

Salem, and after the usual formalities, surrendered his charge into their hands; stating that the English government waived their right to try and punish the prisoners, in favor of the United States, against whom the principal offense had been committed.

A primary examination was held in the Town Hall at Salem, Judge Davis, presiding; and the prisoners were directed to be transferred to the jail at Boston, there to await their trial at the October term of the United States Circuit Court. This was done, and on the 23d of October they were brought up at Boston, arraigned, furnished with copies, in Spanish and English, of the indictment found against them, and allowed three days to consider and determine upon their pleas. At the expiration of that time, they again appeared before the court, and severally pleaded not guilty. Their pleas were then recorded, and the 11th of November appointed as the day of trial.⁴

November 11.

The indictment charged that the prisoners on the High Seas, on the twentieth September, 1832, did piratically board a United States merchant brig, the Mexican, assault the captain, and carry off from the ship the sum of \$20,000.

Andrew Dunlap,⁵ United States District Attorney, for the Government.

*D. L. Child*⁶ and *G. S. Hilliard*,⁷ for the Prisoners.

⁴ "The trial was at the old Masonic Temple, the building now occupied by R. H. Stearns & Co., on the corner of Tremont street and Temple place." Willard: "Half a Century with Judges and Lawyers."

⁵ DUNLAP, ANDREW. (1794-1835.) Born Salem, Mass.; graduated Harvard, 1813; admitted to the Bar in Salem and removed to Boston, 1820; United States District Attorney, 1829-1835; author of "Fourth of July Orations" (1819, 1822); "Speech in Defense of Abner Kneeland" (1834); "Admiralty Practice in Civil Cases" (1836, 1850).

⁶ CHILD, DAVID LEE. (1794-1874). Born West Boylston, Mass.; graduated Harvard, 1817; sub-master Boston Latin School; Secretary of Legation, Lisbon, 1820; fought in Spain against the French; returned to America in 1824, studied law and was admitted to the Bar; went to Belgium to study the beet-sugar industry and introduced the manufacture of beet root sugar into the United States in 1836, for which he received a silver medal; editor "Massachusetts Journal," 1830; elected to Massachusetts Legislature and condemned annexation of Texas in a pamphlet entitled "Nabob's Vineyard," from which John Quincy Adams obtained many of the facts for his speeches in Congress on the Texan question; was an early member of the New England Anti-Slavery Society and wrote many letters and articles on slavery; edited with his wife the "Anti-