom he remembers very well, came on Board armed, and took his Gunner's Stores out.

The Prisoner said little in his Defence, owned the Facts; only to the first Evidence he said, he had only taken half the Stores out, owned he had been three Years with them. *Guilty.*

William Magness.

Benjamin Krest Master of the *Gertruyt*, deposes, That the Prisoner is well known to him; that he came on Board as Quarter-Master of the Pyrates, and order'd his Provisions out, favouring him (as he call'd it) with only enough to carry him to the *Mine*.

Captain Trabern swears, That the Prisoner commanded the Boat that boarded and took his Ship, that he remembers him well, that he commanded the Goods out of his Cabin, and took eleven Ackies of Gold from him, being all as he then had, was active at plundering.

Thomas Castile deposes on Oath, That the Prisoner is well known to him; that when the *Onslow* was taken by the Pyrates the 8th of *August* last, this Prisoner was very active, and order'd many of her Goods to be thrown over Board.

The Prisoner owned that these Evidences had sworn against him with little Variation, but said his Place of Quarter-Master, which obliges him to go on Board what they call *Pieces*, was imposed on him, and that it always went against his Conscience to do them. *Guilty.*

David Simpson.

Edward Crisp deposes, That being taken in the *Onslow*, the Prisoner was particularly cruel beyond the rest of the Pyrates, driving them about with his Cutlafs, and bragging he was as good a Man as *Roberts*; that by the Prisoner's Orders, he saw several of the *Onslow's* Goods thrown over Board, and thought none so brisk at it as himself.

Thomas Castles, That he order'd the *Onslow's* Goods over Board, and was a very active Man.

Gerrit de Haen swears, The Prisoner was on Board very active in Robbing his Ship, and said, *If all were of my Mind, we'd burn or sink her.*

More Evidences would have appear'd, but the Prisoner not denying these Facts, and only excusing it with a Plea of Force, and in Concert with others who were doing the same, the Court knowing him to be an old Offender, having served the Company as Quarter-Master 'till he was turn'd out, very readily found him *Guilty.*

Christopher Moody.

Gerrit de Haen swears, That at the taking of his Ship, the same Prisoner, whom he knows very well, came on Board armed with the rest of the Pyrates, and robb'd him, being a very active Man at that Service.

Captain

Captain *Trabern* deposes, That this same *Moody* was one of the Pyrates that came on Board of him in the Boat, and after Seizing his Ship, was one of the forwardest in Robbing her.

Edward Crispe and *John Wingfield*, That they knew him well to be a distinguish'd and active Man among the Pyrates on all Occasions, but knew no particular Facts.

The Prisoner owned all that was witnessed against him; and the Court being fully assured of his being an old and notorious Offender, found him *Guilty*.

Philip Bill.

Gerrit de Haen swears, That the Prisoner was among the rest of the Pyrates, Plundering and Robbing of his Ship, after he had unfortunately fell into their Hands.

Thomas Castle deposes, That he went voluntarily with the Pyrates, he being a Passenger in the Ship *Onslow*, to which the Prisoner belonged, and told his Comrade at Parting, that he was sorry he was sick, and could not go with him, taking a laced Hat from one *Mr. Winthrop*, and very active in the plundering Part.

John Wingfield swears him to have been a Leading Man amongst them, very brisk and active, but knows no particular Fact.

The Prisoner could make no Denial to this Charge of the Evidences, and was was found *Guilty*.

Richard Hardy.

Thomas Castles deposes on Oath, That the 5th of *January*, about two Leagues from *Affinee* on the Coast of *Africa*, he being then on his Affairs in the *Diligence* Sloop belonging to the *African* Company, *Roberts* the Pyrate, and his Consort, two Ships of them took the same Sloop, and that he is positive of the Prisoner being one, and the busiest one among the Pyrates at plundering, taking the Gold and the Captain's Buckles, who he swore should suffer for denying he had any Silver: And after this, that he was the Man that scutled the Sloop and sunk her. He likewise says of the five foregoing Prisoners they were the activest and leadingest Men among the Company.

John Wingfield swears, That falling into the Hands of the Pyrates in a Brigantine called the *Hannibal*, belonging to the *African* Company, and then at *Callabar*, the Prisoner not only robb'd the Ship, broke the Hinges of a Case to get the Gold out, directed the Pyrates to throw the Red-Wood that was in the Brigantine over Board, but broke his Cutlafs with a Blow he gave the Master of her.

More might have been proved, but the Prisoner owning this, and knowing him an old Offender, found him *Guilty*.

John Ouchterlauney.

Captain *Joseph Trabern* deposes of the Prisoner, That he came in the Pyrates Boat armed on Board all together threatning no Quarters, and after firing and seizing his Ship, he saw the said Prisoner with one of his Shirts, his Wig, and other Cloaths on, very brisk and active.

Thomas Castles swears, That none were forced on these Occasions to go on Board, and that he being on Board of the Pyrate Ship when the Boat went from her to take the *King Solomon*, the Word was given, Who would go on Board, and he saw this *Ouchterlauney* was one, and afterwards saw him with a long Wig of Captain *Trabern's* on.

The Prisoner owned his being on Board and at the Robbery, but that any Irregularity he might commit, was thro' Drink only; that he was a forced

Man from Captain *Rolls* at *Callabar*, *October* last, at which place he would have made his Escape, but that it was among Canibals, a worse Choice than where he was. *Guilty.*

But Execution respited 'till the King's Pleasure be known.

William Main, Boatswain.

Captain *Joseph Trabern* deposes, That the Prisoner indeed was not in the Pyrate Boat that attack'd his Ship, but that he came afterwards and robb'd her, particularly taking two new Cables that were hid, and some Coils of Rope, and he saw him bring them on Board, acting briskly on all Occasions, on Board the Pyrate Ship, like a Man of War's Officer.

George Fenn, his Mate, deposed, That he came on Board the *King Solomon*, and order'd him to get the two Cables up, and beat the Crew for not being brisk enough about it, saying it would make charming Shrouds; also that he told the said *Fenn*, he was the Man he came for, that is, to force away with them.

John Wingfield deposes, That the Prisoner was also on Board the Company's Brigantine taken at *Callabar*, ordering things out of her, particularly a Topping-lift, and was very active on all Occasions.

The Prisoner in his Defence said, he was taken in a Brigantine sixteen Months ago, one Captain *Peet*, and forced amongst these Pyrates much against his Inclination, that he had never harmed, but rather well used Prisoners. *Guilty.*

Henry Dennis.

Benjamin Kraef swears, That he was on Board, and assisting to the Robbing of his Ship with the other Pyrates.

Charles Munjoy, That he was on Board the *Elizabeth*, and assisted to rob her.

He said little or nothing in his Defence, depending the Court presumed on Mercy for his early Informations, being an old Stander, and acquainted with all their Characters, which he had before this, given without Reserve. *Guilty.*

William Mackintosh.

John Wingfield, that he was one of the activest and briskest among the Pyrates at any Duty, when they were heaving down by the Brigantine; he was taken in at *Calabar*.

George Fenn swears, that he remain'd all Night on board the *King Solomon* after they were taken, and was assisting in robbing her.

He said little for himself, and could not deny what the Evidence had sworn, owned he had been twenty Months among them, but constrain'd to it. *Guilty.*

Valentine Asplant.

Captain *Joseph Trabern* on his Oath, that he knew the Prisoner, that he was employed mostly in being Patroon of the Pyrates Boat, the forwardest among them, and returning with Goods from what they called their Prizes.

Thomas Castle, that he was on board a *French* Ship to Windward, and would have cut her Mast away, but did not know how to get back again; he heard the Prisoner say he had bought Brandy enough out of this Ship for every Mess, and was the forwardest among them.

George Fenn says, he knew the Prisoner Master of a Brigantine seven Years ago, but likewise on his Oath, that he was on Board the *King Solomon*, with the rest of their Crew.

He

He said little or nothing in his defence, that he had been about two Years with them; but forced. *Guilty.*

David Rice.

Gerrit d' Haen swears, that the Prisoner whom he knew very well, often threatened to kill him, in the Time he was detained on board of *Roberts*, and seem'd a very active Man amongst them.

Stephen Thomas, that he had seen the Prisoner in Arms at the Pyrates Ships, going into *Whydah* Road; Also when she fought the Man of War. He was taken only in *November* last at *Calabar*, in the Ship *Cornwall*. *Guilty.*

Robert Bevins.

Stephen Thomas swears he never saw him sober scarce, or fit for any Duty, while he was on board the Pyrates.

John Wingfield, that he heard Captain *Rolls* in the *Cornwall* (to which this Prisoner belong'd) say, the Pyrates had forc'd his Men from him, when they took him at *Calabar*. *Marshalsea.*

William Williams.

Benjamin Kraeft Master of a *Dutch* Vessel or Ship taken by these Pyrates swears, the Prisoner often threatned with Oaths, to beat him while he was detain'd on board of *Roberts*, and often was forced to hide to prevent him in it, that he was well at *Gabone*, and was on shore duelling with another of the Crew.

John Wingfield deposes, that on board the *Brigantine*, in which he had the Misfortune to fall into their Hands, this Prisoner acted with the same forwardness, as the others in robbing her.

The Prisoner could not make much defence against this, but seemed to talk very innocently of his being a forced Man, and that he attempted at *Sierraleone*, to run away from them but was catch'd, naming the same Pyrates who did it, and receiv'd two Lashes from every Man in the Company as a Punishment, (which was confessed by the other Prisoners) and which he said had indispos'd him for several Months till now; but own'd he had been on board the *Dutch* Ship. *Guilty.*

Roger Scot.

Charles Mumjoy was the only Evidence appeared against him; who deposes upon Oath, that he saw the Prisoner, whom he knows very well, on board of the *Elizabeth*, *John Sharpe* Master, carouzing and drinking with the rest of the Pyrates.

The Prisoner pleaded he was a forced Man, and taken out of the *Sudbury*, Captain *Thomas*, about nineteen Months ago; the Court thought, that an old Offender of his standing, must certainly be *Guilty.*

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Order of the Court.

John Atkins, Register.

A

A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle, April the 2d, 1722.

Captain Mungo Herdman, President.

<i>James Phipps, Esq;</i>		<i>Mr. Edmund Hyde,</i>
<i>Mr. Henry Dodson,</i>		<i>Mr. John Barnsley,</i>
<i>Mr. Francis Boye,</i>		<i>Mr. Charles Fanshawe.</i>

THE Court being set, the following Persons were called.

Henry Dawson.

John Sydgill swears, that the Prisoner being taken by the Pyrates in a Sloop called the *Whydah*, down at *Jacquin* in *January* last, whereof he was Mate; the said Sloop was burn'd, and the Prisoner taken out, and obliged to sign the Articles by *Roberts*.

Stephen Thomas, that the Sloop whereto the Prisoner belonged, was burn'd the 15th of *January* last, and he the Prisoner forced on board the *Ranger*.

The Prisoner says, they put the Sloop to Sea from *Jacquin* for avoiding the Pyrates, who they heard were up at *Whydah*; yet three Days after unfortunately met them, was rifled, burn'd, and consequently forced with them, that he had fourteen Months Pay due, and Mate in quality, therefore unlikely to be a Volunteer, and hoped the Court would consider it. *Acquitted.*

William Glass.

William Smith (a Prisoner acquitted) deposes on Oath, that the *Whydah* Sloop to which the Prisoner belonged, he knows was burn'd by the Pyrates at Sea, nigh the Coast of *Whydah* *January* last, that he had no Pistols about him, nor was he armed at fighting the Ship *Swallow*, or any way shew'd himself approving their Practice.

The Prisoner says in his Defence, that the Sloop being burn'd, he was under a necessity to accept the Pyrates treatment, and remain with them; that *Roberts* would not permit him to go on shore, saying he the Prisoner should go when himself did, and that no Prize, as they call it, had been taken since himself, till the Action with the *Swallow*. *Acquitted.*

James White.

John Wingfield deposes, that the Prisoner was commanded out of the *Cornwall Gally*, Captain *Rolls* Commander at *Calabar*, being one of the Musick there, and heard his Commander say he was compell'd to sign the Articles of the Pyrates.

The Prisoner appeared to be decrepid and ill-shapen, unfit for any purpose but Musick, which he said in Defence of himself he was forced to comply with to obey their Orders, and play their time, or be beat, and that he had

had given all his Wages to Captain *Rolls*, to beg he would put him in the *Gazette* as forced. *Acquitted.*

Nicholas Brattle.

James White (the Prisoner just acquitted) swears, that the Prisoner with himself was forced out of the *Cornwall Gally* at *Callabar* into the Pyrates Boat, and carried on board the *Royal Fortune* by *Roberts's* Orders, and afterwards compell'd to sign their Articles.

Stephen Thomas, that the Prisoner was only made use of as Musick, which he dared not refuse, not being in Arms at attacking the *Swallow*, or assisting in any military Manner at any Time.

The Prisoner said he was taken in *October*, and gave all his Wages to Captain *Rolls* to put him in the *Gazette* as a forced Man. *Acquitted.*

Henry Glasby.

There appearing several Persons in Court, who had been taken by *Roberts's* Ship, whereof the Prisoner was Master, the Court thought fit to accept their Evidence as follows:

Joseph Trabern Master or Captain of the *King Solomon* swears, that the Prisoner acted as Master of the said Pyrate-ship, that he once called upon him during his restraint there, and said they had made him Master, but did as they would, never observing him; that he was weary of his Life, and such other Expressions as shew'd in him a Dis-inclination to the method of Living he was in.

John Wingfield taken by the same Pyrate *Roberts* at *Calabar*, deposes, that he was called Master of the Pyrate-ship *Fortune*, and acted as such, but was civil beyond any of them, that when the said Brigantine he was taken in, was voted by the Pyrates to be burn'd, he really believes he was the Instrument of saving her, that he had express'd a great deal of sorrow for being among such a Company of Rogues, that he had acted among them with a great deal of Reluctancy, and verily believes he could not avoid it, that when *Hamilton* a Surgeon was taken, and they would have imposed their Articles upon him, the Prisoner opposed and prevented it, that *Hunter* another Surgeon among them, was clear'd at the Prisoner's instance and persuasion; likewise the Deponent says, that this same Mr. *Hunter* told him, that the Prisoner with two more were sentenced to Death, for attempting an Escape from them, and that the other two were really shot for it.

Thomas Castle, that he acted as Master of the Pyrate, but had several times expressed a Regret for it, that it was imposed upon him, he doing and acting in it with Reluctancy, that he always blamed the Pyrates for their Cruelties, particularly in his Hearing when they brought away Captain *Trabern's* Sails and Canvas, and seem'd to act thro' fear.

Edward Crispe, that he heard Captains *Lady* and *Tarlton*, taken by the Pyrates, give this Prisoner an excellent Character, and that what good Usage they met from them was thro' the Prisoner's means.

Isaac Sun Lieutenant of the *Swallow*, deposes on Oath, that having before the Action with the Pyrates heard a very good Character of the Prisoner by those who had been taken at *Whydah*, he enquired of him by Name when he came to take possession of her as Prize in the King's Boat, that the Pyrates told him the Prisoner prevented them from blowing the Ship up after they had struck, in particular, that he had taken two lighted Matches out of the Hand of one who was going to do it, that he order'd the Colours to be struck after *Roberts's* Death, and was threaten'd for it, and that the Prisoner has since shewn the Involuntariness of his Actions while with the Pyrates, by declaring the vilest Characters among them.

Captain *Sharp* taken by this same Pyrate-ship says, the Prisoner was Master of her, but believes he disapproved the Life, in particular, once he cry'd to him, and told him how miserable his condition was with such a Crew, lamenting very much, saying he had never been on board of any Prize; as to the station they allotted him, he could not refuse acting; that at the Deponent's coming away, he had some little Utensils or Instruments that he wanted on board his Vessel in a Coat, and gave them with him privately, saying he would give him more, but that he had it not for himself.

Captain *Trengove* a Passenger in the *Onslow* when she was taken by the Pyrate-ship, says that Captains *Gee Lady* and *Tarlton* did in his hearing give great Commendations of the Prisoner.

Elizabeth Trengove Wife to the former Deponent, and Passenger in the *Onslow* swears, that hearing a good Character of this *Glasby* the Prisoner, her Curiosity prompted her to ask the Quarter-master of the Pyrate who was on board robbing, why they could not see him? No, says the Quarter-master, he is a very good Man, and we never venture him from on board, being suspicious that he designs to make his Escape, for, says he, he once endeavoured it before.

James White (a Prisoner just acquitted) whose Business, as Musick, was upon the Poop, in time of Action with his Majesty's Ship *Swallow*, deposes, that he never during the time of Action forc'd or gave Orders for firing or loading a Gun, but his business was wholly to trimming the Sails, to which he was commanded by *Roberts*, that he never heard him give any Order about going on board of Prizes or to concern himself about it, and verily believes he was the Person that prevented her being blown up after striking, by setting trusty, that is new entered Men, as Centinels below.

The Prisoner said, that when he had the Misfortune of first falling into the Pyrates Hands, he was chief Mate of the *Samuel* of *London*, Captain *Cary*, and when he had hid himself to prevent their Design of carrying him away, they found him out, beat and threw him over board. Seven days afterwards upon his objecting and refusing to sign their Articles, he was cut and abused very much, that tho' after this he was forced to receive a share with them, he was but little the better, distributing to such Prisoners as from time to time fell in his way; and when it was asked, whether he had not return'd home any Money by Captain *Lean*, he said perhaps he had two or three Moidores, desiring he would give 'em to his Wife, or use it himself as he thought fit. Again, that making his Escape once in the *West Indies*, and being taken, he was sentenced with two more to be shot, and escap'd it only by one of the leading Pyrates being his Friend, and bullying the rest. A second time he ran away at *Hispánola*, carrying a Pocket Compass, but the Barbarousness of that part of it he fell upon, and unacquainted what path to follow, obliged him down to the Water-side again, where some of the Pyrates found him, and when they challenged him for running away, he was forced to protest he did not design it, for fear of their shooting him, and so return'd on board again; that *Roberts* was very jealous of him, and never committed his Secrecies or private Designs to him, withal that this Captain *Cary* had given it on Oath, that he was a forced Man, to which Affidavit were four other Captains Witnesses that were then Passengers in the same Ship, and that it was unlikely he should be a Volunteer from so good an Employ.

The Court when they came to consider of the Evidence, and his Defence, resolved, that in consideration he had always acted with Reluctancy in any of their Villanies, that he had been forced from a good Employ, that he had shewn a sorrow to several Prisoners because of the little hopes of Redress he had to that wicked way of living, that he had used all Prisoners (as they called them) well, running the hazard of ill usage from the Pyrates, for the good will he express'd in Word or Deed to any that were taken by them,
that

that he had never been in any military manner assisting their Actions, that he had prevented the Prize being blown up by them; that it was unlikely, as he appeared qualified for any maritime Employment, he should ever take this Course again, and that he had twice endeavoured at an Escape from them, tho' with the utmost hazard of his Life; and lastly, that his Evidence would be of great use to the Court for trying the remaining Prisoners. He was *Acquitted*.

Robert Lilburn.

Edward Crispe deposes of this Prisoner, that he was very civil and ready in serving any body taken in the *Onslow*, in particular that he prevented one *Whetstone*, Master's Mate of that Ship, from being misused, his Ears being threaten'd to be cut off; he seem'd always melancholy and disconsolate, lamenting the condition of Life he was in, and that he knew him to lye under a suspicion of not being well affected to their Cause, (*i. e.*) the Pyrates.

John Wingfield deposes much the same as to his melancholy Behaviour, and that he never was on board the Brigantine they took at *Calabar*.

Captain *Trabern* says, that he had a general good Character from all he met with who knew him, that he cry'd when the Deponent was coming away, and would fain have came along with him, but it was refus'd him.

George Fenn, Mate of the *King Solomon*, says, that the Prisoner acted not like a Volunteer, but prevented all the Mischief he could that the others would have done, particularly in scuttling the Ship, which some of them was for.

Captain *Sharp* says, when his Ship was taken, he never offer'd to carry any thing out of her.

Charles Munjoy also belonging to this *Elizabeth* Captain *Sharp*, says he sat very pensive and melancholy while he was on board that Ship by the Pyrates Orders, and believes he was the means of saving him from going on board with them.

James White (lately acquitted) says, he only went on board of Prizes in his turn, and was then called to it.

Henry Glusby deposed, that when he was first taken by the Pyrates, he was beat and forced among them; that as to his signing the Articles, he must have done it, or have been shot; that to his certain knowledge, he would with all his heart have got away if an Opportunity had happen'd, that *Roberts* suspected it so far, that he particularly took care of the Boats in order to prevent it; and lastly, that after she struck to the Ship *Swallow*, he voluntarily went and stood a Centry at the Powder-room to prevent her blowing up.

The Prisoner said in his own Defence, that being taken in the *Jeremiah* and *Ann* of *London* the 9th of April, 1721, by the Pyrates, he was with the utmost violence forced amongst them; his ~~Commander~~ Captain *Turner's* Oath made before the Lord Mayor of *London* of his being forced lying on the Board. The Court *Acquitted* him.

The Court then proceeded to give Sentence against *David Simpson*, *William Magness*, *Richard Hardy*, *Thomas Sutton*, *Christopher Moody*, and *Valentine Ashplant*, as follows.

The Prisoners being brought before them, and told they had been found guilty of the Indictment, asked all and every one of them, what they had to object, why Sentence should not pass; in which none replying but *Thomas Sutton* the Gunner, who said he was sick at the time of Action, pronounced as follows.

Sentence

Sentence against *David Simpson, William Magnes, Richard Hardy, Thomas Sutton, Christopher Moody, and Valentine Assplant.*

YE and each of you are adjudged and sentenced to be carried back to the Place from whence ye came, from thence to the place of Execution without the Gates of the Castle, and there within the Flood-marks to be hanged by the Neck, 'till ye are *Dead, Dead, Dead*; And the Lord have Mercy upon your Souls.

After this ye and each of you shall be taken down, and your Body hung in Chains.

Mungo Herdman, President.
James Phipps,
Henry Dodson.
Francis Boye.
Edmund Hyde.
John Barnsley.
Charles Fenshawe.

Warrant for Execution.

PUrsuant to the Sentence given by the *Court of Admiralty* this Day at *Cabo Corso Castle*, against *David Simpson, William Magnes, Richard Hardy, Thomas Sutton, Christopher Moody, and Valentine Assplant.*

You are hereby directed, and requir'd to carry the said Malefactors to the Place of Execution to *Morrow Morning*, between the Hours of *Ten and Twelve*, without the *Gates of this Castle*, and there cause them to be hanged by the Neck, 'till they are dead; for which this shall be your Warrant.

Given under my Hand this 2d Day
of *April, 1722.*

To *Joseph Gordyn, Provost-*
Marshal.

Mungo Herdman.

And then the Court Adjourned 'till to *morrow Morning* nine of the Clock; having first order'd a Summons to be sent to *Mr. Samuel Heartsease Merchant*, and another to *Captain William Menzies* to attend, and be of the Number of the Court.

By Command of the Court,

John Atkins, Register.

To

To Mr. Samuel Hartsease.

BY Virtue of the Power and Authority to Us given, by a Commission from the King, under the Seal of Admiralty, You are hereby required to attend and make one of this Court, for the Trying and Adjudging of the Pyrates lately taken by His Majesty's Ship *Swallow*.

Given under our Hands the 3d of
April, 1722.

*Mungo Herdman,
James Phipps,
Henry Dodson.*

To Captain William Menzies.

BY Virtue of the Power and Authority to Us given by a Commission from the King, under the Seal of Admiralty, You are hereby required to attend, and make one of this Court, for the Trying and Adjudging of the Pyrates lately taken by His Majesty's Ship *Swallow*:

Given under our Hands the 3d of
April, 1722.

*Mungo Herdman,
James Phipps;
Henry Dodson.*



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, April the 3d, 1722.

Captain *Mungo Herdman*, President.

Not present.	{	<i>James Phipps, Esq ;</i>		<i>Mr. Samuel Hartsease,</i>
		<i>Mr. Henry Dodson,</i>		<i>Captain William Menzies,</i>
		<i>Mr. Francis Boye,</i>		<i>Mr. John Barnsley,</i>
		<i>Mr. Edmund Hyde,</i>		<i>Mr. Charles Fanshaw.</i>

AFTER the Commission was read, and the Court set, the following Prisoners were brought in.

Thomas Roberts, John Richards, and John Cane, Acquitted.

The Evidences produced by the Prisoners to prove they were forced Men, were *Harry Glasby* and *Stephen Thomas*.

