

reiterating the assertion that he could not write. He was asked, he said by the government at Fernando Po to sign his name to the deposition he made there, but he could not do it, and was therefore told to make his mark. Witness here made an effort to write, but finding he could not, threw down the pen in despair. The Court wished it to be understood that this trial of the witness, although permitted, could not be legally called for by the prisoner's counsel.

*Cross-examination continued.* Did not distrust Capt. Trotter's promises to me at Fernando Po, and say I only made my mark that I might thereafter disavow it as my signature. Was asked by Capt. Gibert and the mate, when in prison in England, if I had signed my deposition at Fernando Po; said I had made a mark, and they then said: "No matter, you must deny everything." Have conversed with the black cook of the Panda, Antonio Ferrer. Told the cook at Plymouth while they were confined on board a seventy-four there, that the captain wanted me to deny everything, so that he (the captain) might himself turn State's evidence, and hang all the crew. Captain and mate tried several times to induce me to deny everything. Out of ten words of English can perhaps understand five; was in Salem when the crew of the Mexican testified; saw the captain and cook of that vessel; heard them talking and could not understand them; saw them making signs and pointing out the prisoners whom they knew—think I recognized the captain of the Mexican; believe he was one of those who came alongside the schooner in the brig's boat; never confessed at Salem, was only asked to identify my mark at the bottom of the deposition made at Fernando Po; did not recognize any others but the captain, there

were so many white people present, and white people are so much like each other. The vessel in which the captain and mate went from Nazareth was afterwards a prize to the Curlew; believe she was given up afterwards as a bad prize; don't know whether she was taken because she had pirates on board. She was released in England about twelve or thirteen days before we left for America; do not know whether Capt. Trotter told when we reached England that he had pirates on board; saw some English newspapers, never read them, none of the crew of the Panda except myself were ever permitted to go at large; Castillo went in the boat once, to carry an officer on shore. Capt. Trotter did not put the mate and captain of the Panda in irons. They were all shut up in a room together. After some time an order came for them to be permitted to walk the deck. Delgado was with me; was handcuffed to him when they came ashore at Salem. Capt. Gibert used to go on deck in his chains; any of the prisoners might do this. When Castillo went on shore with the mate could not have escaped if he had wished; they were guarded when on board a seventy-four at Plymouth.

The vessel lay in the stream and was never moved into the harbor; never heard of any one offering to assist them to escape,