

senior counsel, *Mr. Child*, availed themselves largely of their right to object to the jurors, as called by the clerk; challenging the full number (twenty) allowed by law. The following jurors were eventually selected, impanelled and sworn: Jeremiah Washburn, Charles Hudson, Leavitt Corbett, John Beals, Joseph Kelley, Anthony Kelley, Isaac Wise, Thacher R. Raymond, Charles Lawrence, William Knight, Peter Brigham and Jacob H. Bates.

*Mr. Child* addressed the Court in relation to a motion which he had formerly made respecting the log-book of the *Panda* (the alleged piratical schooner), and read an affidavit from the mate of the *Panda* and others, stating that the log-book was in the possession of certain parties in Portsmouth, England; that the manifestos of the cargo, etc., of the *Panda* were also at the Havanas and might be had by sending for them. He requested time in order that these necessary documents might be procured.

The COURT overruled the motion, on the ground that it could issue no process which would be effective in procuring the papers alluded to; it had no authority in Great Britain. On a former occasion, it had also been stated by an English officer, who would appear as a witness, and who was one of those who boarded the *Panda*, that the log-book of that vessel had never been discovered.

*Mr. Child's* motion to have the prisoners tried separately, was also overruled.

#### MR. DUNLAP'S OPENING.

*Mr. Dunlap*: Gentlemen of the jury. This is a solemn, and also an unusual scene. Here are twelve men, strangers to our country and to our language, indicted for a heinous offense, and now before you for life or death. They are indicted for a daring crime, and a flagrant violation of the laws, not only of this, but of every other civilized people. They are accused of piracy, which is an offense punishable by all nations, as well as by the particular government against which it has been committed. I shall first, gentlemen, give you an outline of the commission of the act with which the prisoners are charged, and then briefly state to you the law in relation to such act.

The brig Mexican, belonging to Salem, and owned by one of the most eminent merchants of that place, having on board a valuable cargo and twenty thousand dollars in specie, sailed from Salem for Rio Janeiro on the 29th of August, 1832, under the command of Capt. Butman. While quietly pursuing her voyage over the common pathway of nations, and having