H

Harry

Harry Glasby deposed, that he was sure all of them were forced on board, and afterwards forced again to sign their Articles, that they cried and lamented being there, and really believes they would have been glad to have gone away; that since their being on board of them, only a Sloop, and a Pink Captain *Hill* Commander, had been taken, on board of which neither of them had been.

Stephen Thomas does not know of their being forced by any Violence used, but really believes they were, and that he never saw them in Arms.

They say for themselves they were forced from the *Carlton* Captain *Allwright* at *Whydah*, about the middle of *January* last; after the Pyrates had taken the Ship, they earnestly applied to their Captain to get them away, but in vain.

The Court considering they were newly enter'd, and had received no Shares, believed them to be innocent. *Acquitted.*

Thomas Stretton.

Edward Crispe deposes of this Prisoner, that he knows him very well, and that he cry'd when the Pyrates forced him away, believing it was much against his Will.

Thomas Castler a Passenger likewise in the *Onslow* with the former Depo-
nent, says the Prisoner was Carpenter's Mate of the said Ship, that he was sent for in particular some Days after she was taken: And when the Depo-
nent was taken a second time in a Sloop, this Prisoner asked him, whether or not he thought he might find Mercy if he made his Escape to *Cabo Corso Castle*? And being told Yes; he reply'd he would trust the Mercy of the Seas to obtain his Liberty, rather than stay.

The Prisoner says, it was the first Voyage he ever was at Sea, and that he was forced; and when on board, the Pyrate was quarter'd in the Hold.

The Court considering the Evidence, and that so young a Sailor must be a Novice in the Art of Pyrating, *Acquitted* him.

William Guineys.

William Smith (a Person acquitted) says, the Prisoner acted as Mate, and took Charge of a Watch in the *Ranger* during *Skym's* being ill, that he was voted to this, and heard *Bunce* a Pyrate and some others swear, that he should accept it; that he messed with the Captain, but also that any body might come and eat and drink with him.

John Stodgill (a Person acquitted also) says, that when he came on board there, he supposes about ransoming with *Roberts*, that he and the Boat's Crew were detain'd; nor does he remember to have seen any thing of his Behaviour in the Action with the *Swallow*.

Thomas Stretton (a Prisoner just acquitted) deposes on Oath, that this Prisoner told him on the Quarter-deck, he would be glad to make his Escape if he had opportunity, nor did he seem brisk but dejected.

The Prisoner says for himself, that he was second Mate of the *Porcupine*, burnt by the Pyrates at *Whydah* the 14th of *January* last, and being sent by the chief Mate to make up the Ransom with them before they burnt her, he was detain'd; he confesses he messed with Captain *Skym* of the *Ranger*, and took Charge of a Watch, which he says they forced him to, and did also to sign their Articles, but had never received any Share; he confesses he told one that was nigh him as they chased, it was the *Swallow*, who told him again to hold his Tongue, or they would shoot him; but this Person appears a forced Man he spoke it to, and therefore he says without Design, after the first Broad-side he deserted his Quarters. *Acquitted.*

Richard Scot.

Stephen Thomas, that he saw the Prisoner drinking and keeping Company with the Pyrates, but never more harm of him, and that he never received any Share from the time of his being on board, but always with the Carpenters, he being taken with the *Porcupine*, and was Captain *Fletcher's* Carpenter.

Harry Glasby heard him say, he wish'd the Sloop had left him at *Whydah*, talking pathetically of his Wife and Child that must be sufferers by this unhappy Accident, and verily believes he was forced.

Henry Dawson, Mate of the same Sloop the Prisoner was taken in, (and acquitted,) deposes on Oath, that the Master of the Sloop wanting a Carpenter, accepted of him; the *Porcupine*, the Ship he belonged to, being then burnt by the Pyrates, accepted of the Prisoner, who also fell a second time in this Sloop into their hands, and that burning the Sloop he was obliged to remain with them; he lamented his Wife and Child to this Deponent with Tears in his Eyes; received no Share, and verily believes he was a forced Man.

The Prisoner said in his Defence also, that after his Ship was burnt, he remain'd in the *Whydah* Sloop by an Offer from the Master of her, and unfortunately fell a second time into the Pyrates hands, they burning the Vessel, and forcing him on board; that in time of the Action with the *Swallow*, he was down in the Well.

The Court from these several Circumstances concluded he must be a forced Man. *Acquitted.*

Richard Wood.

Richard Scot (the Prisoner just now acquitted) deposes, that he was his Mate in the *Porcupine* when the Pyrates burn'd her, and that he had a hundred times wish'd to him he had never come the Voyage, after this unfortunate Accident happen'd; that he had begg'd the Deponent's Vote (all the Pyrates Affairs being carried by that) for his Discharge, and that he knew he had never sign'd the Articles.

The Prisoner said, the Pyrates set him to work to unshackle the Negroes on board the *Porcupine*, and that he had got lame with their ill Treatment, and not in a condition to sign their Articles, which the Court asked him about, because all are obliged to it; it was their first Voyage, and he had received no Share of their Plunder, appearing to the Court in all respects an innocent Man. *Acquitted.*

Edward Evans.

Harry Glasby deposes, that the Prisoner belonged to the *Porcupine* which the Pyrates burnt at *Whydah* January last, that he could say no more of him than that he was merry and drinking among the rest; and both he and *Stephen Thomas* says, he had received no Share among them.

Richard Wood (a Prisoner acquitted) swears, that he was last in the Boat from the *Porcupine* when she was burn'd, and with Tears lamented the Unhappinels of the condition he was now fallen into, likewise that he had had no Share.

The Prisoner said in Vindication of himself, that the Ship being on fire, he was glad to get on board the Pyrate to save himself, many of the Negro Slaves being burnt or drowned, unable to help themselves being fetter'd; that after he was on board *Roberts*, both he and the Quarter-master denied him coming back to any other Ship.

The Court considering that being lately taken, the Circumstances of it, his Ship first fired, and that he had received no Share, concluded him innocent. *Acquitted.*

Robert

Robert Hardy.

Harry Glasby witnesses, that he was forced on board the Pyrate-ship mightily against his Will, from one Captain *Kanning* in the *Robinson* of *Liverpool*, in *August* last; and that he had several times endeavoured at an Escape.

Robert Lilburn says much the same, with this Addition, that he had once escaped from the Pyrate-ship on board his own, and hid himself, but that the Pyrates missing him, sent in particular for the Prisoner, tho' *Kanning's* Ship had been discharged by them.

It appeared by other Circumstances of the Prisoner's Behaviour, that he was forced, and that his Master had made Intercession in vain for him to the Pyrates, because he was his Gunner, and very much wanted by him, the Court thought fit to *Acquit* him.

George Smithson.

Edward Crispe a Passenger in the *Tarlton*, to which Ship the Prisoner belonged, deposes, that he saw the Quarter-master force him out of the Ship with Violence, tho' he cry'd and pleaded much against it.

Thomas Stretton is sure he was forced, for the Deponent found him a Prisoner among the Pyrates when the *Onslow* was taken, a Day or two after, to which the Deponent belonged, and says that the Prisoner and he had often consulted together of some manner to escape, tho' it was Death or Marooning among them to be found so doing.

The Prisoner said no more in his Defence than that the Evidence had before testified, and appearing innocent in his Answers, the Court *Acquitted* him.

Benjamin Parr.

Harry Glasby deposed, that to his knowledge the Prisoner was beat, and used unmercifully, to force him on board the Pyrate, and was always melancholly after it, and disapproving of their Manners.

Robert Hartley (a Prisoner acquitted) who did belong to the same Ship the Prisoner was forced from, says, that the Prisoner was their Master's Brother-in-law, in the *Robinson* of *Liverpool*, that he the said Prisoner had made a first, second, and third Escape from them, but was always sent for again, and beat and mis-used for it.

All which the Court considering, *Acquitted* him,

Edward Tarleton.

John Sharp says the Prisoner was sick also on board the Pyrate when he was constrain'd on board of her, which was the next Day after the said Prisoner, that he begg'd of *Roberts* with Tears, and on his Knees, that he would let him go from them, to which *Roberts* reply'd, that he had shed as many Crocodile Tears as himself when he was first taken, and would not permit him.

The Prisoner appearing to be his Captain's Kinsman, *John Tarlton* of *Liverpool* in the *Standwitch Gally*, taken at *Cape la Hou*, in whom he was taken; and a Letter being produced from the said Master or Captain to the General of *Cape Coast*, under his Hand, that the Prisoner was forced, and no longer than from *January* last. *Acquitted.*

John Arnaught.

William Smith (a Prisoner Acquitted) is very well assured, and on Oath says, the said *John Arnaught* was a forced Man, crying and lamenting his Misfortune.

Captain

Captain *Trabern*, that he heard his Captain give him a very good Character.

And the General of *Cabo Corso* producing the Letter from Captain *Tarlton*, which testified the same of this Prisoner as of the former, the Court thought fit to *Acquit* him.

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Order of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle, on the Coast of Africa, April the 4th, 1722.

Captain *Mungo Herdman*, President.

James Phipps, Esq;
Mr. *Henry Dodson*,
Mr. *Francis Boye*,
Mr. *Edmund Hyde*,

Mr. *Samuel Hartsease*,
Captain *William Menzies*,
Mr. *Charles Fanshaw*.

AFTER the Court was set, the following Persons were called in.

Josiab Robinson, *John Davies*, *Thomas Clephen*, and *Thomas Howard*.

They produced several Evidences in their Behalf, that they were forced Men out of Captain *Thomas Tarlton* at *Affinee*, *January* last.

Edward Tarlton swears, that *Josiab Robinson* belonging to the same Ship, for refusing to go into the *Pyrate-Boat* several times, was threaten'd very much, and afterwards had several times told him, he would take the first Opportunity to escape.

John Arnaught Boatswain of the same Ship *John Davies* the Prisoner was taken out of, swears, that the said *Davies* told the Quarter-master of the *Pyrates* he was an *Irish* Man, hoping by that to be freed from going with them, but he swore he would not believe it, and beat him into the Boat. He says likewise of *Thomas Clephen*, that he lamented himself under his Condition very much, and made a great deal a-do to get away.

William Smith swears, he often heard him wish that he could get away: And of *Thomas Howard*, that he was sure he was detain'd against his Will among the *Pyrates*, he having often been consulting with the Deponent how he should get away, and had done it in the Boat, but that *Roberts* had a Jealousy, and kept them always lock'd.

A Letter was also produced in Behalf of these four Prisoners from Captain *Tarlton*, directed to the General at *Cabo Corso*, to assure him they were forced much against their Wills, and begs very pathetically to have his Favours towards them, if the *Pyrate-ship* should fall into the hands of the Man of War. *Acquitted*.

Adam Comrie.

John Sharp Master of the *Elizabeth*, deposes, that the Prisoner was his Surgeon when the Pyrates met with him in *January* last, and heard *Roberts* say, the Prisoner should go with him; that when the said Deponent was dismiss'd by *Roberts*, *Comrie* hid himself in the Boat, and went off from the Ship, but a Pyrate unluckily seeing him, commanded the Boat on board again, presenting a Musket, at which he express'd a great deal of Trouble, and begg'd the Deponent would represent him a forced Man.

Captain Trabern when he was detain'd among the Pyrates, says, the Prisoner was very melancholly, particularly he remembers it one Night, when he gave him a Silver Mark, to give to *Captain Sharp* for marking Negroes.

Harry Glasby knows, that he was forced out of *Captain Sharp* with beating and ill usage, saw him crying after this, and begg'd him to interceed for his Discharge; and tho' he signed their Articles, yet it was done with much Reluctancy, they swearing he should, and that they would admit no Surgeon hereafter to refuse it, which before they had, till *Hamilton*, who was discharged from them at *Whydah*. *Acquitted.*

James Skyrn.

William Smith deposes, that he being taken in the Pyrate-ship by the *Swallow*, the Prisoner commanded during the Action, and gave Directions for the managing and fighting the said King's Ship, that he had a Sword in his Hand to enforce his Command, and cut this Deponent just before they came up with the *Swallow*, in the Warmth of his Passion.

John Stodgill (another Person acquitted, and) belonging to the *Ranger* when taken, says the same, that he had a Sword in his Hand, giving Orders himself for all the Men to their Quarters, and in his hearing bid them bring the Chase Guns to bear, and fire them.

John Wingfield, that he knows the Prisoner to have been Master or Commander of the *Little Ranger*, when the Company's Brigantine wherein he was, was taken by the Pyrates at *Calabar*.

John Arnaught, (another Person acquitted) who was also taken in the *Ranger*, assures on Oath, that he saw the Prisoner have a Sword in his hand, commanding the Men to their Quarters in that Action with the *Swallow*, and saw him strike *Smith* the former Deponent.

The Prisoner said, he had been indeed in this Company ever since *October* 1720, and was first taken out of a Sloop called the *Grey-bound* from *Philadelphia* belonging to *St. Christophers*, that he was Mate of her, and had his Head broke, and a hearty drubbing from the Pyrates for going away without leave when that Sloop was dismissed; that he had been sick for several Months, unable for Duty, never on Deck at taking of any Prize of late, and commanded out now by *Roberts* fore against his Will: As to Command, he said every Man was alike; that he begg'd the People not to fire when he knew it was a Man of War, and to have done more would have been present Death.

His being sick the Court thought was only an Aggravation of his Crime in coming out, and shew'd him an allart Man on such Occasions: Besides, a Commander of a Pyrate-ship who fought against the King's Colours, must in the highest degree be *Guilty*.

John Walden.

William Smith knew him the Prisoner very well by the Name of *Miss Nanny*, to have come that Morning from on board the *Fortune*; but saw him only when his Leg was off by a Shot from the *Swallow*.

Captain

Captain *Trabern* knows the Prisoner to be one of the Men who attack'd his Ship in the Pyrates Boat, that he had a Poll-Ax in his Hand cutting into every thing that came athwart him, and in particular his Cable, saying, what occasion is there for this needless piece of Work of heaving up the Anchor, your Ship will be burnt presently.

George Fenn Mate of the *King Solomon* taken *January* the 6th, also says, he was one of those Pyrates who came in the Boat to attack the same Ship off *Apolonia*, that he saw him cut the Cable, saying, he would go home them; (a Tone used by Sailors,) there were more Anchors at *London*; was very mischievous with his Poll-Ax, breaking every thing in his way; and busy to the utmost in hoisting the said *King Solomon's* Provisions out.

The Prisoner himself seem'd little concerned; that at his first being taken in the *Blessing of Lemmington* at *New-found-land*, *Robert Taylor* Master, the 18th of *June*, he was for a Month after very sick and disturbed, but owns he was in the Boat at taking the *King Solomon*, as the Captain and Mate had said, and that he cut her Cable, and that no Man was forced into the Boat from the Pyrate on these occasions; as to the Action with the *Swallow*; he says *Roberts* sent him that Morning, that he did not fire; but loaded one Gun, for he knew it was in vain; yet if he had been a *Portugueze*, he did not know what he might have done, which they all took her for; he reeved also two Braces, he says, that were shot away.

The Court could have produced Evidence of his setting the *Porcupine* on fire, and afterwards the Sloop, but they thought it needless. Guilty.

Israel Hynde.

William Smith deposes, that he the Prisoner was Boatswain of the *Rango* in that Action with the *Swallow* Man of War, and called to him the Deponent to mend or new reeve the Main-sheet, which was shot away.

John Stodgill (a Person acquitted) swears, he saw the Prisoner with a Cutlafs in his Hand, when they engaged the *Swallow*; that this was the very Man who had forced him out of his own Ship on board the Pyrates, was always swearing and cursing, especially once to some of the Men, for that they suffer'd new Men to go over the side.

George Fenn Mate of the *King Solomon*, says, he soon grew great with their Boatswain, and was down seeing and ordering her Sails out on board the Pyrate, in particular some Marling and Housling; and when two of their Men had hid for fear of him, he came and told the Deponent, he would take him away, if he did not find the others, ordering them out of the Ship, saying, the *Fortune* had Men enough, and they must have as many.

The Prisoner says, he was Boatswain of the *Little Ranger*, and lost his Arm in that Action with the *Swallow*; but was put in, because when taken first, which was in *October* last, he was Boatswain's Mate of the *Mercy Gally* at *Calabar*, had signed the Articles, and received a Share; confessed he had a Cutlafs in his Hand the time of this Action; and likewise that he forced *Stodgill*; but for the Marling and Housling, it was by the Quarter-master's Orders; the *Fortune's* People, he says, came and cut them loose, and forced them out to chase. Guilty.

James Greenham.

William Smith, (a Person acquitted,) who was taken in the *Ranger* with the Prisoner, says, he was entertained in the Captain's Mess, and knows he came on board the *Elizabeth* when she was taken by the Pyrates.

James Munjoy Passenger in that *Elizabeth*, says, he saw him drinking, but not carry any thing away from her; that when the Deponent was afraid the Pyrates would have forced him, this *Greenham* bid him be of good cheer, he need not fear that, unless from *Moody*, or *Main* the Boatswain.

Harry

Harry Glasby says of the Prisoner, that he knows him to have been taken three Days after him, was very brisk at his first coming, and got drunk; has been sick indeed a long time, the latter five Months of it on board the *Ranger*, where he knows nothing of his Carriage; went, he confesses, in his turn on board of Prizes, and then brisk enough, at other times heavy and lazy.

The Prisoner said, he was taken in the *Little York*, *James Phillips* Master, coming from *Virginia* last July was twelve Months, it being the second Voyage he had made; he owns he had been on board of what they call Prizes, but never took any thing away. As to the Action with the *Swallow*, he says, *Skym* the Captain commanded him to Arms, swearing very much at him when he told him, he had no Business against the King's Ship; that he had been sick eight Months of the time he had been there, and held it along the Coast; he signed, but had first a Pistol presented to him, and received his Share; would have made his Escape, but that it was among Negroes; he helped, he says, trimming the Sails, and was shot thro' the Body.

A Man of his standing among the Pyrates, the Court was of Opinion could not be innocent. *Guilty.*

William Graves.

George Fenn Mate of the *King Solomon*, swears, that the Prisoner belonged to their Ship when the Pyrates took her; that they beat and forced the Prisoner away, who cry'd and seem'd very sorrowful for it.

John Stodgill, that he was carried from the *King Solomon* in the same Boat with him on board the Pyrate-ship called the *Ranger*, crying very much for it to the Deponent, and saying, they were never in a fairer way to be hanged than now, never saw him in Arms; and particularly in the Action with the *Swallow*, he knew him to run from his Quarters the first Broad-side.

At the Sum of the Evidence, he appeared to the Court to be a forced Man. *Acquitted.*

Then the Court Adjourn'd 'till to Morrow Morning at Nine of the Clock:

By Order of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on Thursday, April the 5th, 1722.

Captain Mungo Herdman, President.

<p><i>James Phipps, Esq ;</i> <i>Mr. Henry Dodson,</i> <i>Mr. Francis Boye,</i> Not present <i>Mr. Edmund Hyde,</i></p>	<p><i>Mr. Samuel Hartsease,</i> <i>Captain William Menzies,</i> <i>Mr. John Barnsley,</i> <i>Mr. Charles Fanshaw.</i></p>
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THE Court being set, called for the following Prisoners, *French Men.*

Piere Ravon, Jean Dugau, Jacque Ardoen, Ethien Gilliot, Rance Mairaud, Jean Gitton, Tho. Richardeau, Jean L'evèque, Jean Duplaissey, Piere Croissey, Rance Froger Gabiè, Lewis Arnot, Renet Thoby, Methurim Roulaw, Jean Gumar, Jean Packet, Allan Pygan, and Piere Shellot.

Who produced Evidences in their behalf, as follows, *viz.*

Adam Comie Surgeon of the *Ranger* to which the Prisoners belonged and were taken in, (acquitted Yesterday,) as doth also *John Smith*, swear, that they knew several of them to be in the Hold in the time of Action with the *Swallow*; that they both very well knew that they were Prisoners on board the *Pyrate*, never sign'd the Articles, shared with them, or were suffer'd to carry Arms.

The Prisoners say, that the *Pyrates* having seized their Ship at *Whydah* *January* last, forced them on board with them, and carry'd away the Ship; but own the whole Evidence in the manner of Attack and Resistance was made by these *Pyrates* to his Majesty's Ship *Swallow*, but cannot allow they acted in it, were treated as Prisoners, and run from their Quarters. *Acquitted.*

William Child.

Harry Glasby and *Robert Lilburn* swear, he was Surgeon of the *Mercy Galley* at *Bristol*, and forced into their Ship at *Calabar* by *Roberts* against his Inclination, never perpetrating in any Act of *Pyrcy* himself, or approving it in others.

He says for himself, that his being in a *Pyrate-ship* was not only much against his Inclination, but his Interest, having a good Employ whereon to build, and Friends to advance him in the World in an honest and reputable way of Livelyhood.

The Court had others who knew him while they were Prisoners with *Roberts*, who giving him a good Character, the Court *Acquitted* him.

James Harris.

Henry Glasby says, he several times told him he would be glad to get away, went on board Prizes in his turn, and was Gunner's Mate about six

Weeks before the *Fortune* was taken, the Gunner swearing he should accept it.

William Child Surgeon's Mate of the *Fortune* (acquitted) says, he was all the time of the Action with the *Swallow* down in the Hold.

Robert Lilburn, that he acted Gunner's Mate, was lame, and unfit for Duty. *Stephen Thomas* says the same.

Thomas Castles, that *Roberts* was particularly civil to him; being ill, saw him with a Night-Gown of Mr. *Crispe's* on a Gentleman of his Acquaintance.

The Prisoner owned he help'd traversing a Gun, but never fired; that when he saw the King's Colours he run down, own'd he had been on board three Ships; and as to the Gown it was the Gunner's, lent only while he was lame; that he was taken out of the *Richard Pink* of *Bidyford*, July the 16th, 1720, and an Affidavit before the Mayor of *Bidyford*, of his being forc'd from his Captain being produced. Referr'd to *Marshalsea*.

William Mead.

Robert Lilburn (acquitted) taken out of the same Ship, says, the Prisoner was forced, went on board of Prizes in his turn; but had often with him, and one *John Wright* (since escaped) consulted to make their Escape.

Harry Glasby, that he and all of them were glad to go on board of Prizes; has seen him whispering sometimes, and was told it was in order to contrive getting away.

Stephen Thomas saw him armed at *Whydale*, but not against the *Swallow*.

Elizabeth Trengove that was a Passenger in the *Onslow*, swears, the Prisoner was very rude to her, swearing and cursing, as also forcing her hoop'd Petticoat off; and to prevent more of his Impudence, which she was afraid of, went down into the Gunner's Room by Advice of one *Mitchel* a Pyrate.

The Prisoner pleaded Force, and an Affidavit made by his Captain appearing to the same purpose, he was referr'd to *Marshalsea*.

William Champnies.

Edward Crispe swears, that he knows the Prisoner very well, that when he was on board Captain *Lady*, this Prisoner was there also; that he saw him often weeping, and said he would make his Escape whenever he could, and believes he really would if opportunity had presented at any time; was civil beyond any of the others, and particularly taken notice of for it; that he did endeavour to get off with Captain *Lady*, and *Christopher Moody* (one executed) fetch'd him back again.

George Fern, that the Prisoner came on board the *King Solomon* after he had been taken, crying and lamenting his Case to the Deponent, whom he knew, because he had not yet found means to get away from the Pyrates.

Captain *Trabern*, that he gave him two or three pieces of Gold at parting; and said he would trust the Mercy of the Seas, or Negroes, at any rate to get off from the Company he was in.

Robert Lilburn, (acquitted,) that he was the only Man he could entrust, and had together consulted of means, and provided for it, but was discover'd.

The Prisoner said, he was taken by the Pyrates out of the *Lloyd Gally*, Captain *Hynston* Commander, in March 1721; and that himself was beat, and forced from a good Employ, being second Mate, to go among the Pyrates; that he never was to attack any Ship since he had been among them, tho' he confesses he went in his turn on board of them afterwards, which he was obliged to, but that even then he took nothing out of them.

The Court considering the Evidences, and that his Captain's Affidavit of his being forced was lying on the Board, he was *Acquitted*.

Peter Scudamore.

Harry Glasby deposes, that when the *Cornwall*, Captain *Rolls*, was taken by the Pyrates at *Calabar*, one *Moody* a Pyrate beat this Prisoner, and swore he should not go along with them, and the Prisoner swearing again he would, believes there was no Force used to compel him to it; for he desired his Captain to put him in the *Gazette*, in his hearing, and he told him he would not.

John Wingfield deposes, that the Prisoner sign'd the Pyrates Articles in his presence with a great deal of Alacrity, and that he was the first Surgeon that had done so; that afterwards he swore he was now as great a Rogue as any of them; that a Tornado happening, he said, he hoped Captain *Rolls* would be drowned, for that he was a great Rogue, and endeavoured to do him the said Captain *Rolls* all the Mischief he could with the Pyrates, but said withal he would avoid Signing their Articles; that this Prisoner took several Medicines, Blow-pans and Cister, &c. from his Brigantine, which *Hunter*, another Surgeon who had never sign'd their Articles, return'd again.

He says also, that Captain *Rolls* told him, all his Men were forc'd, except the Doctor, and that he was a great Villain.

Captain *Trabern* deposes, that after he was taken by the Pyrates, he saw this Prisoner bring on board his Back-gammon-tables, his Surgeon's Capital Instruments, some Medicines, a Quilt and Bolster.

George Fenn deposes, that he saw the Prisoner quarrelling with one *Wincon* a Pyrate about the Back-gammon-tables, whose Property they should be; and that he told this *Wincon*, he should use them at any time, and that he saw him rumaging of the Surgeon's Chests.

Adam Comrie Surgeon of the *Elizabeth* when taken by the Pyrates, deposes, that this Prisoner came on board them, and stay'd all Night; that he commanded the Deponent with him on board the Pyrates much against his Will; however, he should go, he said, that Night, if he came back the next Morning; that he the Deponent understood it was the Pyrates Design to have return'd him back, but believes the Prisoner and one *Wilson* were the means of preventing it; tho' they still complemented him, that if the Company would permit it, they would, and being asked, if he had taken any thing out of the Deponent's Chest? He said, Yes.

John Sharp Master of the *Elizabeth*, says, that the Prisoner asked *Roberts* in his hearing, whether he would not take this *Comrie* the Surgeon? and went on, that if he would not, only to give leave to him, and he (the Prisoner) would.

William Child (just acquitted) appeared against him also; for that tho' this *Scudamore* had been treated not like a Prisoner, but with all Humanity; and was left on board the *Fortune* after her being a Prize, getting better usage than he deserved; yet that he the said *Scudamore* in that Ship's Passage from *St. Thomas* to *Cabo Corso*, did tempt this Deponent to come into the Measures he propos'd of rising with the Negroes, telling, they could demolish the white Men, and afterwards go down to *Angola* and raise another Company, asking him whether or not he had a mind to go to *Cabo Corso*, and be hang'd and lun-dry'd? To which the Deponent answered, he was not afraid, and discover'd *Scudamore's* Intentions to the commanding Officer; telling him also before it came to this, that he knew how to navigate a Ship, and would teach him to steer; and to confirm that he was in this Design the more, he understood the Prisoner had been talking to the Negroes in *Angolan* Language all Night; and told him the Deponent, that if they the *Swallow's* People were not demolish'd that Night, they should be the next; After the Discovery indeed he said, *God forbid, he should shed innocent Blood.*

Nicholas Brattle taken with the Prisoner in Captain *Rolls's* Ship, swears, that when the said Captain *Rolls* went from the Pyrate, tho' the other Men that were forced, gave Notes, and the Deponent in particular, to be put in the *Gazette*, the Prisoner reply'd he would give nothing: The Captain said to the Deponent, he would put all but one Man in, which he supposes was the Prisoner; that on the other side also, he had heard him bemoaning his Condition.

Isaac Barnet says, in his hearing the Prisoner asked *James Harris*, another Pyrate in the Prize, whether it was not better to endeavour the raising a new Company than to go to *Cabo Corso*, and be hang'd like a Dog; and turned the Discovery to Horse-racing when the Deponent came towards him; on which he acquainted the Officer, and most of them lay under Arms that Night.

The Prisoner says in his Defence, that he was a forced Man out of the *Cornwall*, Captain *Rolls* at *Calabar* October last; that he was threaten'd by *Valentine Ashplant*, since executed; and afterwards by *Roberts* to sign, and that he did it in Terror; was mostly on board the *Ranger*, but at being taken in the *Fortune*, because he had a little time before been voted chief Surgeon to the Company in opposition to *Comrie* and *Wilson*, who were set up also, saying it might have been their Chance, and as much out of their power to have refused: That as to his robbing the *Elizabeth's* Medicine-Chest, and Captain *Trabeni's*, he was order'd by the Company, and *Hunter* the then chief Surgeon, which he dare not have refused, and this very *Child* (acquitted) had by the same Orders taken out a whole *French* Chest of Medicines, being the first Prize the Company had taken after his being with them.

As to what the same Deponent *Child* says of his attempting to rise, and run away with the Ship, it was altogether untrue, and only a few foolish Words; said the Deponent was as deep in as himself, for it was by way of supposition, that if the Negroes would, (considering the Watch they kept) might run away with the Ship, which the Deponent shewing some fear at, the Prisoner answer'd, that should they the Negroes do it, that is, *Child* and the other Pyrates would not be hurt: That he had at other times told him, that he understood Navigation, and wonders it should now be made matter of Accusation against him: And as to his talking in Negro Language, he was only trying his Skill to tell *every* in it, *was* also, one *James Harris* a Pyrate had asked him about rising, and whether he had spoke to the Negroes about it? *Guilty.*

The Court after this proceeded to Sentence, *Peter Devine*, *John King*, *William Phillips*, *Samuel Fletcher*, *Philip Bill*, *William Main* Boatswain, *William Mackintosh*, and *William Williams*, in the Manner and Form as in the former six, April the 2d, first having asked whether they had any thing to say, why Sentence should not pass, *Samuel Fletcher* ask'd for two or three Passengers that were in the *King Solomon* to justify his being forced, and that he had a Family. *John King*, that only two or three Shirts proved against him by the Doctor: But the Court thought these Pleas too late, and that they had been allowed all fair Tryals, and therefore Sentence was given.

Then the Court Adjourned 'till to morrow Morning nine a-Clock.

By Command of the Court,

John Atkins, Register.

A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle, on the Coast of Africa, on Friday April the 6th, 1722.

Captain Mungo Herdman, President.

*James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,
Mr. Edmund Hyde,*

*Mr. Samuel Hartsease,
Captain William Menzies,
Mr. John Barnsley,
Mr. Charles Fanshaw.*

THE Court being set, the following Persons were called upon.

Agge Jacobson.

Adam Comrie (acquitted) swears the Prisoner was on board the *Elizabeth*, to which Ship he was Surgeon, assisting to the robbing her, particularly some Bread he order'd over-board, swearing at the Deponent when he ask'd for some of it, that his Betters would be served first; also when the Deponent was coming over the Pyrate-ship's side with his Captain to go away, this *Jacobson* offer'd to stop him not only there, but told *Roberts* he was hid in the Boat; who by that means was called back and detain'd.

John Sharp, that he knows him very well to have been the Man that first stopp'd; and afterwards discover'd the former Deponent *Adam Comrie*, and was the means of his being brought on board the Pyrate against his Will.

James Munjoy Passenger in the *Elizabeth*, says, that the Prisoner was one of the Pyrates on board there when the Ship was robb'd, vapouring and commanding very magisterially.

Harry Glasby, that he was look'd upon as a trusty Man among the Pyrates, and used to be a Volunteer at going on board of Prizes.

Jacobson said, that he was a Dutch Man taken out of a Dutch Fly-boat at *Surnam* two Years ago, was then forced, but had nothing to say in Answer to the Evidence. *Gilty.*

Christopher Granger.

John Sharp swore, the Prisoner had at several times on board the Pyrate told him, he was a forced Man, and that he hoped in a little time to get clear, was in the Carpenters Crew.

John Wingfield says, Captain *Rolls* to whom the Prisoner belonged, and was his Carpenter's Mate, had told him, all his Men were forced by the Pyrates except *Scudamore*.

Harry Glasby, that he is very sure he was forced, because he call'd himself an *Irish* Man, which Country Folks was against the Pyrates Rules to accept of, because they had been formerly cheated by one *Kenedy* an *Irish* Man, who run away with their Money; and as they say, was a very great Rogue for it, but the Prisoner was betray'd in this by one of their Ship's Crew.

Robert Lilburn knows, he was taken at *Calabar*, *October* last, heard him say, while he was Prisoner in the *Swallow*, that he had, during the Action with her,

her, loaded and fired as fast as he could; cannot say he appeared dejected among these People, but drank and incorporated with the Carpenters Crew, does not remember him to have been on board of Prizes.

Nicholas Brattle and *James White* both depose, he was forced out at *Calabar* from Captain *Rolls*, saying, he was an *Irish* Man, purposely to obtain his Release, lamenting often afterwards his Condition, was soberly inclin'd, and averse to their Courses.

John Richards Boatswain of the *Carlton* (acquitted) says, the Prisoner was on board of them at *Whydah* rumaging the Carpenter's Mate's Chest, and in particular took out a Hammer, but knows not whether he carried it away or no.

The Prisoner says for himself, that he was forced out of Captain *Rolls* at *Calabar* *October* last, and signed and shared both by Compulsion, the same in the Action with the *Swallow*, *Roberts* himself commanding him to a Gun, which he confesses he assisted to travel; that he attempted an Escape at *Cape Lopez* with another his Consort, but was seized by four of the Pyrates, who met them, and obliged them to turn off their Design, by saying, he was going to hide some Shirts for washing at another Opportunity, that he was kept to work as a Negro among them, and ill used. *Acquitted.*

Michael Mare.

Harry Glasby (acquitted) swears, the Prisoner he is convinced was on board the *Rover* when she was taken, and made a Pirate of, three or four Years ago, continuing with them 'till the Company broke up; that afterwards sailing in a Sloop from *Martinico*, and meeting with some of the same Pyrates he was formerly with, he joyfully embraced his being a second time Associate with them, none but himself being taken out of the Sloop, because it was against their Rules to take a Foreigner, which the Prisoner was, as well as the rest of that Sloop's Company.

Robert Lilburn, that his Business in the Pirate-ship was to make Cartouch-boxes; was ever very forward to go on board Prizes, appear'd with no Inclination to leave so wicked a Life, and has seen him return with Plunder from the Prizes.

The Prisoner pretended he could not speak *English*; and being asked whether he could not swear in that Language? he readily understood the Question; but answer'd, No, *Mynheer*: At length so much came from him in Confirmation of what the Evidence had said, that he was in the *Rover*, and continued 'till they broke up; but was forced at first, protesting in all that time he had never taken the Value of a Pin from any body. *Guilty.*

James Clements.

Harry Glasby and *Robert Lilburn* (both acquitted) swear, that he shew'd himself a very brisk, lively, young Fellow on all Pyritical Occasions, not the least uneasiness to this way of Life, but brisk, and often a Volunteer on board of Prizes.

He says for himself, that he is a *Jersey* Man, forced out of the *Success* Sloop at the *West Indies* sixteen Months ago, together with their Carpenter and the Mate; that since this his Actions has been forced, acknowledging he was on board the *Dutch Man*, whose Masts they cut away to Windward, but not at that time they did it; confesses also he belonged to this Company when a Brigantine which was their Consort, run away from them in the Night two Years ago, to set up for themselves: As to the Action with the *Swallow*, he owns he was quarter'd to the small Arms, but fired none; all the Assistance he gave in that Resistance, being only getting up some steering Sails: And when asked, whether none of those acquitted could speak for him? he said, No, he believed not. *Guilty.*

John

John Parker.

Harry Glasby and *Robert Lilburn* depose the Prisoner to have been a very brisk Hand among them, (i. e.) a great Pyrate; used to go on board Prizes in his turn, and return with Plunder; and they being asked the Nature of this going in turns, said, they were called upon List; and every Man that went, was allowed a shift, as they call it, that is, a Suit from top to toe; and that after the Quarter-master has done with taking what he thinks fit for the Company's use, those that go with him do then serve themselves; farther, that they are so far from being forced on his turn, that they often jangled among themselves, and challenged it before it was really their due.

Stephen Thomas, that he seemed very brisk in the Action, being quarter'd on the Boombs with him, but deserted that place after the first Broad-side, (as he supposes,) because he thought it too warm work.

He says himself, he was taken and forced out of the *Willing Mind* of *Poole*, *June* was twelve months at *New-found-land*; owns he was quarter'd at the Braces in the Action, and had his Pistols up with him, but did not use them, only helping to trim the Sails; that he signed and shared with them, as did every body else by the same force that kept him at first; accepted of nothing on board a Prize, but the Shares the Quarter-master allotted him, nor knows any Body acquitted can speak in his behalf. *Guilty.*

Robert Hawes.

John Sharp says, that the Prisoner told him during his Detention on board the Pyrate-ship, that he had been forced on board; but seemed to act among them with the same Chearfulness others did, not desiring him to make Intercession for his Discharge, but only to remember him to some Persons at home; that they were both acquainted with.

Harry Glasby says, that *Roberts* order'd Captain *Loan* to bring his Men there, and then pick'd out this and another; don't remember particularly his going on board Prizes: And as to the pretence some made, especially this Prisoner, that he would have made his Escape, but that the *Fortune's* People kept a good Look-out, he the Deponent says, they were very careless in that point, often being all hands drunk, and no body fit for Duty.

Robert Lilburn says, he was quarter'd in the Main-top in that Action with the Man of War, and came down (with it) when that did.

Edward Evans Cook of the *Porcupine* when she was taken by the Pyrates (acquitted) says, that this very Prisoner was on board tarring of her Decks, &c. in order to set her on fire, and being daub'd at that Work, order'd the Deponent to fetch him a shift of Cloaths, which he did, owning the Prisoner gave him his dirty ones in lieu; which was the barbarous hand that actually set fire to her he does not know, but burnt she was under the dreadful choice of perishing by Fire or Water; those who jump'd over-board to avoid the Flames that spread towards them, were immediately seized by the Shirks, who tore their Limbs off in the sight of those Villains, who took a cruel satisfaction in looking on.

John Wingfield says, that Captain *Loan* told him, if his Men had not been forward, they had no need to have staid there, he having ingratiated himself so with that Crew, by being their Pilate into *Calabar*, as that they would deny him nothing; giving leave to two of the four Men they had detain'd of his to go back; and that the Prisoner and another were left, he supposes was with their own Consent.

Samuel Sterling knows him, that his Friends were well to pass in *North Yarmouth*, that the Prisoner had once an honest Reputation in the Town.

The Prisoner says, he was taken out of the *Josseline* at *Calabar*, Captain *Loan*, *October* last, that it was the first Voyage he had ever made to the South-

Southward, and had a Wife and five Children. Says he once endeavoured an Escape with a Consort of his, who was to bring the Boat, but was disappointed by the good Watch kept on board the *Fortune*; that he dare not communicate such a Design to every body, a Discovery being Death to them, signed and shared, but never fired a Gun at the *Swallow*. To the matter of the *Porcupine*, he says, he was order'd into the Boat by the Quarter-master, and to take out the *Porcupine's* Negroes, and carry them on board the *French Ship*; that the Tarr fell on his Cloaths in the Boat, and denies he used any to the Decks. *Guilty.*

Robert Crow.

John Sharp witnesseth, that the Prisoner while he was on board the Pyrate, had protected and saved Captain *Tarilton*, a Countryman and Prisoner, among them, from being ill-used by *Roberts*, and others whom he heard had threaten'd him, insomuch that he had like to have incurr'd some severe Punishment about it, *Roberts* saying, that these Town-side Men (*i. e. Liverpool*) would rise and murder all the honest Fellows; for which Reason, he would set a Centinel before his Cabin, telling this Man he was as great a Rogue as any of them.

Harry Glasby believes he might be forced at first, but since had done as others, (*i. e.*) robb'd and pillaged when he went on board Prizes in his turn, for there was none who did go, but brought Plunder back with them.

John Wingfield, that the Prisoner, with about nine others, were the Men who took Charge of the Brigantine (he was taken in) for the Pyrates at *Calabar*; that the Prisoner in particular had some of his Cloaths divided to him; of which he return'd only a Shirt.

He says himself, he was forced from the Sloop *Happy Return*, *William Taylor* Master, belonging to *St. Christophers*, sixteen Months ago, signed, and shared, but was abused and suffer'd much before he did it; he owned he had Shirt, Jacket, Coat and Breeches shared to him on board the Brigantine at *Calabar*, but had offer'd *Mr. Wingfield* to take back what was his; he was quarter'd in the Steerage to a Gun that was fired, but does not know by who, being gone forward to help making of Sail. *Guilty.*

Marcus Jobison.

Captain *Joseph Trabern* deposes, that he was in the Pyrates Boat that attack'd and took his Ship the *King Solomon*; that he was armed in the Boat, firing a Volley upon them, and crying out, they were Pyrates, and would give no Quarters if they resisted.

George Fenn says the same, being Mate of the *King Solomon*, and remembers the Prisoner by a blue Shirt he had on that Day in particular.

Harry Glasby, that he was look'd upon as a brisk forward Hand among them; and being ask'd in particular, whether any were obliged or forced upon these occasions into the Boat? said, no: That these who were active and minded to recommend themselves for brave Men, were those that went, and were always Volunteers; those in this Boat, and this Attack of the *King Solomon* especially, saw him also in the Action on the Main-Deck with a Match in his Hand.

He says, he was born a *Greck*, and taken in a *Dutch Company's* Ship off *Aura* three Years ago, by *Darvies* the Predecessor of *Roberts*, that he would have made his Escape if he could have swimm'd, owns himself on board the *King Solomon*, and that he was put Centinel by the Quarter-master; as to the blue Shirt, he confesses it was shared to him out of a *Dutch Ship* they had taken; he also owns he had fired one Gun against the *Swallow*. *Guilty.*

William

William Petty.

Captain *Joseph Trabern* swears, the Prisoner was in the Pyrate-boat that attack'd and took his Ship, with the manner of it as before.

George Fenn his Mate, says the same of his attacking the *King Solomon*; also that he was very brisk there armed with Musket and Pistols, and was down at taking their Sails up to go on board the Pyrate, in particular a Main-top-sail

Adam Comrie (acquitted) Surgeon of the *Elizabeth*, says, the Prisoner was on board when their Ship was taken by the Pyrates; and asking for Canvas, he carried him to the Cabin, and shew'd him a small parcel, at which the Prisoner swore he would make him find more.

James Munjoy Passenger in the *Elizabeth*, says, the Prisoner order'd him to hoist the said Ship's Sails up.

Harry Glasby, that this Prisoner was one of the twenty who went out of the *Fortune* into the *Ranger* that Morning she went in pursuit of the Man of War; that he being Sail-maker, might be order'd he believes a Day or two before to mend her Sails, and if he was so order'd, he was the only Man on that occasion, the rest offering themselves very willingly.

The Prisoner says, he was taken in the *Onslow*, Captain *Gee*, and made Sail-maker's Assistant on board the Pyrate against his Will, had a Wife and three Children; signed and shared, but compell'd to it. As to going on board the *Elizabeth*, he says was to see the Carpenter's Mate whom he knew, and to give him some Cloaths; his ordering the Sails out of her, was by the Quarter-master's Order first to him, and that he remain'd not above half an hour in the *King Solomon*. In the Action, he came that Morning on board the *Ranger*, by Order, to work, assisted in hauling the Tack-aft after it was shot, to get away if they could. *Guilty.*

James Cromby.

Harry Glasby swears, that one *Phillips* a Pyrate had forced him, as *Phillips* himself confessed to the Deponent, saying, he should not go home to tell Tales; he saw him go on board from the *Onslow* with this *Phillips*, but was afterwards a brisk Pyrate; and in his turn on board Prizes, as the others were in the Action he was quarter'd in the Steerage.

James Munjoy, that he came on board the *Elizabeth* with a Cutlafs in his Hand, when their Ship was robb'd, which he hung up in the Cabbin with the rest, and fell to drinking and swearing, the Vices he saw they were all enamour'd of.

Stephen Thomas, that he saw him in Arms going into *Whydah*, and at attacking the *Swallow*, shewing himself as brisk as any body.

David Holliday a Passenger in the *Onslow*, says, that the Prisoner received very good usage immediately from some of the Pyrates his Countrymen (*Scots*) tho' many of the others were beat; and says, when they were all put on board the *French Royal Fortune*, which they exchanged for this *Onslow*; that this Prisoner being order'd back by *David Simpson*, seemed to go very willingly, tho' little *David* swore first (more to satisfy the Prisoner than any thing else,) that it signified nothing making Words that he must go.

The Prisoner says, he was taken *August* last in the *Onslow*, and order'd out by the Quarter-master; he owns he was on board a *French Ship* at *Whydah*, but took nothing out of her; that his going on board the *Elizabeth*, was only to see a Ship-mate, and that *Phillips* gave him the fine Cloaths he was said at Tryal to have had on: In the Action he was quarter'd in the Steerage at a Gun *Simpson* fired, but that he run away when he saw 'twas the King's Ship. *Guilty.*

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Command of the Court.

John Atkins, Register.

A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, Saturday April the 7th, 1722.

Captain *Mungo Herdman*, President.

<i>James Phipps, Esq ;</i>	<i>Mr. Samuel Hartsease,</i>
<i>Mr. Henry Dodson,</i>	<i>Captain William Menzies,</i>
<i>Mr. Francis Boye,</i>	<i>Mr. John Barnsley,</i>
<i>Mr. Edmund Hyde,</i>	<i>Mr. Charles Fanshawe.</i>

THE Court being set, resumed the Tryal of *George Wilson*, which was begun the 30th of *March* last.

George Wilson, a Surgeon.

John Sharp Master of the *Elizabeth*, in whose Ship the Prisoner was taken a second time by the Pyrates (a Passenger,) deposes, that he took the said *Wilson* from *Sefios* on this Coast, paying for him to the Negroes the Value of three Pounds five Shillings in Goods, for which he had the Prisoner's Note payable to his Owners; that meeting one Captain *Kaming* after this, he ask'd him, why he would release such a Rogue as *Wilson*, for that he had been with the Pyrates, and when the Deponent was brought a Prisoner on board the Pyrates; he found there one Captain *Thomas Tarlton*, who told him it was through the Prisoner's Occasion he had been mis-used and beat, and threaten'd to be shot, having been well treated before; that *Moody* and the Cooper of the Pyrates having their Pistols about them, and in search for that purpose, came to this Deponent's Hammock, thinking it had been *Tarlton*, but left him when they found the mistake, saying, that was the honest Fellow that brought the Doctor; at coming away, he says the Prisoner asked about his Note, whether the Pyrates had it or no? but not being able to tell him then, the Prisoner reply'd, it was no matter, for that he believed he should never come to *England* to pay it; that the Prisoner was very intimate with *Roberts*, and believes he did him what service he could by giving him a good Character, and the like; and also that some of the Pyrates told him, this *Wilson* the first time was forced.

Captain *Joseph Trabern* deposes, that the Prisoner seemed throughly satisfied with that kind of Life, and was very intimate with *Roberts*, they two using often to say, that if they should meet with any of the Turpish Man's Ships, meaning the King's Ships, they would blow up, and go to Hell together; yet that none of the Pyrates liked him; even *Roberts*, with whom he was so intimate, told him in his Presence (on a Complaint from a Man that *Wilson* would not dress) that he was a double Rogue to be there a second time, and threaten'd to cut his Ears off, if he had ever a Complaint again. That Captain *Thomas Tarlton* told them, the Prisoner being his Brother's Surgeon, taken by the Pyrates also some Months before, was going from the Pyrate-ship to fetch Medicines out of what they call'd the Prize, and by

strefs

strefs of Wind or Current could regain neither one nor other, and so was forced among the Negroes at *Cape Montzerado*.

Thomas Castles who was Passenger with *John Tarlton* the first time the Pyrates took the Prisoner, who was the said *Tarlton's* Surgeon, deposes, that he never heard him speak well or ill of the Prisoner, but that *Thomas Tarlton* the Brother had spoken very ill of him.

James Minjoy a Passenger also in the *Elizabeth*, deposes, that the Prisoner seem'd to him to go of his own accord from the *Elizabeth* when she was taken by the Pyrates, who cry'd to him, G—d d—n you, what are you here again?

John Taylor of the same Ship, swears, the Pyrates and the Prisoner seem'd glad to see one another; that he shifted himself with a Shirt was none of his own, but withal that he heard some of the Pyrates swear, he was not a Volunteer the first time, but d—n 'em he should go with them now; and likewise that the Prisoner told him, *Tarlton* had given him an ill Character.

William Smith of the same Ship *Elizabeth*, deposes, that to Appearance the Prisoner seem'd glad to meet the Pyrates again, and that he was shifted with a Shirt he knew was none of his own.

Adam Comrie (acquitted) says, the Prisoner was a Passenger with them in the *Elizabeth*, when they fell into the Hands of the Pyrates, and had an Account of his Indisposition and other Occasions, received Civilities from him; and tho' when they met the Pyrates, he had just said it was hard fortune to be taken twice by them, yet borrowed a Shirt and Drawers of the Deponent, saying, he would go on board and see *Roberts*, and hailed the Pyrate as they came under his Stern, calling to *Roberts*, that he was glad to see him, and would come on board presently; afterwards when the Deponent was on board the Pyrates, he understood was thro' the Prisoner and *Scudamore* the chief Surgeon's means he was detain'd; particularly *Child*, another Surgeon there, told the Deponent, he had heard *Wilson* tell *Roberts*, that this same *Comrie* should go; that he signed the Pyrates Articles very willingly, and afterwards used Arguments with him to do the same, telling him before it was in vain for him to hide; that they should in eight Months make their Voyage by going to *Brazil*, and share six or seven hundred Pounds, and then break up; that when *Comrie* was one of them put up to be voted Surgeon of the Company, he told him, he should be glad if he carry'd it, for a Quarter-share (which they had more than others) would be worth looking after: And the Prisoner desiring he might be asked, whether he had not expostulated with *Roberts* for a Reason of their obliging Surgeons to sign? Whether he had not express'd himself glad of having formerly escaped from them? Whether he had not said about the Pyrates firing at *Wydad*, that would it not be good sport were it not in an unlawful way, meaning the gaining of Practice in his business? And whether if he had not told him, that if the Company discharged any Surgeon, he had not insisted it was his turn, and hoped they would grant it? To which the Deponent severally answer'd, Yes, that it was true; and that *Scudamore* had not seen *Wilson* till they both came together in the Pyrates Boat, nor does not know what Ship *Scudamore* came from.

William Child (acquitted) says, when the Prisoner in the *Elizabeth* came under *Roberts's* Stern, he hailed the Ship, and told him he was very glad to see him; and at coming on board, had presently a laced Hat and Shirt given him; that he told *Scudamore* in his hearing, there was a Surgeon on board this *Elizabeth*, and that if he had a mind to take him he should be his Consort; on which Words *Scudamore* said he would have him, and went on board for him.

Robert Lilburn, that *Roberts* hailed the *Elizabeth*, and order'd them to send *Wilson* on board; that *Scudamore* was on board the Pyrate when *Wilson* first came; that at the first time he heard a Vote was to be put, whether he should

should be cleared, he desired the Deponent's Interest therein; he does not know whether he escaped this first time of his own choice, or of necessity thro' the strength of the Current or Wind driving them away.

The Prisoner in his Defence said, that being Surgeon with one *John Tarlton* from *Liverpool*, he was a first time taken by *Roberts* the Pyrate; and after being detain'd a Day or two, was sent to fetch his own Chest on board, and not Medicines, as was deposed, which opportunity he took to make his Escape, which he did with five *French*, and one *English* Man, with the hazard of his Life at *Cape Mountzerado* on the Coast of *Africa* among a barbarous People, where he remain'd five Months, and where *Thomas Tarlton* Brother to his Captain, in another Ship chanced to put in for Trade, and not only refused to take the said *Wilson* off, by reason he said he had been with the Pyrates, but would not relieve him so much as with a piece of Meat or a Bisket, tho' he sent him Word of his starving Condition, and asked it as an Alms; he was after this, as he says, releas'd from among the *Cape Mountzerado* Negroes by a *French* Ship, but by reason of an Indisposition he had contracted by a hard and bad living, set a-shore again by him at *Sestos*, where *Mr. Sharp*, one of the Deponents, met him, and paid the Negroes a Ransom for him of three Pounds five Shillings in Goods, as had been related; and took the Prisoner's Note. That when he came a second time into the hands of these Pyrates, and met there this *Thomas Tarlton*, he could not spare using some Reproaches of him, for what he thought was Inhumanity, which getting to the Ears of *Roberts*, he took upon him, as a Dispenser of Justice, the Correction of this *Tarlton*, beating and mis-using him grievously, without any Intention the Prisoner says he had, that his Words should have had so bad a Consequence; and therefore hopes the Court will not impute it as a fault upon him, since he is not charged as an Actor in it, and perhaps what he said *Tarlton* suffer'd among them, might be from other Motives: He cannot remember he express'd himself glad to see *Roberts* this second time, or that he dropp'd such Expressions about *Comrie* as he is charged with; but grants if such Expressions fell from him, or that he paid the said *Roberts* undue Compliments, or Deference, he did it with Intention to ingratiate himself, and gain a good Treatment from him, and this was no more than what every Prisoner endeavour'd at and practis'd, that had any regard to their own Interest. As to what *Child* alleges, it is very sure it is untrue, for that *Scudamore* belonged to, and was on board the *Ranger* when the *Elizabeth* was taken, and himself a Prisoner in the *Fortune*, having never seen *Scudamore* from his first coming on board *Roberts*, till he came and brought *Comrie* with him. The Consideration of his Youth, the short time he was with them about a Month, and that in no military Employ, and lastly, the Service he had done in discovering to Captain *Ogle* the Pyrates Design of rising in our passage to *Cabo Corso*, would plead, he hoped, in his behalf with this Court, and move them to Clemency.

Tryal deferr'd on the earnest Request of the Prisoner, for a final Determination, to the 17th of *April*.

John Phillips.

Adam Comrie Surgeon of the *Elizabeth*, swears, he came with the other Pyrates armed on board their Ship, and order'd the Deponent to take down their Pistols that hung up in their Cabin, and put them by; then asked for Liquor, knocking off the heads of the Bottles like one who did not design to pay for them; after this, he asked for the Key of the Escutore, and if it was not found presently, threaten'd he would break it open; the same he said likewise of the Captain's Chest, which he emptied, and then order'd it to be fill'd

fill'd again with what he lik'd; 'till the Quarter-master came on board; and took the Command out of his hands.

John Sharp Master of the *Elizabeth*, that he saw this very Chest come on board the Pyrate-ship, and put down in the Hold.

Captain *Joseph Trabern* and *George Fenn* both swear, that he was one of those that came armed in the Pyrates Boat to attack and take their Ship in the manner former Affidavits have related.

John Wingfield, that when he was taken by the Pyrates at *Calabar*, the Prisoner abused him, calling him a Supercargo Son of a B—h, that he starved the Men, and that it was such Dogs as he that put Men a Pyrating; and when the Deponent told him the Captain was always Victualler, he swore if he spoke another Word, he would throw him over-board.

Stephen Thomas swears, he saw him fire several Guns in the Steerage against the *Swallow*, and before this at *Whydah* also abusing Prisoners very much.

The Prisoner says, he was taken out of a Fishing-boat at *New-found-land* twenty Months ago; that none indeed were denied going on shore at *Sieraleon*, but that *Mr. Archbold* Factor of the Fort, he was afraid would be detain'd 'till he or others should be found again, if they had run away: Owns he was on board the *Elizabeth* Brigantine, and *King Solomon*, taking care 'till the Quarter-master came; did not fire his Gun, as was deposed, but says it was because they could not bring it to bear. *Guilty.*

Christopher Lang.

George Fenn deposes of the Prisoner, that he came with the Sail-maker's Assistant of the Pyrate on board their Ship *King Solomon*, assisting with the rest to the robbing of her; in particular, the Prisoner was so generous as to give him a Can that was his own before.

William Smith Boatswain of the *Elizabeth*, says, the Prisoner asked him for the Palm and Sail-needles, telling him, it was because the old Sail-maker should not take them away, designing to return them; and the Deponent believes he would, for he was a drunken Fellow, and of no Esteem among the Gang, they abusing him, and often calling him drunken Dog, and that they brought him out of the Brigantine for Charity.

James Munjoy, that he heard some ask *Smith* the former Deponent, about what he says as to the Needles, and that he was buffoon'd and ridiculed by most of his Comrades.

Adam Comrie, that he saw him meddle with nothing in the *Elizabeth* but Liquor, and that they kept the poor Fool always at Work on the Sails as a Slave.

Harry Glasby deposes, that the Pyrate-ship to which he was Master was in at *Sieraleon*, in order to clean, *June* last, and continued there six Weeks; that during this time, every body had Liberty, and were on Shore, when, and as often as they would; at his first coming, this Deponent says, among them, he must consequently be a forced Man, because the Brigantine to which he belonged was sunk by the Pyrates, and he taken out and put Sail-maker on board the *Ranger*.

The Prisoner says, he was forced from the *Thomas* Brigantine at *New-found-land*, *October* last was twelve Months, sinking their Vessel; and was employ'd by the Pyrates in mending their Sails; he says, he was quarter'd on the Quarter-deck in the Action with the *Swallow*, and help'd to traverse the Gun, but run away when the Shot came thick; he appeared a poor inconsiderable Wretch, and therefore the Court referred him to *Marshalsea*.

Thomas Diggles.

Harry Glasby (acquitted) swears, the Prisoner was look'd upon trusty enough, and not suspected of going away; he fell to drinking, and be-

tame one of the Company as soon as he came on board his Station among the Carpenters.

Robert Lilburn (acquitted) is sure this Man was forced, because the proper Carpenter made two Chalks, *Go or Stay*, if he hit the first he was to go with them, if the second he was to stay with them.

Benjamin Parr, that the Prisoner had often attempted to make his Escape; and that the Deponent, with the Prisoner and three more, were agreed to that end the last time they were at *Anna-Bona*, but had no Opportunity.

He says for himself, that being forced out of the *Kitty Snow*, *Nicholas Hemick* Master, nine Months ago, being then bound to *Jamaica*, he could not any where make his Escape, unless among the Negroes; and owning that he was on Shore at *Sieraleon*, he was asked, why he did not run away there? In answer to which, he said, They, the Whites there, had threaten'd to hang 'em; owns he was on board the *King Solomon* in his turn, and that his Quarters in the *Fortune* was below, to stop Lakes that might happen; that while cleaning at *Sieraleon*, they were kept to work, and were told they should have Liberty to go on Shore after the Work was done, and then was hinder'd. *Acquitted.*

William Fernon.

Captain *Joseph Trabern* knows the Prisoner to be one of those that came in the Pyrates Boat armed to take his Ship, in the manner as has been related in former Affidavits; that he saw him set as a Centinel on his Cabbin by the Quarter-master of the Pyrates, when he the Deponent was order'd out of her.

George Fenn Mate, swears also, he was one of them (Pirates) armed in the Boat that took them, that he came swearing and cursing, as did several others of them; to him, to know who it was fired that Gun, (for Captain *Trabern* had fired one Musket,) threatenng the Person who did it; and this Prisoner in particular asked them how they dare do it, Don't you see (says he) that Ship commanded by the famous Captain *Roberts*.

Harry Glasby swears, all that went in that Boat, or on any Occasions of Attack, were Volunteers; that the Prisoner was an active Man among them, and often in *Debate*.

Adam Courie, that he knows the Prisoner to have come among the rest on board the *Elizabeth*, and was the briskest among them, setting the People to work for getting her Goods out, in particular that he threaten'd the Deponent with hard Language; and when he told him a piece of Callico that lay then before them was his, this Prisoner with an Oath cries, Do you know where you are? Is any thing here yours? and concluded, that if he spoke a Word more, he would cut his Ears off.

James Mumoy says, he saw him very forward in the *Elizabeth* at over-hauling and plundering Chests.

The Prisoner says, he was taken out of the *Sadbury*; *William Thomas* Master, nineteen Months ago at *New-found-land*; that he had not had any Opportunity since for escaping: As for *Sieraleon*, the white Men had threaten'd them that they would hang 'em; that he was shot at once as he was endeavouring an Escape at *New-found-land*: As to the *King Solomon*, he was bid by *Roberts* into the Boat, telling him he was forward enough at other times: And to the *Elizabeth's* Robbery, that he was order'd by the Quarter-master in her; at which the Court asking, why they voted for such a Quarter-master, since what he did, being chose by their Votes, was their Action; he answer'd, truly he did not vote for him, but for *David Simpson* the old Quarter-master, for that this Successor *Magnes* was too honest a Man for the Business. *Guilty.*

Daniel

Daniel Harding.

James Munjoy, that the Prisoner was with the rest of the Pyrates on board at plundering the *Elizabeth*.

Harry Glasby, that at first the Man was forced, for he saw the Quarter-master go, who had told him he would bring all the *Englishmen* out of this *Dutch* interloping Ship that he belonged to; but that he had Opportunity enough, as had all of them, to have left the Pyrate-ship at *Sieraleon* if they pleased.

Robert Lilburn, that he was looked upon as a brisk Man, and was on board all or most of the Prizes they had taken.

John Stodgill (acquitted) says, he saw the Prisoner on board the *King Solomon* busy with the rest in ordering the things to be hoisted up.

He says, he was forced out of a *Dutch* Interloper belonging to *Plasburg*, ten Months ago, and beat for refusing; that since he had no Opportunity to get off, but among Negroes: As to the Easiness of doing it at *Sieraleon*, he lays there were two or three that had made their Escape, and had not since been heard of, but were supposed to be kill'd: He owns he was on board the *King Solomon* in his turn; had little to say, he said, in his Defence, nor had he ever complain'd to any body, that he wanted or desired to get away: He was quarter'd in the Steerage in the Action. *Guilty.*

John Tynson.

James Munjoy deposes of the Prisoner, that he came on board of the *Elizabeth* with the rest of the Pyrates that plunder'd her, but was more busy at drinking than any thing else.

Harry Glasby, that he belonged to the *Ranger*, whose Company he was not so well acquainted with as with their own; that he bore a satisfied Countenance always when he came on board the *Fortune*.

John Arrought (acquitted) deposes, that the Prisoner was order'd on board the *French* Ship that was taken at *Whydah*, to carry her from thence to *Cape Lopez*; and that these first Men that were on board, were these that brought her out, and conducted her thither; and both he and *Glasby* says, that *Roberts* knew nothing of their bringing her away, nor exposed it, because she had ransomed as the other Ships did.

John Wingfield, that he knows him to have belonged to the *Ranger* when their Brigantine was taken at *Calabar* by them, some Days before the *Royal Fortune* came up, and seem'd a very brisk hand among them.

The Prisoner says, he was taken in the *Love of Lancaster* the 18th of July was twelve Months coming from *Virginia*; that he should have made his Escape, but that they came from the *West-Indies* directly upon this Coast, and at *Sieraleon* was never on shore but one Day; the wanting a Boat in the *Ranger*, to which he belonged, in the Action was quarter'd in the Fore-castle. *Guilty.*

Michael Lemmon.

Harry Glasby, that he was as brisk, and as often drunk as the rest of the Company.

Tho. Stretton Carpenter's Mate on board the *Onslow*, says, that *David Simpson* beat him from out the Hold, and forced him along with 'em; that the Prisoner made a pretence of being ruptured, and therefore unfit for their turn; but they had no regard to it.

William Smith, that he was one of those put on board the *French* Ship at *Whydah* to carry her to *Cape Lopez*.

John Stodgill, that he had often wish'd himself away, not liking the way of living, and believes his Inclination was different from the Company he was

was in; he was one of the Boat's Crew that shifted the Guns from one French Ship into the other, but does not know whether he came on board the French Ship they brought away, before or after she got up her Anchors.

He says, he was Quarter-master in the *Onslow*, taken August last; confesses he was one of those ordered into the French Ship taken from *Whydah*, but that she was out and under sail before he went; in the Action says he did no Duty, not being well. *Acquitted.*

Joseph Mort.

James Munjoy Cooper, a Passenger in the *Elizabeth*, says, that the Prisoner was on board the *Elizabeth* with the rest, vapouring and swearing; that some Incident having engaged them into warm Words, the Deponent told him, he was not afraid of his white Hat, at which the Prisoner asked him with a great Oath, if he knew where he was, and gave him a very smart box on the Ear; and being told of it since he had been a Prisoner in *Cabo Corso* Castle, he impudently told him, he would do the same were it to do again.

John Sharp justifies the latter part, being then within hearing.

The Prisoner made a lame Defence, as that he was like the rest, at first forced out of the *May Flower* Sloop twelve Months ago, and had no Opportunity to escape, by their so suddenly coming from the *West-Indies*; that if he had attempted it at *Sieraleon*, and been catch'd, he should have been served as *Williams* was, two Lashes thro' the Company, or marooned; and being asked what this Marooning was? he answer'd, it was a Punishment among them for something notoriously villainous, such they accounted Desertion; and whenever it was carry'd against an Offender, he was put on shore on some uninhabited Cape or Island, with a Gun, some Shot, a Bottle of Powder, and a Bottle of Water, to subsist or starve: He was quarter'd between Decks to a Gun in the Action, but was not down, his Help being wanted to set and trim the Sails to get away, which they lay more dependance on. As to the Cooper and Mr. *Sharp's* Evidence, he owned it; and being asked, whether he had not once before broke Prison? said faintly, No, he had not. *Guilty.*

Abraham Harper.

Captain Truborn says, that the Pyrates wanting his water, would have sent a Pump on board, but this Prisoner who was Cooper of the Pyrate, swore, he did not use to send Pumps on board of Prizes, and bid 'em scuttle the Casks: But in his Favour says withal, that upon a home Representation of the Mischief of it, and what Good would redound to him by it, he grew sorry, and at one time lamented to him his being there, and how glad he would be to get off; but was diverted from further Talk of it, by *Roberts* drawing nigh them.

James Munjoy a Cooper, and Passenger in the *Elizabeth*, says, the last Night they kept in Company with this Pyrate-ship, the Prisoner came to him, and told him, Cooper, I'll do you no harm, but I must have some of your Tools; and accordingly over-haled the Tub they were in, and put them by; and as he never saw them any more, supposes they were carried out of the Ship by the Prisoner, or his Directions.

John Sharp says, this Prisoner was he who together with *Moody* were in search of *Tarlton*, having each a Cutlass and Pistol, threatening to kill him the said *Tarlton* if they found him, as has been deposed on *Wilson's* Tryal; that he saw him with Arms on at chasing a Dutch Ship while he was on board, and always had a Rattan like an Officer in his Hand, directing about the Provisions, and what else immediately related to his Office.

Harry Glasby says, that he had been once on board the *Onslow*; that he seemed so far from being forced to act in the Pyrates ways, that when the Quarter-master called for Drink or any thing else, he with a merry Countenance

nance always readily obeyed him, and was in every Prize, as were all Officers in the Ship, to fetch their proper Stores out.

John Wingfield says, that the Quarter-master of the Pyrates having left them ten Casks of Beef after they had taken the Brigantine at *Calabar*, four of them after that were taken out by the Instigation, and at the Order of this Prisoner, saying, it was too good for their People.

The Prisoner says, he was forced out of the *Onslow* into the *French Royal Fortune*, and when they had exchanged her with Captain *Gee*, back again into the *Onslow* by *David Simpson*, who drove him over the side: That he was newly out of his time, had a Father of good Reputation at *Bristol*, and had with Captain *Gee* 50 s. per Month, which he hoped the Court would think Inducements to continue honest, and not to have been among the Pyrates without Compulsion. As to the Tools of *Munjoy*, he says, he was obliged to look by the Quarter-master's Order, but took none away; that his being in search of *Tarlton* armed, was by *Roberts's* Order, who had told the Prisoner he had hid the said *Tarlton*, and threaten'd him very much if he did not find him. To what *Wingfield* witnessed, he only recriminated some ill usage that Person had done the Captain of the Brigantine, who dyed while he was a Factor with him; owns he was quarter'd to a Gun that was fired, but not by him. *Guilty.*

Then the Court gave Directions for a Warrant to be made to morrow for the Execution of the following Prisoners upon *Monday*, sentenced *April* the 5th.

Peter Divine, William Phillips, Philip Bill, William Main Boatswain, William Mackintosh, and William Williams.

Then the Court Adjourned 'till to morrow Morning nine a-Clock.

By Command of the Court,

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, Monday April the 9th, 1722.

Captain *Mungo Herdman*, President.

<i>James Phipps, Esq;</i>		<i>Mr. Samuel Hartsease,</i>
<i>Mr. Henry Dodson,</i>		<i>Captain William Menzies,</i>
<i>Mr. Francis Boye,</i>		<i>Mr. John Barnsley,</i>
<i>Mr. Edmund Hyde,</i>		<i>Mr. Charles Fanshaw.</i>

THE Court being set, called for the following Prisoners:

William Wood.

Captain *Joseph Trabern* and *George Fern* depose, that he was one of those came armed to attack and take their Ship, in the Pyrates Boat; the

the former says, he was with him the Voyage before, and then behaved himself dutifully enough.

Thomas Stretton was by when the Prisoner was asked by *Roberts*, as were some others, whether they were willing to go with them? for that he would force no body; but they making no Answer, he cry'd, these Fellows want a show of Force; and believes not only him, but most of those out of the *Onslow* were Volunteers, they agreeing one with another to enter.

Harry Glasby, that the Prisoner was brisk and free among his Associates, tho' not so desperate as many others: He says, all were Volunteers in that Boat that took the *King Solomon*, it being contrary to their Rules to force any body on an Attack; that he was one of those also that was put on board, and brought the *French Ship* out of *Whydah Road*.

The Prisoner pretended Force in all that was witnessed. *Guilty.*

John Horn.

Harry Glasby says, the Prisoner was a Soldier, Passenger to *Cabo Corso Castle*, and that most of the Company of Pyrates were against entering such; that all those from the *Onslow*, of which the Prisoner was one, he believes were Volunteers, they appearing over-joyed when accepted of, which the Pyrates told him was out of pure Charity, giving them only a fourth part share to shew their Contempt of them.

Thomas Eddy says, he was Miner for *Cabo Corso*, and Passenger in the *Onslow* with the Prisoner; that when she was taken by the Pyrates at *Sector*, he was on shore, not coming off in three or four Days afterwards, and then saw the Prisoner going off from the *Onslow* with the Pyrates, unconcerned on board the *Ranger*.

Robert Lilburn says much the same with *Glasby*, that no body cared to have Soldiers on board, and it was generally talked of among the Pyrates, that none were forced from the *Onslow*; nay, that more would have enter'd than they would accept of.

The Prisoner says, he was coming down a Soldier to *Cabo Corso* in the *Onslow*, and after being taken, was forced to take on with the Pyrates. Signing and Sharing with them, when he was on board the *French Ship* at *Whydah* to carry her out, but that it was by Orders he could not help. *Guilty.*

Robert Johnson.

George Fern, that he was one of those in the Pyrates Boat that attacked and took their Ship, but was somewhat civiler than most of them, giving back some of their own fresh Victuals to feast on.

Harry Glasby says, that at his first being taken out of the *Jeremiah* and *Ann* twelve Months ago, he got so drunk with the Pyrates, he was forced to be hoisted out with a Tackle, and into the *Fortune* again the same way; yet afterwards became a forward Man, and was in the Action, by the Quarter-master's Command, quarter'd to the Helm.

Robert Lilburn says as *Glasby* has done in former Affidavits; that all those Men who attack'd the *King Solomon* were Volunteers; that altho' it was his turn, yet he went as Volunteer on this Service, claiming the Privilege of going a second time to make good what was properly his turn; moreover that this which they call their turn, is not so forced as they would have it believed, they often engaging in Disputes that it was their turn before it came about, on Account of the Encouragement of a Shift allowed by the Company to them that went.

He says for himself, he was forced out of the *Jeremiah* and *Ann*, Captain *Tinner*, about twelve Months ago, and had no Opportunity of escaping at *Siraleon*; he says, *William Williams* was lashed by every Man in the Company for attempting it: In the Action, he says, he was first at setting Sails, after-

afterwards at putting a Stopper on the Main-shroud, and after that at the Helm.

Captain *Turner's* Oath of his being forced, appear'd, but was justly of little Weight with the Court, their Consideration being chiefly on the ill Behaviour and Villainy committed since; for if a Man's being honest once, were allowed to excuse his subsequent Rogueries, there were few even among these Pyrates, but could have cleared their Innocency. *Guilty.*

Thomas Watkins.

Harry Glasby says, that the Prisoner was a House Carpenter, Passenger to *Cabo Corso* in the *Onslow*; that the Pyrates despised most of them that enter'd with them, and received them, on their Petitions, only out of Charity, yet that this same *Watkins* being a House Carpenter, and they wanting, as he heard them say, a Joyner to make Cartouch Boxes in room of *Maar*, that was always drunk, believes he might be stopt on that Account, was put to look after the Carpenter's Store-room on board the Pirate.

Thomas Eddy Passenger in the same Ship the Prisoner was taken, says, he believes nothing of his being a Volunteer with the Pyrates, who, he says, set him to work, and told him nothing of the Prisoner's being to go with them, 'till the last Day.

He says, he was never before at Sea, entirely ignorant of every thing belong'd to it, and handled the Braces of the Pyrates Ship, and other Service in the Action, as they directed him to, thro' fear. *Acquitted.*

Joseph Mansfield.

Captain *Joseph Trabern*, that this Prisoner was one of those in the Pyrates Boat that attack'd and took his Ship, calling themselves Pyrates in the Boat, firing a Volly, and crying no Quarters if they resisted; he remembers him particularly, for a large Glass of his that this Fellow got first, but *Moody* took it away from him, threatening to blow his Brains out (a bullying Expression frequently with them) if he did not give it to him, and the Contest ended with this Man's surrendering of it.

George Funn says the same of the Prisoner being in that Boat at attacking the *King Solomon*, yet saw afterwards that he was looked on as a Cypher among them, having sometimes a Share, and sometimes a Beating.

Harry Glasby says, that the Pyrates Boat being a Watering at *Dominico*, an Island in the *West-Indies*, this Prisoner came on board Volunteer in her; that he had since his being there told the said Deponent, he had run away from the *Rose* Man of War, and that he had heretofore been robbing on the Highway, was always drunk; and particularly after they had struck to the *Swallow*, he came up vapouring with a Cutlafs, to know who would go on board the Prize; and it was some time before they could perswade him to the truth of their Condition.

He says for himself, he was taken in a Sloop from *Antegoa* about sixteen Months ago, and had a Pistol clapp'd to his Breast before he came off in the Pyrates Boat from *Dominico*: In the Action, he says he was drunk and asleep, and atoretime to have been too guilty of that Vice, which had a great Share in drawing him into such Company. *Guilty.*

John Watson.

Harry Glasby swears, the Prisoner was fetch'd out of a Snow, Captain *Lady*, at *Cape Mint* in *August* last, with three or four more, by their Quarter-master, how far against their Will he knows not.

Benjamin Parr believes he was forced; for that the Prisoner, with himself and three others, had concerted Measures for their Escapes, both at *Calabar* and *Anna-Bona*; but since that of *Williams* at *Sieraleon*, they had taken diligent

diligent Care about their Boats while they continued at the former Place and trusted on Shore at *Anna-Bona* only one of a Mels.

It was the first Voyage, coming for himself, and appearing young, and unskil'd in the Trade of Pyrating, the Court *Acquitted* him.

Thomas How.

Captain *Joseph Trabern* and *George Fern* his Mate, both depose, that the Prisoner was one of them that came in the Pyrates Boat to the attacking and taking his Ship; the latter adds also, that he was as finely dress'd as a Fool, and was employ'd mostly in mending and making the Colours.

Harry Glasby, that he was received for being a Taylor; on board lazy, and sick always, unless at those times Prizes were taken, and then forward, and as brisk as any body; no Force used on these Occasions, even Taylors challenged their turns.

He says, he was taken out of a Fishing-boat in *Trapasia* Harbour *Newfoundland*, about nineteen Months ago, could never get on Shore in the *West-Indies*; he owns he had a Pistol on at attacking the *King Solomon*, and that *Glasby* might have gone too, if he had a Fancy. He went into the *Kanger* that Morning also, he says, for his Fancy. *Guilty.*

John Stevenson.

Joseph Trabern and *George Fern*, that this Prisoner was one also at attacking and taking the *King Solomon* in the Pyrates Boat, in the manner related in former Affidavits.

Harry Glasby says, he was taken by the Pyrates out of the *Onslow*, whether with or without Consent, he does not know; but after he had taken on, was for cutting the chief Mate's Ears off in the *Onslow*, if the other Pyrates would give him leave.

Thomas Stratton Carpenter's Mate of the *Onslow*, says, the Prisoner asked for Cloaths and Arms of *Roberts* as soon as he came on board; and that he and six or seven more of the *Onslow's* People, after a little qualming about it, did enter.

David Holliday, that the Prisoner came the second Day after they were taken by the Pyrates to him, who was also a Passenger in the *Onslow*, telling him, the Trademen would be starved at *Cabo Corso* where he was going, and advising him to take on with them; and he refusing, the Prisoner commenced presently an ill Will towards him, threw his Cloaths over-board, and got him several times well beat after.

He says, he is of *Whitby* in *Yorkshire*, and taken in the *Onslow*; that the Day of the Fight being lame with the stroke of a Cutlass he had received from another Pyrate at *Cape Lopez*, he could not fight, yet was fore and aft the Deck; that his being in the Boat to take the *King Solomon*, was occasioned by *Roberts* saying to him, he would be forward enough if a Prize was a long side, taxing him, as he thought, with Pusillanimity. *Guilty.*

Hugh Menzies.

Harry Glasby says, he was taken out of the same Ship he was, and forced, being twice beat because he whined and cry'd to get away; they called him on board *Dead Hugh Menzies*; was quarter'd in the Powder-room in the Action, and was a great Instrument in saving her from being blown up.

Robert Liburn, never on board of Prizes, and was quarter'd in the Powder-room.

He says innocently, he thought every Day a Year, and had no Liberty to go on Shore but on the Coast of *Guinea*, which he was more afraid of than of the Pyrates. *Acquitted.*

Then

Then the Court proceeded to give Sentence against the following Persons, viz.

James Skym, John Walden, Israel Hynd, James Greenham, Peter Scudamore, Agge Jacobson, Michael Mare, James Clements, John Parker, Marcus Johnson, William Betty, Robert Crow, Robert Flaws, John Phillips, William Fernon, Daniel Harding, John Jaynson, Joseph More, and Abraham Harper.

YE and each of you, are sentenced and adjudged to return to the Place from whence ye came, from thence to the Place of Execution, and there within the Flood-marks to be hanged by the Neck till ye are *Dead, Dead, Dead.* And the Lord have Mercy upon your Souls.

After this, you *James Skym, John Walden, Israel Hynd, Peter Scudamore, Agge Jacobson, John Phillips, and William Fernon,* shall be taken down, and your Bodies hung in Chains.

Dated the 9th of April.

Signed,

Mungo Herdman,

James Bhipps,

Henry Dodson.

Francis Boye.

William Menzies,

John Barnsley.

Charles Fanshaw.

Then the Court Adjourn'd till to Morrow Morning at Nine of the Clock.

By Order of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle, on the Coast of Africa, on Tuesday April the 10th, 1722.

Captain Mungo Herdman, President.

*James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,
Mr. Edmund Hyde,*

*Mr. Samuel Hartsease,
Captain William Menzies,
Mr. John Barnsley,
Mr. Charles Fanshaw.*

THE Court being set, called for the following Prisoners:

Andrew Rance,

Harry Glasby swears, the Prisoner was forced out of a Dutch Ship, at Axim, they had taken six Months ago; and after he was come, and attempted to go back to his Ship, Main the Boatswain of the Royal Fortune very civilly stopt him at the side, and said he should stay for Country's sake, (being a Scot.)

Robert Lilburn, that he was taken at Axim; and he with James White, says, he seemed to him a very civil Fellow, but knows no Particulars, unless that he would be merry, and drinking as others.

He owns he was on board the French Ship they carried from Whydah, but by Order. Marshallsea.

Robert Disson.

Harry Glasby swears, the Prisoner was among the Pyrates before his time; that he was look'd upon as a trusty Hand among them, and never suspected of running away,

Robert Lilburn, the same of him the former Deponent does; and adds, he was a swearing Fellow, very mischievous where they had the Mastery, and on board all the Prizes they robb'd down this Coast.

He confesses himself, he has been two Years among them, had no Opportunity to make his Escape in the West-Indies, and here there was always a Report the Negroes would kill them. He was taken in the Revenge Sloop of Amctgoa by the Guard le Coste of Martinico, and set on Shore at Dominico, and he with twelve more were forced by the Pyrates when they came in; that he had gone away once, and was taken again; owns he went on board their Ship at Whydah before they weighed, but not above three Prizes more along the Coast. Guilty.

Thomas Sever.

John Richards Boatswain of the Carlton, swears, that the Prisoner was one of them that came on board their Ship at Whydah: Yet over a Glas of Wine, the Prisoner lamented his Condition very much; and saying, tho' he had received their Money, he was sure it would never do him any good.

Harry Glasby, that he was forced out of Captain Kolls at Calabar, October last, was once cleared, and coming down again in the Boat with him,

Captain

Captain *Roberts* detain'd him, and could by no Intercession either of *Rolls*, or from himself, get away from them.

James White (acquitted) belonged to the same Ship the Prisoner was forc'd out of, says, that he being in the Pyrates Boat when they went to burn a Negro Town there, which he supposes was with hopes to make his Escape, he received a Shot in his Shoulder, and desir'd of *Roberts* for that reason that he would acquit him; and this Deponent also says, that not a Week before they met with the Man of War, this Prisoner told him, he would take the first Opportunity to get away.

The Prisoner said, he had endeavour'd an Escape at every place they had been at, and had done it at *Anna-Bona*, but that he heard *England* had burnt a Negro's Town, and was afraid to trust himself; owns he was on board the *Carlton*, quarter'd in the Fore-top, staying there till the Main-mast came down, and then thanked God for the Deliverance he thought was coming, and came down. *Acquitted.*

James Morrice.

Harry Glasby swears, he saw the Quarter-master beat him, and force him on board, being reputed among the quietest and civilest of the Crew.

John Richards and *James White* (acquitted) swear him to have been a very sober, civil Fellow, no way mischievous like many of them, and seem'd to abhor their way of living. *Acquitted.*

Thomas Davies.

Harry Glasby knows the Prisoner was forced out of *Rolls*, but does not remember that he appeared any ways frighten'd after this Force.

John Richards Boatswain of the *Carlton*, (acquitted) says, that he came on board their Ship in the second Boat to row the Quarter-master on board; that the Quarter-master being angry a Rope was not handed for the Boat, order'd the Prisoner to beat the Deponent, which he did two or three Blows with the flat of his Cutlass, not to hurt him; that abating this, he shew'd himself civil, neither plundering nor taking any thing away.

He says, he struck the Boatswain by the Quarter-master's Order, and did it to prevent his being worse used by him; he was quarter'd in the Steerage, he says, but presently called away, before any Fire was made on the Man of War, to make Sail. *Acquitted.*

John Willden.

Harry Glasby deposes, the Prisoner was taken out of Captain *Lady* about August last, knows nothing whether forced or not, was brisk at going in Boats, and dancing continually. And being asked, whether he appeared in Arms at going into *Whydah*, and against the *Swallow*? says, that all were at the first Place, and that they had them not on when the Man of War engaged them, was want of time.

John Richards, (acquitted,) that the Prisoner appeared to him a half-witted Fellow, and ever in some Monkey-like foolish Action.

He says, he is an Apprentice to one *Thomas Cocksbeet* of *Liverpool*, was quarter'd on the Main-Deck in time of Action, but never fired. Referr'd to *Marshalsea*.

William Church.

James Great Mate of the *Gertruycht* from *Holland*, swears, that the Prisoner belonged to their Ship when the Pyrates met them the 14th of December, N. S. about four Leagues from *Gabone*; after which, the Prisoner was sent for on board the Pyrate, whether of his own Desire he cannot determine; but that after he was there, he informed him of some Wine that was in the Ship.

Ship, and they rumaged for it in vain; before this, was very civil and did his Duty.

Harry Glasby, that he came from this *Dutch Gally*, and it was their Rule to take all *English* out of Foreign Ships.

Andrew Brandwood (an *Irish Man*) belonging to the same Ship, swears, he heard the Pyrates say, Men they wanted, and Men they would have, him they refusing because of his Country; but the Prisoner was grievously beat and mis-used, the Marks of which Blows he afterwards saw on his Body; yet for Incivility, he saw no such thing offer'd to him.

The Prisoner was a Drummer, he said, and being under some Difficulties in *Holland* to get his Livelyhood, had a Trick put upon him there, and was forced to make a sort of Sale of himself to *Africa* for clearing the Debt, that tho' he should have been glad to have got quit of this Servitude at any honest Rate; he would not go with the Pyrates till he was beat, and had it pretty handsomely all the way they rowed for his murmuring: When the *Dutch Ship* he belonged to was discharg'd, he stood ready to return to her, but *Main* the Loatiwain of the Pyrates stop't him. *Acquitted.*

Richard Harris.

Jacob Groot, that when the *Gertruycht Gally* was taken, and violently forced from them by the Pyrates four Leagues from *Gabone*, he was Mate of her; and saw this Prisoner on board, who he understood was Sail-maker, he ordering all her new Sails away, and would have done also those from the Yards, only the others would not let him; also when the Quarter-master had left their Carpenter some things in his Chest, forbidding further Plunder, this Prisoner turn'd it up-side-down, and being asked a Reason of it, beat the Carpenter.

Harry Glasby says, he was Sail-maker to the *Fortune*, and according to his Office went on board Prizes to fetch Sails, Canvas, or what else he wanted in his way; and when the Deponent would have interceded with the Company to give Captain *Trahern* a Main-top-sail back, this Man withstood it; he says also, he was one of the Jury at *Dominico*, when himself, another white Man, and a Negro, were for Deserting, sentenced to Death over a Bowl; that the two latter were usually shot, and he escaped only by a *Fancy Valentine-Asphalt* (a leading Man among them) took to him.

The Prisoner says, he was taken by the Pyrates about nineteen Months ago in the *Planix* of *Bristol*, *John Richards* Master, bound to *Boston*, and has had since no Opportunity of escaping: He would say something, he says, but fears there are too many Witnesses against him: As to the *Dutch Evidence*, he has beiy'd him, for he took away but one Main-sail, as he hopes to be saved; and the Carpenter, not about Tools, but some Tobacco that was in the Chest, that he would have defrauded him of. *Guilty.*

George Smith.

Dan Vanderperl Mate of a Ship called the *Flushing*, taken by these Pyrates the 14th of *January*, N. S. above *Bassan*, swears, that this Prisoner was one of them that went on board to rob them, and likewise after that to cut the Fore-mast away; that the Pyrates having nussed three of the Negroes, and supposing they were hid in this Ship, came to search, threatening very hard, that if they did not find them, they would sink the Ship.

Jacob Groot, another *Dutch Man*, says, that being Mate of the *Gertruycht Gally*, which the Pyrates had violently assailed, and wrested from them, this Prisoner was one of those armed to do it, taking away a Main-top-mast, and

* N. B. An *Irish Evidence.*

Main-yard, and Sprit-fail-yard, he with his Cutlafs spoiled and hacked every thing he thought was not worth removing; most of all, he insisted those Fellows had spoil'd him some very good Sausages, he and others ludicrously stringing them about their Necks for a time, and then throwing them away.

Harry Glasby says, the Vessel the Prisoner belong'd to was sunk; he knows nothing certain of Force used at first, but afterwards the Prisoner had several times spoken to him about means to do it, one time at *Hispaniola*, about ten of them were away two Days and a Night, whereof himself and the Prisoner were two, but having lost their way, and in a desolate part of the Island, came down again, almost to the same place they set out from, and then being seized by the Pyrates, they made such Excuses for their Absence, as they thought would most please: After this, the Prisoner and he would have gone with the Pyrates Boat down to *Jamaica*, but *Roberts* had conceived a Distrust, and chain'd her up. The Vessel the Prisoner belonged to was sunk, and he consequently forced; but since that, he had given such Proofs of his good Will, as not to be suspected any more of running away, and reckon'd a good hand amongst them.

He says in his own behalf, that he was forced out of the *Mary and Martha*, *Thomas Willcocks* Master, belonging to *St. Christophers*, sixteen Months ago, but had been sick seven or eight Months of the time: He owns he was on board the first *Dutch* Ship, but not at cutting her Mast away, which he heard was done by *Miss Nanny*: and was on board the other, but both by Orders: In the Action quarter'd to small Arms. *Guilty.*

And then the Court order'd a Warrant to be issued out for the Execution of

Agge Jacobson, William Fernon, Michael Mare, John Phillips, Marcus Johnson, James Clements, John Parker, William Petty, Robert Crow, Robert Harw, Joseph More, Daniel Harding, John Jaynson, and Abraham Harper.

And then the Court Adjourn'd till to morrow Morning Nine a-Clock:

By Command of the Court:

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, Wednesday April the 10th, 1722.

Captain Mungo Herdman, President.

*James Phipps, Esq ;
Mr. Henry Dodson,
Mr. Francis Boye,
Mr. Edmund Hyde,*

*Mr. Samuel Hartsease,
Captain William Menzies,
Mr. John Barnsley,
Mr. Charles Fanshawe.*

THE Court being set, called for the following Prisoners:

William Williams. (2d.)

Harry Glasby has heard him talk, and wishing to get away, even since they have been upon this Coast, yet has seen him go on board of Prizes with his Arms on, but civiler in his way than many of the others.

John Richards Boatswain of the *Carlton*, swears, the Prisoner was on board their Ship at *Whydah* with the rest of the Pyrates that robb'd her; in particular, that he wore a loose Coat, and a Wig of their Captain's all the time he was on board.

He was taken in the *Sadbury* twenty Months ago at *New-found-land*, and had been weak and ill, or had since that made his Escape: In the Action, he handed up Wards and Shot, which he was oblig'd. And being told, his Neck was in danger for obeying their orders; he said, Please your Honour, he could not help it if it was, he put his Trust in God, he knew no Friend here. *Guilty.*

Hugh Ridley.

Stephen Thomas swears, he was taken in the *Diligence* Boat the 5th of *January* last, belonging to the Company, whereof he was Master; and that the Pyrates Quarter-master beat this Prisoner about a Block that tumbled down; did not see any Application to *Castles* the Super-cargo to get off; but she being sunk by the Pyrates, must consequently be forced; nor did he appear merry or jocose all the time he was there.

He says, he served sixteen or seventeen Years in the King's Service, and when taken, made pressing Instances to the Super-cargo *Castles* to get him cleared; that he had Money due from the Company, and the Vessel he belonged to was sunk, both Arguments he hopes of being forced; quarter'd to a Gun in the Main-Deck not fired. *Acquitted.*

William Darling.

William Champnes swears, he appeared always disconsolate; has heard him say, even since he arrived upon the Coast, of his Willingness and Design to get away; did not see him in the Action.

Harry

Harry Glasby swears, that he was forced out of the *Jeremiah* and *Ann*; was a Caulker, and employed as such on board the Pyrates, went in his turn on board of Prizes, but does not remember him, like others, to have brought any thing away; and such as was shared to him, he has often known him to return back to the Prisoners.

Robert Lilburn, that he was forced out of the same Ship he was, by beating over the side; seemed very uneasy, and had agreed with one *Wright* Carpenter of the *Jeremiah* and *Ann*, (forced also,) to run away; but when *Wright* got away at *Calabar*, this Prisoner grew crazy at the Disappointment; also in particular, the Shift he was allowed on board Captain *Kanning*; he return'd again to the Owners.

George Fenn, that the Prisoner was on board the *King Solomon* civiler than what could be expected among such Company; and in particular hinder'd their Carpenter from being beat.

Benjamin Parr belonging to *Kanning* when he was taken by the Pyrates, says, the Prisoner was civil; and, contrary to the rest, return'd the Mate of their Ship his things again that fell to his Share.

He says, he was taken last *April* in Captain *Turner*, bound to *Virginia*, who has taken an Oath of his being forced, now lying on the Table; that he was absent a whole Day at *Seyaleon* to get away, but miss'd of a Canoe they waited for; afterwards was agreed with the Carpenter taken out of the same Ship with him, who left him at *Calabar*, to his great Regret, having heard the said *Wright* gave his Money to *Robert's* to wink at it. *Acquitted.*

George Danfon.

William Champnies belonging to Captain *Hynstone* March was twelve Months, when he was taken, says, this Prisoner also belonged to them, and was forced out, he is very certain, by the Pyrates; that since he has been seven or eight Months sick; and only as he knows of in one *French* Ship to *Windward*: He was just married when they came out of *England*; and he has heard him say, he should be glad to get home again.

Harry Glasby, is very sure he was forced out of Captain *Hynstone*, has been sick almost ever since, and obliged to send others in his turn on board of Prizes, which the Pyrates were honest enough to allow of.

The Prisoner said, he never deputed but one to keep his turn; and that when he came on board of that *French* Ship, the others grumbled, and said it was not his turn; Quarter-Deck in the Action: Besides this, the Oath of *Hynstone* made in *England*, was on the Table, that he was forced: The Court thought fit to acquit him. *Acquitted.*

William Davison.

William Guineys Mate of the *Porcupine*, says, he was forced away from their Ship, at refusing to sign the Pyrates Articles for some time.

Edward Evans of the same Ship, (acquitted) swears, the Prisoner being sent with the Mate on board of the Pyrates, was detain'd much against his Will. *Acquitted.*

Charles Bunce.

William Guineys says, the Prisoner was one of them that swore he should take care of the Watch during *Skynn's* Illness, that his Vote sway'd much, and believes he should not have been put on that Office, but thro' him.

Harry Glasby and *Robert Lilburn* swear, he was taken out of a *Dutch* Gally at *Axim*, seven or eight Months ago, and might have gone away when the Pyrates discharged the Ship he belonged to, but he being so complainant as to come aft to make a Bow, and wish *Robert's* a good Voyage, he then cry'd, this Fellow only wants a little Encouragement, and orders that he and all the

the *English* should be stop't:— He was a brisk Fellow, and commonly called Captain *Bunce* among them, for that he took upon him to prescribe often in Salutes, saluting the *Pink* at *Cape Lopez*, and telling *Roberts* the *Ranger* should have thirteen when she came: Was in *Skyrr's* *Mess*.

George Fern says, he was also on board the *King Solomon*, with the rest of them that came in their turns; he did not see him in particular take anything, but wished to the Deponent he could make his Escape.

John Stodgill, that the Prisoner was accounted a brisk Man, was stiled Captain *Bunce*, and in the *Little Ranger* saluted the *French Ship* with three Guns when she righted at *Cape Lopez*,

The Prisoner says, he was taken in the *Semm Gally* a *Dutch Ship*, but an *English Captain*, about seven Months ago off *Axim*; that he had spoke several times to Captain *Loon*, while he was a Prisoner, to speak for a Discharge, and was actually forced, tho' he owns the rest of the *Dutch Men* would have taken with the *Pirates*, if they would have accepted of them; was quarter'd in the Quarter-Deck. Guilty,

Samuel Morwell.

William Guineys Mate of the *Porcupine*, says, the Prisoner was one of the Hands that rowed them on board the *Pirate-Ship*, and was there detain'd against his Will, several times complaining of that, as also of making him to sign.

Edward Evans belonging to the *Porcupine*, the same Ship the Prisoner did; says, that being order'd to go and help to row the Mate on board the *Pirate* at *Whydah*, was detain'd against his Will, he often wishing to the Deponent, he could know any way to get clear, never believing he should get home again.

The Prisoner says, he had been twenty three Days on board, and had no Share or Prize taken since he belonged to them; that when the *Man of War* engaged them, he pray'd to be taken, and refused his help, going into the Head. Acquitted.

Thomas Owen.

Harry Glasby swears, the Prisoner was forced out of the *Tork* of *Bristol* three Days after he was taken; and had not only try'd with the Deponent to escape at *Corvacou* and *Hispaniola*, but after this Disappointment was dejected, not swearing or cursing; at the attacking any Ship, in his turn he went, and it was what every body took.

James White, that the Prisoner was a brisk hand in going on board of Prizes.

Stephen Thomas never saw him in Arms, was brisk in the Hold, or on any Sailor's Business, but knows nothing else.

The Prisoner confesses he had been eighteen Months with the *Pirates*, forced out of the *Tork* coming from *Virginia*, and had not communicated his Complaints to any body of his disliking his living, because of the Danger and Punishment would follow on a Discovery; was quarter'd at one of the Fore-castle Guns, but never fired. Guilty.

Peter Lasbley.

Harry Glasby says, the Prisoner was very forward in going on Board of Prizes, and thinks he remembers him in one at *Whydah*. As to the *Pirates* detaining of any *Negroes* while they lay at *Sestos*, he knows nothing of it.

David Halliday Passenger in the *Onslow*, to which this Prisoner belonged, says, that when this said Ship was taken by *Roberts* the *Pirate* at *Sestos*, the Prisoner was on Shore, that he in coming off, went on board the *Pirate-Ship*, first, and then came to the *Onslow* fuddled, using his old Acquaintance very cruelly,

cruelly, by driving them imperiously to work, and saucily commanding them to throw the Company's Goods in that Ship over-board, insomuch that the Quarter-master reprimanded him, and ask'd him how he dare do it, since they were under his Protection? Indeed, when he became sober, he express'd himself sorry for it, and went from them crying.

John Wingfield says, the Prisoner was one of those Pyrates who had Possession of the *Mercy Gally* at *Calabar*.

Stephen Thomas and *James White*, that he was as brisk a Man as any, often on board of Prizes, and without the least Uneasiness at his Errors: The former adds, that he saw him in Arms going into *Whydab*.

The Prisoner says, he was on shore at *Sestos* when *Roberts* the Pirate came into that Road, and took the *Onslow*; three Days afterwards he was forced off by the Negroes, being first stript, for the Release of some Negroes which they pretended were kept by the Pirate 'till those *English* came; and the ill Usage on shore made him once say, as they were rowing off, that it was better going on board the Pyrates than on Shore: Again, he says *Holliday* has no Conscience, that he had spoke to Captain *Trabern* as pitying his Usage, but that he neglected to make Intercession with him to gain a Discharge, is what he cannot help. *Guilty.*

William Taylor.

Harry Glasby says, the Prisoner was one of those who with himself and others, attempted an Escape at *Carracow* and *Hispaniola*; that since the Disappointment, he often had bemoan'd himself almost every Night, and to him since he had been on this Coast.

James White, that he bemoan'd himself also to him at *Calabar*, saying, he had a Wife and Children at *Bristol*, and believes he would have been glad to have got away; being sober, and given to Reading, not swearing and bullying like others of them.

Robert Lilburn, that he was on board of Prizes, and return'd with Plunder; and what was worse, being quarter'd under the *Fortune's* Gang-way, he saw him fire a Gun against the Man of War, no body but himself being at it, and he believes almost drunk; for he fell down after he fired.

He confesses he has been about eighteen Months with these Rogues, and taken in the *Little York* of *Bristol*, since which time he has shed many Tears at his Course of living; he was forced too, and had attempted many Escapes on the Coast of *Guinea*, the Boats were chained; yet believes he might have got away at *Sieraleon*, for he thought God could never prosper him long; but then whereto? (says he;) Amongst People he was more justly afraid of than Pyrates; stood in the Action to the Fore-brace; and as to firing, he cannot deny it, but says he was drunk. *Guilty.*

Joseph Noffiter.

Harry Glasby and *Robert Lilburn*, both depose him to have been as forward a Man as any in the Company, when he was in Health.

And his own Confession is more, acknowledging to have fired one Gun against the Man of War; at first, he says, he was taken out of the *Expectation* of *Topsam*, twenty Months ago, by the Pyrates, who sunk her, and took all their main Hands out; that he had at *New-found-land* attempted going away, but was caught again. *Guilty.*

John du Frock.

Harry Glasby swears, the Prisoner was taken out of the *Loyd Gally*, Captain *Hungston*, against his Will, and believes he might then have got clear of the Pyrates; but for the Old Carpenter they had then on Board, his future Behaviour was conformable to *Roberts's* Humour, who used with Oaths, and other
R ill

ill Language to send him on Board of Prizes for what Carpenter's Stores they wanted ; saying, he was the best Judge.

Robert Liburn says, he or his Mate used to go on Board Prizes for Stores, he seemed not at all pleased with their Allotment, and used to desire, or order his Mate, shifting the Office from himself.

William Champnes, belonging to, and taken out of the same Ship, the Prisoner was Carpenter of, says, that he was forced from them, and afterwards voted Carpenter with the Pyrates, which he very unwillingly accepted of, lamenting his Condition often, and that he should be forced to go on Board of Prizes for Stores.

John Wingfield believes him to be the Man who carried a Pump from the Brigantine to which he belonged, and was taken in at *Calabar*, tho' the Carpenter had told him, the Brigantine was leaky, but withal thinks, he went twice to Captain *Roberts*, to represent the Mischief of it before it was taken away.

Jacob Groot, that he is sure this very Prisoner was the Man who took away their Sprit-sail-yard, coming purposely, and only for that.

Stephen Thomas knows him Carpenter of the *Fortune*, brisk in his Business; but does not remember him to have so much as been out of the Pyrate-ship while he belong'd to her.

The Prisoner says, his being Carpenter, was being Slave to 'em, and that all his Actions were thro' the same compulsions as that; when he went on Board the Brigantine, the Carpenter told him she was leaky, at which he return'd to *Roberts*, who swearing, said, he would not only have the Pump, but Main-mast too if he wanted it, and ordered him back again; that he a second time came from the Vessel with *Wingfield* on the same Errand, and disowns he ever took it away; as also he does the Dutch Man's Sprit-sail-yard, tho' owns he was on Board, and in the Action was quarter'd in the Hold. This with the Oath (September 2d, 1721, taken 26 March was 12 Months) that *Hynston* had taken of his being forced, made the Court refer him to *Marsba'sea*.

Cutbert Gofs.

John Richards Boatwain of the *Conceit*, says, that the Prisoner was on Board their Ship all the time she was in the Pyrates Possession at *Wydad*, and was there by Order of the Quarter-Master, examining the Arms, Chests, taking Arms out of it, and had a Cutlafs in his Hand.

Harry Glasby says, he was with them a sort of Armourer brisk as others, and that he, and all those who went into the *Ranger* that Morning she went out, did it of their own Accord, the Word being passed, who will go to bring the Portuguese in?

William Child, Surgeon of the *Mercy* Galley, to which the Prisoner belonged, and was Gunner, is sure he was forced out of their Ship, *Roberts* himself beating him on Board the Pyrate-ship; and often said, he hoped to see him again in *Bristol*, and believes he meant it was to make his escape.

The Prisoner says, he was forced out of the *Mercy* Gally at *Calabar*, October last; was one of the twenty came out of the *Fortune* that Morning she was taken, and set on the Fore-Castle, he says, to bring the Ship in her trim to get away. *Guilty.*

Order'd

Order'd that a Warant be drawn out for the Execution of

James Skyrn, John Walden, Israel Hynd, and Peter Scudamore, on Friday the 12th Instant.

Then the Court Adjourn'd 'till to Morrow Morning at Nine of the Clock.

• By Order of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle, on the Coast of Africa, April the 12th, 1722.

Captain Mungo Herdman, President.

*James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,
Mr. Edmund Hyde,*

*Mr. Samuel Hartsease,
Captain William Menzies,
Mr. John Barnsley,
Mr. Charles Fanshaw.*

THE Court being set, called for the following Prisoners.

Edward Watts.

Jean Gowelt swears, that the Prisoner was one of the sixteen who came on board their Ship the *Flushing*, whereof he was Mate: And *Gerrat de Haen* Master, he came on board with a Cutlass, the Deponent says, and cut the Laniards of the Shrouds, while others were cutting down his Fore-mast; that this Company robb'd him of his Provisions and his Goods.

Harry Glasby says, he was a brisk hand, that is, at Pyrating; knows nothing of his being forc'd at first, but is sure those that went on board of this Dutch Ship went voluntarily.

Robert Lilburn, does not know whether forced or not, only this, that Captain *Roberts* called the *Onslow* People aft, and asked who was willing to go, and who not? for he would force no body; therefore supposes they were at their choice; and afterwards told them, he saw they were willing, but wanted some Force.

The Prisoner says, he was forced out of the *Onslow* with these Pyrates, but brought no Proof of it; that he asked *Roberts* to go back with Captain *Gee* of the *Onslow*; as to the Dutch Ship, he was on board of her, and on Deck in the Action. *Guilty.*

James Barrow.

Jean Gowelt swears, that this Prisoner was one of the sixteen also, and came armed with Cutlass and Pistols on board of them, drinking hard that Night, and the next Day following to robbing and plundering of them; in par-

particular, he says; they cut off all the Heads of their Fowls; and sung at Supper Spanish and French Songs out of a Dutch Prayer-Book; and the Prisoner beat one of their Ship's Company for coming to see what they were doing, when he was Centry above.

John Wingfield swears, the Prisoner a Pyrate, was one of those had the Brigantine in possession at *Calabar*, behaved himself extremely civil while on board when taken, and made offer to hide himself there, if he would carry him off.

He says for himself, that he was taken out of the *Martha Snow*, Captain *Lady*, and was forced to do what he did: If the *Dutch Man* swears against him, he says he cannot help it, he was no Centry, and that the Deponent is a lying, reprobate Beast: In the Action was only at hoisting the flying Gib, and then lay down on the Fore-castle. *Marshalsea.*

John Mitchel.

John Gowett Mate of the *Flushing*, deposes also of this Prisoner, that he was one of the sixteen that was armed and took the Ship he belonged to, the *Flushing*, in their Possession; and robbed him, staying on board 'till next Day.

Harry Glasby knows nothing of Force at his first coming, but when with them, acted as forward as the rest in going on board of Prizes; but used his power less barbarous than others: They who went on board the *Ranger*, the Morning she was taken, were Volunteers.

Robert Lilburn says, he was a very forward Man, and on board most Prizes that were taken; no body called to go on board the *Ranger*, they who had a mind went, yet has wished to the Deponent often he was at home.

John Wingfield, that he was on board the Brigantine at *Calabar* to take possession of them, and believes the Prisoner was one of them among whom his Cloaths were divided.

He says, he has been eight Months with these Pyrates; and was forced out of the *Norman* nigh *Cape Verd*, being bound for *Antegoa*; owns he was one of the sixteen, but says the Quarter-master order'd him: And being told he would suffer, and follow this Quarter-master, answer'd, He could not help it, he lay at the Court's Mercy, it was his turn, and had done no body any harm, did not know who to trust in consulting an escape; was forward on the Fore-castle to trim the Ship for Sailing, in order to get away from the Man-of-War; owns he was one of the twenty that came from the *Fortune* on board the *Ranger* that Morning she was taken, but, as he says, order'd by the Quarter-master. *Guilty.*

Then Sentence was given against

William Wood, John Horn, Robert Johnson, Joseph Mansfield, Thomas How, John Stevenson, Robert Burtson, Richard Harris, George Smith, William Williams (2d,) Charles Bunce, Peter Lashly, William Taylor, Joseph Nossiter, and Cutbert Goss.

Then the Court Adjourned 'till to morrow Morning nine a-Clock.

By Command of the Court,

John Atkins, Register.

A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, Friday April the 13th, 1722.

Captain Mungo Herdman, President.

*James Phipps, Esq ;
Mr. Henry Dodson,
Mr. Francis Boye,
Mr. Edmund Hyde,*

*Mr. Samuel Hartsease,
Captain William Menzies,
Mr. John Barnsley,
Mr. Charles Fanshawe.*

THE Court being set, called for the following Prisoners.

William Shuren.

Robert Lilburn (acquitted) swears, the Prisoner was forced out of the same Ship he was, on board the Pyrate, he had wished since that he had been at home, but went on board of Prizes in his turn.

Harry Glasby, that he went in his turn on board of Prizes.

George Smithson and *Benjamin Parr*, that he was a drunken Fellow, and that they never knew him to have been on board of Prizes.

John Stodgill, he has heard him call it a Misfortune to be there, but hoped he should get away one time or other.

There appeared an Affidavit of *Captain Turner*, of his being forced from him: And says himself, he should have been very glad to have got clear, if he knew how, at *Sieraleon*, he was not acquainted, and too much afraid of the Negroes. *Guilty.*

Joshuab Lee.

Harry Glasby swears, the Quarter-master brought all the Men out of the *Martha Snow*, Captain *Lady of Liverpool*, of whom the Prisoner was one, but how far with his Consent he knows not.

John Wingfield, while he was Prisoner with the Pyrates at *Calabar*, says, it was their Practice to send the Boat down to look out whether any Ships were coming up or not, and believes verily the Prisoner was one whom he saw go armed for that purpose.

John Davies says, the Prisoner and himself had been agreed and resolved to run away at *Anna-Bona*, if they had not met with the *Swallow* before it could be put in practice; the Prisoner, he says, also advised him the Deponent to pass for an *Irish Man*, as the best pretence to be rejected by them.

Robert Hartley, that in *Calabar* the Prisoner, himself, and others, were in a Contrivance together for escaping, and believes it was not with his Inclination he remain'd there.

George Smithson, that he had at times spoke to him of his Desire to get away, in particular at *Jacquin*, those in the Consult having given a *Portuguese* Boat a piece of Stuff for their Assistance.

He says, he was forced out of Captain *Lady*, August last, and kept against his Will: In the Action he set on the Fore-castle. *Guilty.*

Thomas Giles.

George Smithson, that he never heard him talk of his being forced, nor was he dejected, looking out well always for Sails, and would call down he saw one often, when there was none.

The Prisoner's own Confession was, that he was beat out of the *Mercy Gally* *October* last at *Calabar*, by *Magues* the Pyrates Quarter-master, saying, he should go, being his Neighbour at *Minehead*; he says, it came to his turn only once at *Whydah*, but was not on board, was allowed only one quarter Share in that; he was not brisk, till at this time they gave him a whole Share, having improved, and believes he had 40*l.* was in *Skym's* Mess; but says, he never enjoy'd himself: As to his calling down a Sail, it was because whoever saw one first, the Company allow'd a pair of Pistols to; and concluded, that if *Child* the Surgeon of the *Mercy* (acquitted) had been here, that he believes he would have witnessed his being forced. *Guilty.*

William Darcies.

John Wingfield says, that he was reported on board the Pyrate-ship, (where he had the Misfortune to be a Prisoner,) that this was a Volunteer with them, and knows he was but ill character'd, even among the worst of them.

William Allen, who was living at *Sieraleon* when this Prisoner belonged to and came in there in the *Ann Gally*, Captain *Thompson*, that on a Quarrel with the second Mate of her, he beat him on Shore, and was for that Reason afraid to return on board again; so consorted with the Negroes, who gave him a Woman, which he soon sold; and her Friends making Application to Mr. *Plunket* Governour for the *African* Company there, in whose Service he had enter'd; he told them, they might take his Head off if they would, and deliver'd him to the Negroes, who afterwards sold him to *Seigneur Joffe* a black Christian living there, who requir'd a Year's Service of him for the Money he had paid the Negroes; but before the time was completed, *Roberts* the Pyrate came in there; and as *Seigneur Joffe* told him, the Prisoner went a Volunteer on board; and he believes it the more because, since at *Cape Mount*, he met with two Pyrates that had taken *Roberts*, and they told him, the Prisoner was looked on so good for nothing a Fellow, that they designed to discharge him the first Ship they took, and believes it must be his own Fault that he was not.

Harry Glasby knows he was taken out of a Boat at *Sieraleon*; that *Roberts* had declared to Mr. *Glym* living there, and to others, he would not force any body; accordingly his Consort went away; and the Prisoner staying, is an Argument to him he was volunteer.

He says for himself, he was coming in a Boat into *Sieraleon* River, with Teeth from to Windward; that *Roberts* the Pyrate lying there, sent his Boat after him, and brought him to, after firing two Swivel Guns; after this, the Pyrates sent him in their Yaul up the River to make Discovery, as being acquainted. *Guilty.*

And then the Court Adjourned 'till to morrow Morning Nine a Clock.

By Command of the Court.

John Atkins, Register.

A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, Saturday April the 14th, 1722.

Captain Mungo Herdman, President.

*James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,
Mr. Edmund Hyde,*

*Mr. Samuel Hartsease,
Captain William Menzies,
Mr. John Barnsley,
Mr. Charles Fanshaw.*

THE Court being set, called for the following Prisoners.

William Watts.

Harry Glasby swears, that when the Pyrate-ship came into *Sieraleon*, the Prisoner came off with a Letter from *Mr. Glynn* a Trader, and never return'd with an Answer; that *Mr. Glynn* asking *Roberts* on Shore, why he detain'd his Man? answer'd, that he would force no body, the Man was at his Liberty: He after this went on Shore with some Shirts of the Deponent's to wash, and returned again, which shows, he thinks, that he remain'd there without Force.

William Allan living then at *Sieraleon*, says, the Prisoner was hired to *Mr. Glynn* at 15 l. a Year; and being sent a trading with one *Brown*, in a Boat of *Mr. Glynn's*, the Boat in the River they were in grounded, and the Goods spoiling by the Water overflowing her; that this *Brown* sending *Mr. Glynn* Word, the Damage he sustain'd was thro' the Prisoner's Fault, *Glynn* beat, or at least threaten'd him very much that he should make Restitution: But *Roberts* coming into *Sieraleon*, the Prisoner, as *Mr. Glynn* told him, enter'd, he afterwards heard, at *Cape Mount*, from one *Sholy* a Pyrate that had deserted; that this Prisoner being asked to run away with him? he answer'd, No, *Glynn* would meet with him again.

He says, he parted from one *Mr. Masterton* Master of the *Camwood* Sloop, on Account of his Severity, and other ill Actions, and was hired into *Mr. Glynn's* Service at *Sieraleon*; to which Place being returning with some Slaves they had purchased, *Roberts* took the Boat, and brought him on board; that he had been sick, and not fit to be at any Quarters in the Action, yet was on the Fore-castle. Guilty.

Hugh Harris.

Harry Glasby and *Michael Lemmon* both swear, that he was always look'd upon a foolish, crazy, drunken Fellow; but was in his turn on board of Prizes, particularly that he was one of the Pyrate hands that brought the French Ship out of *Whydah* Road; and saw him in the Action trimming the Sails.

He says, he was taken out of the *Willing Mind* at *New-found-land* twenty Months ago; has two or three times attempted an Escape in the *West-Indies*, but can produce no body that knows of it; owns he was one that carried the French Ship out of the *Whydah* Road, but says it was by Order; signed
and

and shared, and was on the Fore-castle to trim the Ship in time of making sail; he says also, that he was so ill looked on, that they gave him sometimes a quarter, half, and then a whole Share; and concludes with having no more at present. *Guilty.*

The Excuse he mentioned of being ill looked on by them, served only to aggravate his Crime with the Court; for a Man of his standing, must have very strong Inclinations to be a Rogue, to overcome the Disrespect and Contempt of being cut out of a half, and sometimes a third part of his Share, without Resentment, that is, trying to get away.

Thomas Gerrat.

David Holliday swears, the Prisoner was coming a Corporal to *Cabo Corso* Castle in the *Onslow*, where he also was a Passenger; that when the Pyrates took the laid Ship from them at *Sestos*, this Prisoner was on Shore, and stript by the Negroes; after three Days he came on board the Pyrates, whom he presently saw were forcing Drink upon him, as afterwards they would some Cloaths; but he reply'd, they were not of his Cost, and refused, 'till they swore he should, and then he took up a Shirt and Drawers. When the Pyrates exchanged their Ship for the *Onslow*, the Prisoner was on the last Day fetched out of the *Old Fortune* by the Quarter-master, who swore he should go, and pull'd him by the Hand, he crying very much.

Archibald Ker a Passenger in the *Onslow*, also swears, he saw him go over the Side without any Reluctancy; yet heard the Quarter-master say he must go, and believes he came purposely for him.

Harry Glasby says, he heard one *Richard Ashby*, a Pirate since dead, ask *Roberts* leave to bring this Man on board, saying, it was a pity he should go (being a strong, well made Man) to *Cabo Corso* to be starved; cannot say he was on board of Prizes but in his turn.

Thomas Eddy a Passenger in the *Onslow*, was on board the *Old Fortune* when the Prisoner was fetch'd away, and saw him cruelly beat to make him go; that he called on him and others to be Witnesses of it, and opening his Chest, gave what things he had to his Comrade, saying, he would carry nothing with him.

He says, he was only on board of one Prize at *Windsor*, and that only to walk about with the others; when indeed they would have cut him out of his Share, he made Words of it like a Soldier, and asked, what the Devil they took him for, if he was not allowed a Share? Has been fourteen Years a Soldier abroad in *Spain*, without any Misdemeanor charged to him; and his wild Oats not being sown, he says, he came in the Company's Service a Corporal, and met by ill chance at *Sestos* these Pyrates, who forced him along with them. *Acquitted.*

John Francois.

Harry Glasby and *Robert Lilburn* swear, the Prisoner was the Boatswain of the Pirate-ship's Boy, and that he employed him chiefly as Yeoman of his Stores, to hand up things as he called for them; that he was never allowed to go on board of Prizes, or had any Share among them, being under Age.

He says, he is about seventeen Years old, taken out of a Sloop by these Pyrates at *St. Nicholas*, one of the *Cape Verd* Islands, twenty three Months ago, from which time he has been kept in Servitude at the Pleasure of these Pyrates he was with, and not suffer'd to go on Shore. *Acquitted.*

Peter L' Fever.

Harry Glasby knows him to have been forced out of the *Jeremiab* and *Ann*, and was with them a quiet but discontented Man.

Benjamin

Benjamin Parr swears, the Prisoner was one of the Pyrates that came on board *Captain Kanning* when taken, the Ship himself belonged to, saw the Prisoner have some Cloaths shared to him by the Quarter-master, which he presently returned to *Captain Kanning's* Mate again.

Robert Lilburn knows him to have been forced out of the *Jeremiab* and *Ann*, the Ship himself came out of *England* in, for being one of the Boat's Crew to row their Captain on board the Pyrate-ship, he was detain'd, and other their own hands put in the Boat: Afterwards being called ast, and by *Roberts* asked who were Sailors? the Prisoner answer'd, he was not; hoping by that, he thinks, to have got his Clearance: But, says *Roberts*, what ate you then? I want a Cook's Mate, and you shall go.

George Smithson knows him to be a Man that had a mind to make his Escape, for that himself, the Prisoner, and about twelve or fourteen more, had privately contracted together to run away with the *Little Ranger*, and quit that Course of Life, this the very last time they were at *Calabar*.

He says, he was never on board of any Prize but *Captain Kanning*, as had been deposed, being uneasy at his way of living; served all the late War in the King's Service, which he hopes with the Affidavit from his Captain now shewn of his being forced, would interpret something in his Favour. *Acquitted.*

Thomas Withstandyenot.

Harry Glasby swears, he was taken out of the *Norman* Gally by the Quarter-master of the Pyrate-ship against his Will, sending another in his room; and being asked, whether they in the *Fortune* were mistrustful of the *Ranger's* deserting them? answer'd, Yes, very much afraid of it; and was one great Reason of their sending twenty Men from the *Fortune* on board of her that Morning she went out and catch'd the *Swallow*; and when she was absent longer than they expected on that Service, imagin'd their Suggestion came to pass, and that she was gone away.

George Smithson swears, that this Prisoner, with twelve more, had been in Consult together at *Calabar*, of the best means to run away with the *Little Ranger* to which they Deluged, and that this Man and others of elder standing amongst the Pyrates, first broke the tye, in discovering their Intentions to him and others, Tyro's in the Trade, which they dared not to have done first, for fear of some heavy Punishment, if not Death, should such their Design have been discover'd.

William Church (acquitted) says, he was mostly sick while he knew him, civil, yet in *Skym's* Mess, and called *Bright Tom*, from a foolish and ill applied use he made of that Word.

Thomas Stretton, much the same with *Smithson*.

He confesses, he had been eight Months among these Pyrates, taken out of *Captain Norman* of *Cape Verd*; and in the Action was wounded by the Powder that blew up in the Steerage; which, as he says, was set on fire by a Pistol by one *Morrice*, since dead. *Marshallsea.*

Thomas Wills.

Harry Glasby swears, that this Prisoner was one of them, who with himself, had with such hazard of their Lives endeavour'd at an Escape at *Carvato* and *Hispaniola*; that since at *Sestos* on this Coast, the Prisoner and himself had concerted Measures for it, and the Prisoner, who belonged to the *Ranger*, was to make the old Standers drunk, and be reserved themselves till the Deponent should come to him from the *Fortune*; and when *Glasby* was going, both *Roberts* and the Quarter-master having conceived a Jealousy, put it to the Vote of the Company, and *Glasby* was stopt, and so the Project miscarried; afterwards at *Calabar*, *Anna-Bona*, and *Cape Lopez*, he retain'd the same

same Sentiments and Resolutions, and was for contriving some means of Escape, nor was he looked on as a trusty Man among them, yet went on board of Prizes as others.

Robert Lilburn says, that at *Cape Lopez* this Prisoner was intended with him to have made his Escape on a Pretence of Bufflooe hunting, never heard him swear, never given to drink, and called Presbyterian for his sobriety.

George Smithson, that the Prisoner spoke to him at *Calabar*, about running away with the Ship; and verily he believes, was no Pyrate in his Heart, nor as he ever saw in his Actions; never swearing or drinking; but on the contrary, reading commonly of good Books, and sorry when ever they saw Sails, or had a Prospect of getting Prizes or doing Mischief.

He says for himself, that being forced July was 12 Months, from the *Richard* of *Biddisford*, *Jonathan Whitefield* Master, whereof he was Boatswain; he had at all Places attempted an Escape in Vain; had been he says, only on Board a *French*, and *Dutch* Ship, without doing them any harm.

The Court thought it a pitty so godly a Man, should have been so long in such ill Company; the Time had only made them mistrust the truth, of what himself and the Evidence had asserted; however, that, with an Affidavit on the Table from *Jonathan Whitefield* the Master he belonged to, of his being forced, weighed with them, and they thought proper to *Acquit him*.

Roger Pye.

George Smith swears, the Prisoner was forced from the same Ship with himself, the Quarter-Master beating of him; that he was also one of those accomplicated at *Callabar*, for running away with the Ship *Ranger*.

Benjamin Parr, who was taken by the Pyrates the same Day the Prisoner was, says he was forced out, making an Excuse, (that he hoped wou'd have taken with them,) of being newly married, and his Wife with Child.

Thomas Howard, says, that he was on Board the Pyrates before him; but knows very well of his willingness to run away, for he had perswaded the Deponent to obtain leave to be on Board the *Ranger* for the same purpose, saying, he was sorry to see him there, and that if he got once with them in the *Ranger*, they wou'd not miscarry in their Enterprize, either with the Ship, or Boat.

He was taken out of *John Tarlton* of *Liverpool*, *August* last, and had taken every favourable Opportunity for his Escape, without effecting it, was on the Fore-Castle all the Time of the Action. *Acquitted.*

James Phillips.

Harry Glasby swears, the Prisoner was with the Pyrates before his coming; and therefore knows nothing, either of his being forced or not; but had heard he was a Volunteer, and he used to say, they took him, with a little Sugar'd Burgoo, and had been on Board Prizes. After the *Fortune* had struck, this Prisoner had a Match in his Hand going to blow her up, which he hearing of, went down and prevented.

Stephen Thomas swears, that after the Action with the *Swallow*, and that the *Fortune* had struck her Pyritical Colours, and her Mast down, this Prisoner was down with a lighted Match to blow the Ship up, swearing very prophanely, let's all go to H—ll together, and threw the Deponent against the Ladder, wounding his Hand, as they were struggling about the Match, till *Glasby* came to his Assistance. He was ever morols and drunk, carrying his Pistols sometimes about him, and threaten'd new Comers, if they offered to speak.

Robert Hartly says, when he has only been wishing himself at home in this Prisoners hearing, he has threatened to blow his Brains out, and when at burning

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ing the Sloop, he has asked him the Reason of such wicked Practices? he answer'd, it was for fun.

The Prisoner says, he was taken by the *French Revenge* Sloop in the *West-Indies*, and carried to *Dominico*, from whence he came off in a Boat, expecting the Pyrate had been a Trader, and was deceived, and detained; quarter'd on Quarter-Deck, but on the Fore-castle to turn her when engaged.
Guilty.

John Griffin.

Harry Glasby swears, that it was the talk among them, that all the *Mercy's* Men (to which Ship the Prisoner was Carpenter) were all forced; that he was made Carpenter's Mate of the *Fortune*, and that he, as was the Custom among them, went on board Prizes to fetch Carpenter's Stores on board.

George Fenn Mate of the *King Solomon*, swears, the Prisoner came on board their Ship in the Pyrates Boat for Carpenter's Stores, and was going to beat their Carpenter because he brought up but one Bucket of Rosin, swearing also at the Deponent, that if he did not find more, he would cut his Ears off, and had done Mischief he believes, but one *Darling*, another Pyrate, pacified him: He demanded also their Plank and Wainseot, but was drunk, and thinks it did not go away.

John Stodgill saw him also on board the *King Solomon*, to which he belonged, and heard him bid the Carpenter's Mate fetch his best Ads up, or if he did not, or he found him in a lye, it should be worse for him; thinks also it was he order'd some Deals up, which he saw go over the side.

Robert Lilburn also says, he was on board the *King Solomon* for the Carpenter's Stores, and took what he thought fit away, was drunk indeed, and threaten'd to beat the Carpenter, but never saw him in any other Prize.

He says, he was forced out of the *Mercy Gally*, last *October* at *Calabar*, to which he was Carpenter; when he came on board the Pyrate-ship, he was Carpenter's Mate, and accordingly placed in the Well at time of Action; says, he was never in any Ship but the *King Solomon*; was very drunk, and knows nothing of any Stores being brought out of her.
Guilty.

Robert Hartley. (2d.)

George Smithson belonging to the *Tarlton*, out of which Ship the Prisoner was taken, says, that being cover'd under his Bed to hide himself from the Pyrates, heard the Prisoner called by Name to go along with them, but knows of no Force, as he had seen used to others of the same Ship; nor can he say he saw him any thing dissatisfied after it, at least did not communicate it to him, tho' others his Ship-mates had, and concerted to run away.

Harry Glasby knows he wanted to go back on board Captain *Tarlton* for his Cloaths, and the Quarter-master would not let him; he cannot tell whether he went into the *French Ranger* the Day she went out from *Cape Lopez*, but says there were twenty Men went out of the *Fortune* into her, and that they all were Volunteers in that Service.

He confesses he was one of the twenty that went out that Morning she went out, and received a Musket-shot thro' the muscular part of the *Abdomen* in the Action with the *Swallow*, but says it was not Eagerness of a *Portuguese* Prize, as they supposed her to be, that induced him to a readiness of going, but to see his Ship-mates and Friends that were most of them on board of that Ship; he likewise confesses he was on board a *Dutch Ship* at *Gabone*,
Guilty.

James Crane.

Benjamin Parr says, he was taken out of the same Ship he belonged to, the *Robinson*, Captain *Kanning*, *July* last, being detain'd with the others of their
their

their Boat's Crew that rowed their Captain on board at *Christmas* last, he thus communicated himself to the Deponent, that if there was any possible way to make an Escape, he was ready to it, and verily believes he meant as he said, desiring him if he should come to know of such Opportunity, that he would acquaint him of it.

George Smithson knows nothing of his first being forced, but believes it to be true, because he at several times expressed his Mind to him how glad he should be to make his Escape.

Robert Hartley, (acquitted) out of the same Ship with the Prisoner, believes he was forced.

He says, he was three Months of the five he was on board the *Pyrate-ship* sick; at seeing the Man of War he was frighten'd, and was on the Fore-castle, or on Deck, just as Fear governed his Heels; owns he was on board the *Mercy* at *Calabar*. *Marshalsea*.

And then the Court order'd a Warrant to be drawn out for the Execution of *William Williams*, (2d,) *Joseph Mansfield*, *John Stevenson*, *Robert Birt'on*, *Richard Harris*, *Charles Bunce*, *Peter Lashy*, and *Joseph Nossiter*, on *Monday* the 16th of *April*, 1722.

And then the Court Adjourn'd till to *Morrow Morning* Nine a-Clock.

By Command of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle, on the Coast of Africa, Monday April the 16th, 1722.

Captain Mungo Herdman, President.

<p><i>James Phipps</i>, Esq; <i>Mr. Henry Dodson</i>, <i>Mr. Francis Boye</i>, <i>Mr. Edmund Hyde</i>,</p>	<p><i>Mr. Samuel Hartsease</i>, <i>Captain William Menzies</i>, <i>Mr. John Barnsley</i>, <i>Mr. Charles Fanshaw</i>.</p>
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THE Court being set, called for the following Persons:

David Littlejohn:

Harry Glasby says, the Prisoner was forced out of a Snow by the Quarter-master, who beat him, and brought him away a Day or two before the Snow was discharged; was melancholy for a Day or two; had a sore Leg, which unfitted him for the present Service, but afterwards did as the rest.

George Smithson swears, that in the Action this Prisoner had two pair of Pistols on, but did not see him fire: He was not one with whom the Deponent conversed, but believes if such a Design had been communicated about their running away, as had been with others, he would have come into it.

John

John Stodgill, says the Prisoner came out of the little *Ranger* into the *French Ship* the Pyrates took out of *Whydah*, and was one of them that carried her out; that he had also Pistols on in the Action.

John Wingfield, saw him a forward brisk Hand at cleaning and rigging the Pyrates Ship, when she was at *Calabar* a long side the Brigantine; he was taken in, and seemed to be a trusty Man among them.

Thomas Howard (acquitted) also says, he was a brisk Hand (that is, a brisk Pirate) at going into *Whydah*, he saw him with two Pistols, and in the Action with the *Swallow*, commanded the Main-top, where the Deponent was also quartered.

He says he was taken out of the *Phenix-Snow* of *Bristol* 20 Months ago; was on Board a *French Ship* they took at *Sestos*, and another they brought out at *Whydah*, but not till after she was under Sail; in the Action was quarter'd in the Pyrates Top. What will plead in his Favour he hopes, is his speaking to *Roberts* to carry some *French Men* with them to bring back the little *Ranger*, which they designed to exchange for the other: Also that he took on him to strike the Pyrates Ensign, at the hazard of his Life; *Main* the Boatswain, and *Petty* coming aft to shoot him, but for *Le Fever*, who pacified them; that the same two went down, threatening to blow up the Ship, and had it there had been Powder enough, firing what there was in the Steerage; quartered in the Top, he says, because he was an old Stander.

The Court thought these Things look'd like a Man of Interest among them, and found him *Guilty*.

Rog: & Gorsuch.

George Smithson knows him very well; the Prisoner was never on Board of any Prize, and has heard him say, he would not go even in his Turn; beside, he had also acquainted him, and others of his willingness to make his Escape.

John Wattson (acquitted) who was taken out of the same Ship the Prisoner belonged to, swears he was forced; the Pyrates in his hearing, saying, they wanted a Cooper (which he was) and wou'd have him, and keep him, being solitary after it.

Thomas Stretton used to see him godly, and reading while in the Pirate Ship, and not inclined to Mischief, and believes in the Action he kept out of the Way. *Acquitted*.

John Jessup.

Harry Glasby swears, he was taken out of one of the *African Company's* trading Boats, the last time they came down the Coast, which Boat was sunk, and tho' others not of that Boat, were put on Board Ships to proceed on, he remained there. He also swears, that all those that went into the Boat to burn the *Whydah* Sloop, afterwards were Volunteers.

Stephen Thomas, Master of the Boat the Prisoner was taken in, says he presently got drunk with the Pyrates, and so continued always, saying, and swearing it was better living among the Pyrates, than at *Cabo Corso* Castle.

Hugh Kidley (acquitted) swears the Prisoner was a drunken Fellow, and in particular, that he went in the Pyrates Boat, which took, and afterwards burn'd the *Whydah* Sloop.

He says, he was first taken in the *Onslow* by these Pyrates, and had then shown his unwillingness to go with them, that the Boat being sunk, he was thus a second Time obliged to be with them, being at Mast-head, and called down to go on Board; when they were scutling the Boat, he was in the Boat that burn'd the *Whydah* Sloop, and makes a frivolous excuse about it. In the Action quarter'd on the Main-Deck. *Guilty*.

Benjamin Jeffrys

Harry Glasby swears he was forced out of the *Norman Gally* of *Cape Verd*, about 7 or 8 Months before taken by the Man of War, that he had 6

Lashes of every Man next Day, but knows not why; after which he sick- en'd, and continu'd so three or four Months; and on his Recovery, was vo- ted Boatwain's Mate. He came off at *Sieraleon* when the Pyrate-ship was under Sail, there being three or four of the old Standers on shore that they were afraid of, or else believes he had left them.

John Wingfield remembers the Prisoner on board of Captain *Loan* at *Ca- labar*, fitting up the Pyrate-ship's sails; and also on board the Brigantine they took from him, being one that had possession of her for the Pyrates, and shared the plunder.

Robert Lilburn had heard it said among the Pyrates, that they would not keep the *Norman's Men*; that when the Ship was discharged, he believes the Prisoner was drunk, or else might have returned to his own Ship; for next Day this Company whipt him, because in his Liquor he had been so saucy as to say there was never a Man among them; he said also, the Men that were in the *Norman's Boat* a going away, were drubb'd-out, but knows not whe- ther the Prisoner was one; was on board of Prizes in his turn.

The Prisoner says, he was forced among them; that to make him Boat- fwain's Mate, was to make him a Slave, and should willingly have laid it down, if he might have been permitted; was quarter'd in the *Action* to the *Fortune's Rigging*; and says, that the Whipping he had, was for telling these Pyrates, that none who could get their Bread in an honest way would be on such an Account.

But the Court thinking this Whipping should have enraged him, and put him more in leaving them, which he not doing, found him *Guilty*.

John Coleman.

Harry Glasby says, that when *Roberts* was cleaning at *Hispaniola*, two Sloops came in commanded by one *Porter* and one *Tuckerman*, to the latter of which the Prisoner belonged; that these Masters came on board of *Roberts*, and told him, that hearing he was there, they came in to receive his Charity, be- ing on the same account with themselves, but in want of every thing; at last *Roberts* gave them, by Agreement among themselves, eight or nine Ne- groes a-piece, and received the Prisoner and some others in lieu.

Robert Lilburn has seen him on board of Prizes in his turn, and bring Plunder back, yet was not much accounted of among them, but was a Fel- low upon Charity.

The Prisoner says, he was taken in the *Adventure Sloop*, Captain *Tucker- man*, about ten Months ago by *Roberts* at *Hispaniola*, *John Cock* (since dead) being the Man that forced him out, saying, he should not go home to *Phi- ladelphia* to tell Tales; the Sloop he believes was not paid for, nor does he know the Design of his Master; while in her, he was on board two or three Prizes, and if he must be hanged for it, G—d's Will be done, 'twas not of his seeking. *Guilty*.

Isaac Ruffel.

Harry Glasby swears, he was forced out of the *Lloyd Gally*, Captain *Hyn- sion*, *March* was twelve Months; was once made Boatwain's Mate of the Pyrate, but feigned a Sickness to get off from it, often telling the Deponent it was a wicked Life they all led, yet went on board of Prizes in his turn.

Robert Lilburn says, he was on board the *Pink* brought into *Cape Lopez* the Night before they were taken, and he believes also in the *Dutch Ship* at *Gabone*; knows him to have declined being Boatwain's Mate, which they all voted him to.

The Prisoner says, he was quarter'd at small Arms, but never fired any, only bracing at the Yards to make Sail; why he did not make his Escape at *Sieraleon*, was his being a Stranger, and never on the Coast before, which made

made him afraid of the Negroes; confesses he was on board two *French Ships*, and the *Pink* at *Cape Lopez*, which, latter he says innocently was out of his turn, he going for another Man that was sick; and as foolishly of his Endeavours to get away, for he says it was so dangerous to trust any body, that what he had to say of that matter, he always spoke publickly. He hoped in the end of his Defence, that they would regard his being one of those Men in the Sloop that resolutely attacked and took *Blackbeard* the Pyrate. This, with his Captain's Affidavit of his being forced, inclined the Court to send him to *Marshalsea*.

Hercules Hunkins.

Harry Glasby says, he was forced out of the *Success* Sloop with the Mate his Brother-in-law, the Quarter-master threatening to beat him; he was placed among the Carpenters, and reckoned a soft, silly Fellow.

Thomas Stretton and *George Smithson*, that he was lobber in Carriage, and had often talked to him of means to escape.

He says, he was forced sixteen Months ago in the *Success* Sloop bound from *Barbadoes* to *England*, helped the Carpenter *Stretton*, quarter'd in the Hold, but was upon Deck in the Action. *Marshalsea*.

Robert Fletcher.

George Smithson says, the Prisoner was taken out of the same Ship he belonged to.

John Tarlton, that he was sure he was forced, and had often talked to the Deponent about means to accomplish an Escape; ignorant, and so could not be trusted with the Affair of running away with the Ship.

He says also, he and *Gorsuch* (acquitted) had spoke to a Canoe to come for 'em at *Anna-Bona*, and he never did; was on board a *Dutch Ship* at *Gabone*; and took what the Quarter-master gave him. *Marshalsea*.

And then the Court Adjourned 'till to morrow Morning Nine a Clock.

By Command of the Court.

John Atkins, Register.

A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, Tuesday April the 17th, 1722.

Captain Mungo Herdman, President.

James Phipps, Esq;
Mr. Henry Dodson,
Mr. Francis Boye,
Mr. Edmund Hyde,

Mr. Samuel Hartsease,
Captain William Menzies,
Mr. John Barnsley,
Mr. Charles Fanshaw.

THE Court being set, called for the following Prisoners:

Henry Graves.

George Smithson and *Roger Pye* says, he belonged to *John Tarlton*, the same Ship they did when taken by the Pyrates; and that he saw *David Simpson* the Quarter-master drive him out of the Ship, from which he went crying; afterwards became one of them in conjunction to run away with the *Ranger*; his

his Years would not suffer him to be other than brisk in Sailor's Business, and supposes he was on board of Prizes in his turn.

John Wingfield believes he was one of the Pyrates that went down in the Boat at *Calabar* to take the *Mercy Gally*. And *Harry Glasby* swears, that all who did go in Boats on these Occasions, did go voluntarily, crowding sometimes as almost to sink a Boat.

He owns he was at taking the Ship *Mercy* with the Pyrates Boat; but in the Action with the *Swallow* was never on Deck, but kept out of the way. *Marshalsea.*

John Rimer.

Harry Glasby swears, he does not know him to be one of those twenty that went from the *Fortune* that Morning on board the *Ranger*, to bring in what they thought a *Portuguese*; but if he was one of them, he was a Volunteer, and needed not have gone unless he would: As to the Prisoner's Pretence, that he was in the Boat before they were called on that Service, he the Deponent says, he saw no body in her, and that it was their Custom to put a Negro in, when they wanted the Boat to be fended off, or the Water thrown out.

George Smithson (acquitted) belonging to the *Ranger*, says, this Prisoner came on board of them the same Morning they went out of *Cape Lopez*; he also heard him called by the Pyrates out of the *Tarlton* the Ship he belonged to, by Name, but saw no Force used.

John Stodgill says, the Prisoner came on board the *Ranger* the Morning she came out of *Cape Lopez*, and met with the *Swallow*.

John Watson and *Benjamin Parr* do both say, he was one of those who with themselves were for running away at *Calabar*, and had proposed doing it in a Boat, but were disappointed by the good Look-out the Pyrates kept.

He pretends he was in the Boat going to see his Ship-mates in the *Ranger* before the *Swallow* appeared in sight; has been on board only one *Portuguese*, tho' it had been twice his turn; at first was forced, being kept after they had rowed their Captain on board. *Marshalsea.*

Robert Armstrong.

Harry Glasby says, the Pyrates took him out of the *Senn Gally*, a *Dutch Ship*, off *Axim*: *Roberts* when he had discharged the said Prize, told this Prisoner and three other *Englishmen* with him, that they might return to their Ship again; but *Bunce* taking his Leave so affectionately of *Roberts*, and wishing him a good Voyage, he presently cry'd, those Fellows have a mind to go; and order'd them all to be stopt, tho' the Prisoner was over the side, in Order to return; he also says, that when they were running from the *Swallow*, this Prisoner told them the best of the *Swallow's* sailing was on a Wind; and advised them to go away large, which they did.

Robert Liburn says the same thing, but with this Alleviation, that *David Simpson*, Quarter-master, came down between Decks to the Prisoner, and enquired before he told them any thing of the *Swallow's* sailing.

He says for himself, he has been only five Months with them, and that time only because he had no Opportunity to get away: But being asked, whether there was any more danger to run away among the Negroes from the Pyrate-ship, than there was to do it from the *Swallow*? he having deserted her from *Cape Three Points* with three more; answer'd, no; that as to his Desertion, it was Drink, and over persuasion of the rest engaged him to it.

He confesses he has been on board only of one *Portuguese Sloop* since his being with the Pyrates, and that by Order of the Quarter-master; quarter'd in the Gun-room, but sick; nor never divulged his Mind to any body about getting away, for fear of Discovery. *Guilty,*

George

George Ogle.

Harry Glasby says, the Prisoner was a quiet Fellow, not swearing or cursing like most of them, and rather melancholy, whether at his Company or not, he cannot tell.

Benjamin Parr (acquitted) knows, that when he rowed Captain Gee on board the Pyrate-ship, the Quarter-master call'd him out of the Boat several times, which he not obeying presently, beat him severely for it in his sight.

Thomas Gerrat (acquitted) says the same, that when the Prisoner came on board the Pyrate-ship with Captain Gee, they detain'd him, and forced them from the side, when he stood ready, and was stepping into his Boat again.

He says, he was taken in the *Onslow*, and was quarter'd to the Braces in the Action with the *Swallow*, but went forward to set the Sails; owns he was on board the *Mercy Gally* at *Calabar*, but it was after she came up the River. *Marshalsea.*

James Cosins.

George Smithson and John Stodgill belonging to the *Ranger* when taken with the Prisoner, know nothing of his being forced, nor can give any Account of his being forced in that Ship. *Marshalsea.*

Robert Hays.

Edward Evans (acquitted) swears, he was quarter'd in the *Fortune* to the same Gun the Prisoner was in the Action against the *Swallow*, and positively affirms the Prisoner put Match to and fired one Gun.

Benjamin Parr (acquitted) says, he was one of the five design'd at *Anna-Bona* to make their Escape, but were frustrated.

He says himself, that he put the Match to the Gun, but that it did not go off; was taken in *John Tarlton* about five Months ago. *Guilty.*

The Court after this called for *George Wilson* again; who on his earnest Request, had the final Determination of his Cause deferr'd for some Evidence which he waited for, the first he called for was,

William Darling (acquitted) who swears, that when the *Elizabeth* was taken, *Roberts* the Commander of their Pyrate-ship, order'd *Wilson* on board in the first Boat: As to his first being with them out of *John Tarlton*, thus much he knows, that *Roberts* took him for the Captain some time, and when he was undeceived, presently swore he should be his Mess-mate; to which the Prisoner reply'd, he had a Wife and Child, and hoped they would not take him; and he reply'd, yes: That he had not been above two Days before he went in the Boat, with one *English*, and five or six *French Men*, to bring Brandy on board the Pyrate-ship, and was by hard Gales drove on shore at *Cape Mounzerado*.

Samuel Morwell (acquitted) swears, that being one Evening with a Country-man (one *Nicholas Thomas*) who lay sick in the Pyrate-ship, to lend him his help, this Doctor *Wilson* was bemoaning himself to the laid *Thomas*, and desiring his Interest with *Roberts* to discharge him, telling him, he had a Fortune sufficient to exempt him from seeking his Bread on the Sea, which he designed to leave off; and was sorry, for this Accident prevented his enjoying it.

Nicholas Butler taken in a *French Ship* at *Whydah* by the Pyrates, and was forty eight hours Prisoner on board of them, swears, he several times address'd himself in that space to him in *French*, and with tears bemoaned his being in such Company.

The Prisoner also added to what he said formerly, that rash and inadvertent Words might slip from him perhaps to the prejudice of those who had charged

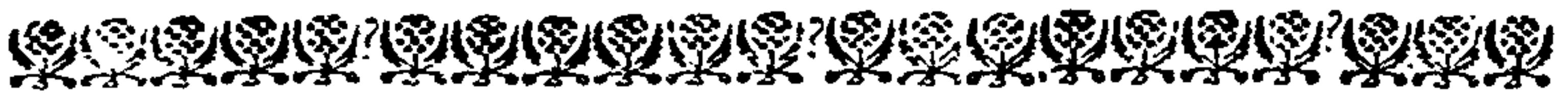
charged such against him; but protests he did it with no evil Intention, and has often on Recollection blamed himself for it; but being only Words, he hopes they will find a favourable Construction, particularly about *Comrie* who has sworn against him, he perswaded to sign the Pyrates Articles, &c. for he held a self-interested View in that, expecting, as he had been promised, a Discharge at *Whydah*, the Pyrates might revoke again, if such a Man as *Comrie* did not remain there to supply his room; and tho' highly culpable in any other place or occasion, could not (he presumes) be thought so here. Finally, he confides in God's and the Court's Mercy, who he hop'd would have Compassion on his Years; a rash, and immature Judgment had hurried him, he said, into the Extravagancies he had been charged with. *Guilty.*

But referr'd to the King's Pleasure, because Captain *Ogle* had declared he discovered first the Pyrates rising.

Then the Court Adjourned 'till to morrow Morning nine 2-Clock.

By Command of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, Wednesday April the 18th, 1722.

Captain Mungo Herdman, President.

<i>James Phipps, Esq;</i>		<i>Mr. Samuel Hartsease,</i>
<i>Mr. Henry Dodson,</i>		<i>Captain William Menzies,</i>
<i>Mr. Francis Boye,</i>		<i>Mr. John Barnsley,</i>
<i>Mr. Edmund Hyde,</i>		<i>Mr. Charles Fanshawe.</i>

THE Court being set, proceeded to sentence the following Prisoners.

Edward Watts, John Mitchell, William Shuren, Joshua Lee, Thomas Giles, William Davies, William Watts, Hugh Harris, James Phillips, John Griffin, Robert Hartley (2d,) David Littlejohn, John Jessop, Benjamin Jeffrys, John Coleman, Robert Armstrong, Robert Hays, Roger Seet, David Rice, Henry Dennis, John Lane, James Cromby, Thomas Ouchterlany, George Wilson, and Thomas Owen.

YE and each of you are adjudged and sentenced to be carried back to the Place from whence you came, from thence to the Place of Execution, and there within the Flood-marks to be hanged by the Neck 'till ye are Dead, Dead, Dead. And the Lord have Mercy upon your Souls.

After

After this, You *William Watts, William Davies, James Phillips, Edward Watts, and John Coleman*, are to be taken down, and your Bodies hung in Chains.

Signed;

*Mungo Herdman,
James Phipps,
Henry Dodson,
Francis Boye,
William Menzies,
John Barnsley,
Charles Fanshaw.*

Dated at *Cabo Corso Castle*,
the 18th of *April*, 1722.

Then the Court Adjourn'd 'till to Morrow Morning at Nine of the Clock.

By Command of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle, on the Coast of Africa, Thursday April the 19th, 1722.

Captain Mungo Herdman, President.

<i>James Phipps, Esq;</i>	<i>Mr. Samuel Hartsease,</i>
<i>Mr. Henry Dodson,</i>	<i>Captain William Menzies,</i>
<i>Mr. Francis Boye,</i>	<i>Mr. John Barnsley,</i>
<i>Mr. Edmund Hyde,</i>	<i>Mr. Charles Fanshaw.</i>

JOH N *Jessop*, who on the Information of the Master of a Dutch Ship, at the Island of *Princess*, was demanded and surrender'd up to Captain *Chaloner Ogle* of his Majesty's Ship *Swallow*, as an old Pyrate in *Roberts's* Company, was also set on Shore here by the said Captain *Chaloner Ogle* for his Tryal.

And at the Information of Mr. *John Wingfield*, the following Indictment prefer'd.

YOU

YOU *John Jessop*, in the Name, and by the Authority of our most dread Sovereign **G E O R G E** King of *Great Britain, &c.* do stand Indicted of PyracY and Robbery upon the High Seas.

For that you the said *John Jessop* was lately wickedly associated and accompliced with the rest of that Pyritical Crew, sailing under *Roberts's* Command, while he committed those Spoils and Depredations on his Majesty's good Subjects trading by Sea.

Particularly you *John Jessop* did belong to that Company of Pyrates on the first Day of *October* last, when the *Hamibal* Brigantine belonging to the *Royal African Company* was violently and unlawfully wrested from *John Wingfield* and others, sailing in the Company's Service; and then and there did assist to the robbing of the said Vessel, and taking from the said *John Wingfield* his wearing Apparel.

To which he pleaded, *Not Guilty.*

John Jessop, (2d,) and out of the same Ship with *Roberts* three Years ago. *Harry Glasby* says, he was in the *Fortune* before he was taken very much given to Liquor, and was as forward as others in going on board of Prizes; when they took the *Ranger*, he went there; he never heard him make any Complaints of the way of living he was in; yet run away at *Cape Lopez* about *December* last, without robbing, as ever he heard, any of his Consorts.

Robert Lilburn says, he was on board *Roberts* 'till they took the *Ranger* two Months after him, and then put there the most swearing, reprobate Fellow among them, so drunk they cut him often out of his Share, which he believes was the reason he ran away.

John Wingfield saw him on board the Brigantine at *Calabar*, for several Days with his Cloaths on; had heard him boast how bravely he defended the Sloop the Pyrates were then in against *Rogers*, a Sloop that came out of *Barbadoes* to take them, saying, at the third cheer they gave a Volley, and a broad-side, and then scowred away.

The Prisoner says, he was taken out of the *Princess* at *Amamahoe*, Captain *Plumb* of *London*, three Years ago; the Pyrates at the same time taking out *Roberts* their third Mate, who afterwards became Captain of the Pyrate; went part of the way by Land from *Cape Lopez* to *Gabone* with another since dead, and there got on board of a *Dutch* Ship, who at the *Isle of Princess* surrender'd him to Captain *Ogle* as a Pyrate, tho' it was the first Opportunity he had of running away; he has not been on board of a Prize since on this Coast, only the Brigantine as *Wingfield* deposes; and as to what has been said about the Cloaths, he says, he bought them of *Jeffrys* a Pyrate, who had bought them at the Mast. *Guilty.*

And proceeded to give Sentence against him directly.

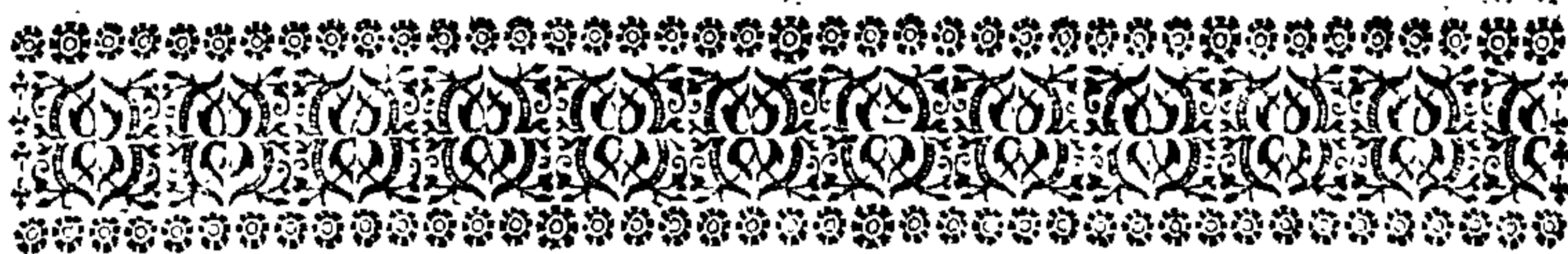
Then gave Direction, and accordingly a Warrant was drawn out for the Execution of these fourteen Prisoners following.

John Jessop (2d,) *Robert Johnson*, *George Smith*, *Robert Armstrong*, *Cuthbert Goss*, *Benjamin Jeffrys*, *William Wood*, *Robert Hays*, *James Phillips*, *John Coleman*, *Edward Watts*, *William Watts*, *William Davies*, and *Thomas Giles*.

And then the Court Adjourn'd till to Morrow Morning Nine a-Clock.

By Command of the Court.

John Atkins, Register.



A Journal of the Proceedings of the Court of Admiralty, held at Cabo Corso Castle on the Coast of Africa, April the 20th, 1722.

Captain Mungo Herdman, President.

<i>James Phipps, Esq;</i>		<i>Mr. Samuel Hartscase,</i>
<i>Mr. Henry Dodson,</i>		<i>Captain William Mengies,</i>
<i>Mr. Francis Boye,</i>		<i>Mr. John Barnsley,</i>
<i>Mr. Edmund Hyde,</i>		<i>Mr. Charles Fanshawe.</i>

THE Court being set, this following Petition came from the following Prisoners, who were under Sentence and Judgment of Death.

To the Honourable the President and Judges of the Court of Admiralty, for trying of Pyrates, sitting at Cabo Corso Castle, this 20th Day of April, 1722.

The humble Petition of, *Thomas How, Samuel Fletcher, John Lane, David Little-John, John Jessup (2d,) John King, Henry Dennis, Hugh Harris, William Taylor, Thomas Owen, John Mitchell, Joshua Lee, William Shuren, Robert Hartly (2d,) David Rice, John Griffin, James Cromby, James Greenham, Roger Scot, John Horn.*

Humbly sheweth,

THAT your Petitioners being unhappily, and unwarily drawn into that wretched and detestable Crime of Pyracy, for which they stand now justly condemned, they most humbly pray the Clemency of the Court, in the Mitigation of their Sentence, that they may be permitted to serve the Royal African Company of England, in this Country for seven Years, in such Manner as the Court shall think proper; that by their just Punishment, being truly sensible of the Error of their former Ways, they will for the future become faithful Subjects, good Servants, and useful in their Stations, if it shall please the Almighty to prolong their Lives.

And your Petitioners as in Duty, &c.

Y

Re

Resolution of the Court was,

THAT the Petitioners have leave by this Court of Admiralty, to interchange Indentures, with the Captain General of the Gold Coast, for the Royal *African* Company, for seven Years Servitude, at any of the Royal *African* Companies Settlements in *Africa* in such Manner, as he the said Captain General shall think proper.

On *Thursday* the 26th Day of *April*, the Indentures being all drawn out according to the Grant made to the Petitioners, by the Court held on *Friday* the 20th of this Instant; each Prisoner was sent for up, Signed, Sealed, and exchange'd them in the Presence of

Captain *Mungo Herdman*, President,
James Phipps, Esq;
 Mr. *Edward Hyde*,
 Mr. *Charles Fanshaw*.
 And Mr. *John Atkins*, Register.

A Copy of the Indenture.

The Indenture of a Person condemned to serve abroad for Piracy, which upon the humble Petition of the Pyrates therein mentioned, was most mercifully granted by his imperial Majesties Commissioners and Judges appointed to hold a Court of Admiralty, for the Tryal of Pyrates at Cabo Corso Castle in Africa, upon Condition of serving seven Years, and other Conditions are as follows, viz.

THIS Indenture made the twenty sixth Day of *April*, Anno Regni Regis *Georgii magnæ Britannia, &c. Domini, Milleffimo, Sepcentesimo viginti duo*, Between *Roger Scot*, late of the City of *Bristol* Mariner, of the one Part, and the Royal *African* Company of *England*, their Captain General and Commander in chief for the time being of the other Part, *Witnesseth*, that the said *Roger Scot*, doth hereby Covenant, and agree to, and with, the said Royal *African* Company, their Captain General, and Commander in chief for the Time being, to serve him, or his lawful Successors; in any of the Royal *African* Companies Settlements on the Coast of *Africa*, from the Day of the Date of these Presents, to the full End and Term of seven Years, from hence next ensuing fully to be compleat, and ended, there to serve in such Employment, as the said Captain General or his Successors shall employ him, according to the Custom of the Country in like Kind.

In Consideration whereof, the said Captain General, and Commander in chief doth Covenant, and agree to and with the said *Roger Scot*, to find and allow him, Meat, Drink, Apparel, and Lodging, according to the Custom of the Country.

In Witnels whereof, the Parties aforesaid, to these Prelents have interchangeably put their Hands and Seals the Day and Year first above Written.

Signed, Sealed and Delivered, in the Presence of us, at *Cabo Corso Castle in Africa*, where no stamp'd Paper was to be had.

Mungo Herdman, President. } Witnesses.
John Atkins, Register. }

In like Manner was drawn out, and exchanged the Indentures of

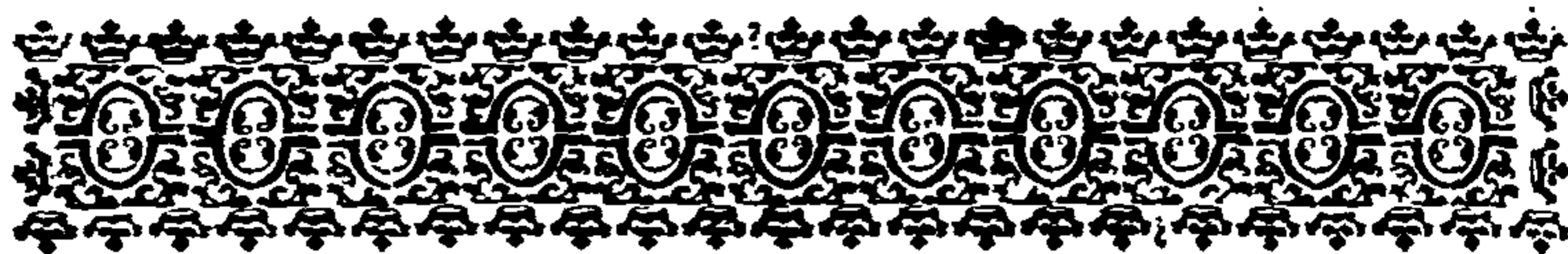
<i>Thomas How</i>	Taylor	of Barnstable, in the County of Devon.
<i>Samuel Fletcher</i>	Mariner	of East-Smithfield, London.
<i>John Lane</i>	Mariner	of Lombardstreet, London.
<i>David Little-John</i>	Mariner	of Bristol.
<i>John King</i>	Mariner	of Shadwell Parish, London.
<i>Harry Dennis</i>	Mariner	of Bidisford.
<i>Hugh Harris</i>	Mariner	of Corf-Castle, Devonshire.
<i>William Taylor</i>	Mariner	of Bristol.
<i>Thomas Owen</i>	Mariner	of Bristol.
<i>John Mitchel</i>	Mariner	of Shadwell-Parish, London.
<i>Joshua Lee</i>	Mariner	of Liverpool.
<i>William Shuren</i>	Mariner	of Wapping-Parish, London.
<i>Robert Hartley</i>	Mariner	of Liverpool.
<i>John Griffin</i>	Ship Carpenter	of Black-wall, Middlesex.
<i>James Cromby</i>	Mariner	of London, Wapping.
<i>James Greenham</i>	Mariner	of Marshfield, Gloucestershire.
<i>John Horn</i>	Upholsterer	of St. James's-Parish, London.
<i>John Jessop</i>	Mariner	of Wjsbich, Cambridgeshire.
<i>David Rice</i>	Mariner	of Bristol.

The Court thought proper to allow

		l. s. d.
The Register for 26 Days, 30 s. per Diem,	— —	39 00 00
The Provost-Marshal 26 Days, at 7 s. 6 d. per Diem,	— —	9 15 00

And then the Tryals being over, the Commission closed, and the Court broke up.





A

L I S T

O F T H E

Pyrates Acquitted.

Stephen Thomas
John Stodgill
Jacob Johnson
William Smith
John Johnson
Edward Thornden
William May
Philip Haak
Robert Lilburn
Henry Dawson
William Glass
James White
Nicholas Brattle
Harry Glasby
Thomas Roberts
John Richards
John Cane
Thomas Stretton
Edward Evans
Richard Wood
Robert Hartley
George Smithson
Benjamin Parr
Edward Tarlton
John Arnaught
William Guineys
Josiah Robinson

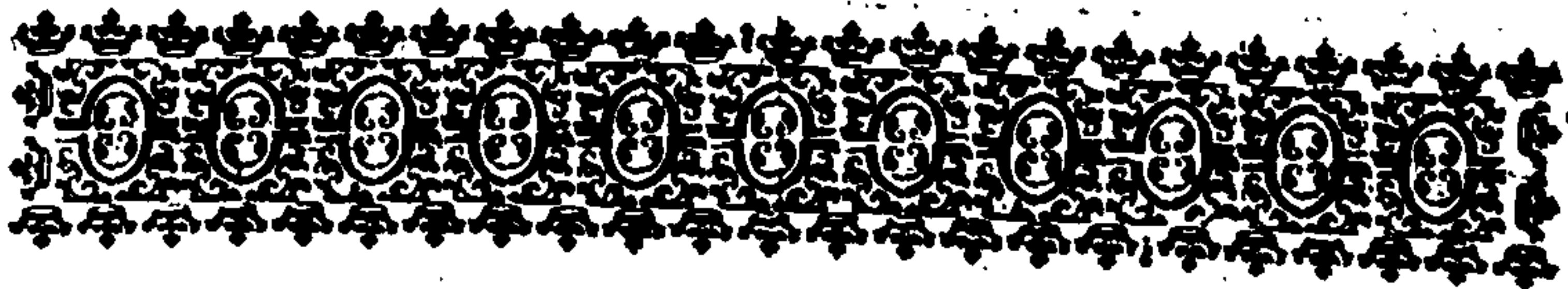
Thomas Clephen
John Davies
Thomas Howard
Adam Comrie
William Graves
William Champnies
Christopher Granger
Thomas Diggles
Thomas Watkins
Michael Lemmon
Hugh Menzies
John Watson
Thomas Sever
James Morrice
Thomas Davies
Hugh Riddle
William Darling
George Danson
Samuel Morwell
William Church
Thomas Getrat
John Franshaw
Peter Le Fever
Thomas VVills
Roger Pye
Roger Gorsuch
Richard Scot

William Davison
William Child.

The Names of the
French-Men.

Pierre Rawon
Jacque Ardoen
Ranee Marraud
Jean Richardeau
Jean Duplaissee
Ranie Froger Gabie,
Ranet Thobie
Jean Gumar
Allan Pygan
Jean Dugau
Etbien Gilliot
Jean Gitton
Jean L' Evecque
Pierre Croissie
Lewis Arnaut
Methurim Roulau
Jean Pacquet
Pierre Sbellot.

Total 74.



A

L I S T

O F T H E

Pyrates sentenced to Death.

Whereof were executed 52.

<p>T Thomas Sutton, Gunner <i>Wm. Migney</i> Richard Hardy David Sympson Christopher Moody Valentine Ashplant</p>	} April 3	} Quarter-Masters.
<p>Peter Divine William Phillips Philip Bill William Main, Boatswain William Mackintosh William Williams</p>		
<p>Agge Jacobson Michael Mare James Clements John Parker Marcus Johnson William Petty Robert Crow Robert Haws John Phillips William Fernon Daniel Harding John Faynson Joseph More Abraham Harper</p>	} 9	} 11

James Skyrn
 John Walden
 Israel Hynde
 Peter Scudamore

} 13

John Mansfield
 John Severson
 Robert Birtson
 Richard Harris
 William Williams (2d)
 Charles Bunce
 Peter Lashly
 Joseph Nossiter

} 16

William Wood
 Robert Johnson
 George Smith
 Cutbert Goss
 Edward Watts
 Thomas Giles
 William Davies
 William Watts
 James Phillips
 John Jessop
 Benjamin Jeffrys
 John Coleman
 Robert Armstrong
 Robert Hays

} 24

Execution respited till the
King's Pleasure is known.

G George Wilson
Thomas Ouchterlany

Whereof Sentence was chan-
ged for seven Years Servi-
tude in *Africa*, 20.

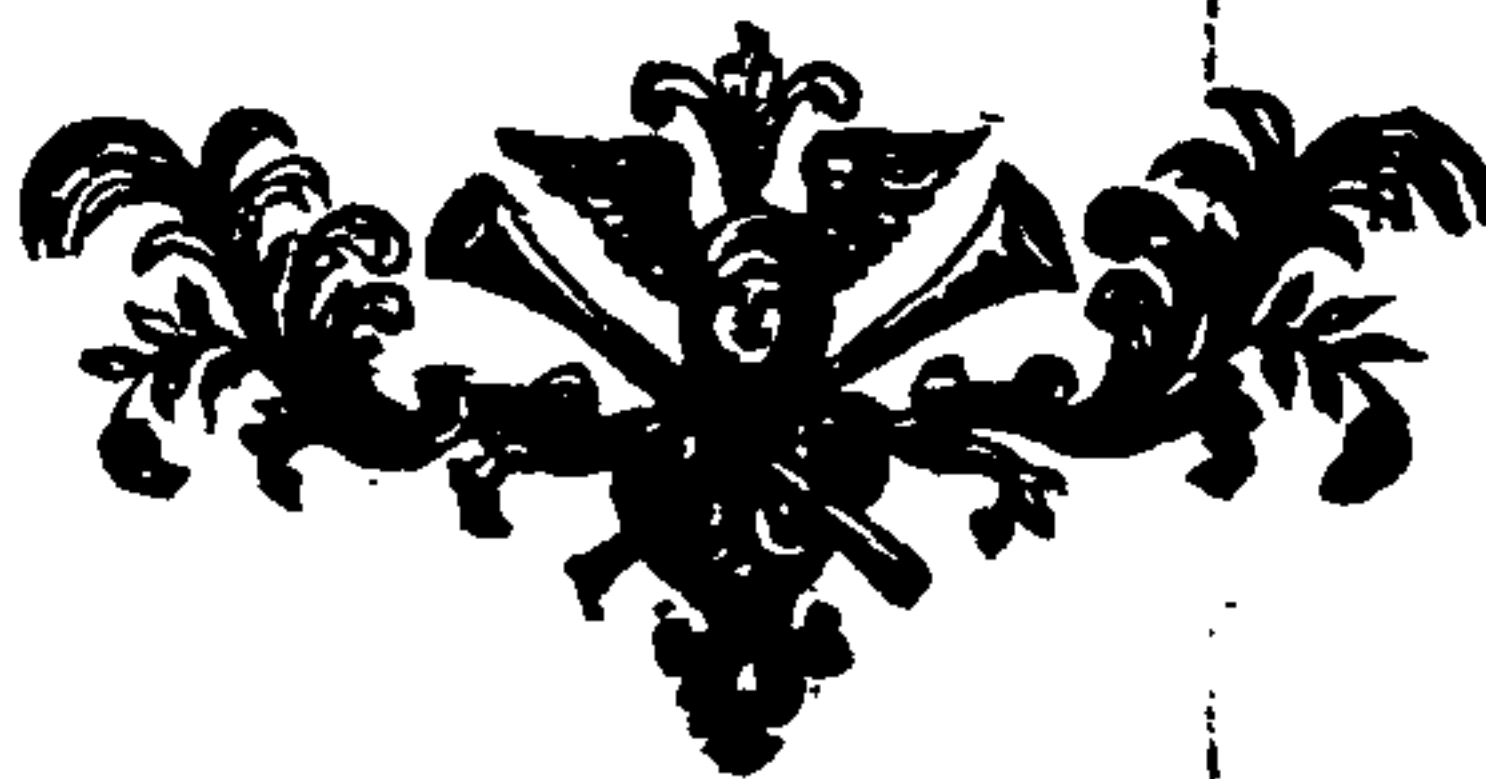
T Thomas How
Samuel Fletcher
John Lane
David Littlejohn
John Jessop (2d)
John King
Henry Dennis
Hugh Harris
William Taylor
Thomas Owen
John Mitchell
Jesbuab Lee
William Skiren
Robert Hartly (2d)
David Rice
John Griffin
James Cranby
James Greenham

Roger Scot
John Horn

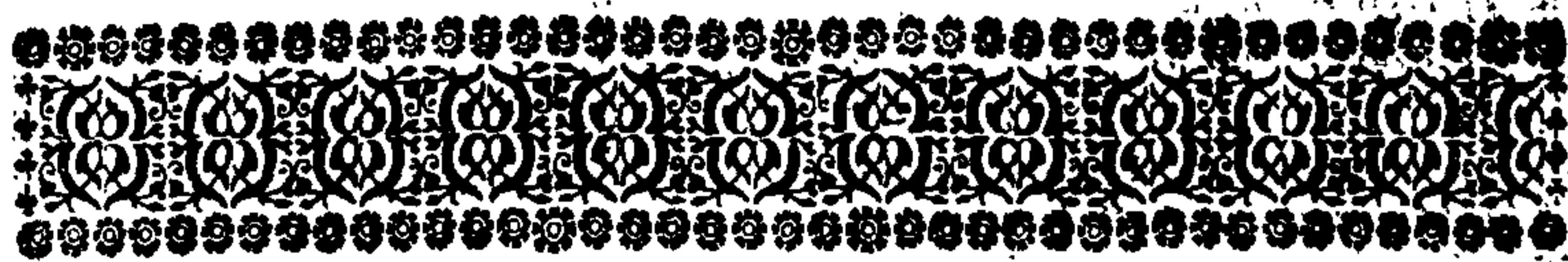
Referred to *Marshalsea*.

R Robert Berins
James Harris
William Mead
Christopher Lang
John Willden
Andrew Rance
John Du Frock
James Barrow
James Crane
Thomas Withstandyenot
Isaac Russel
Hercules Hunkins
Robert Fletcher
Henry Graves
John Rimer
George Ogle
James Couzins

Executed	52
Respited	2
Servitude	20
Marshalsea	17
Total	91



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A full and exact account, of the tryal of all the pyrates, lately taken by Captain Ogle, on board the Swallow man of war, on the coast of Guinea. Printed, and sold by J. Roberts, in Warwick-Lane, MDCCXXIII. [1723]. Eighteenth Century Collections Online, link.gale.com/apps/doc/CW0123770518/ECCO?u=cofc_main&sid=bookmark-ECCO&xid=9a48d0ac&pg=1. Accessed 21 May 2022.