

*Mr. Dunlap.* I scarcely know what Mr. Child means by restricting the prisoners. I believe the other counsel (Mr. Hilliard) would not say what Mr. Child had said.

*Mr. Hilliard* was perfectly satisfied with the conduct of the District Attorney on this as on all other occasions, and should always feel happy in being opposed to the gentleman.

*Simon Domingo.* [Witness identified the captain, and mate, and the remainder of the prisoners.] Went with the *Panda* from Prince's Island to the River Nazareth. When arrived there, came to an anchor, and lay there for four months, "doing nothing." They had previously traded for negroes. Soon as they came to anchor, the captain and officers all went ashore, and I saw no more of them on board. The schooner was afterwards set on fire and sunk. She was boarded by the English in four boats. The carpenter tried to set her on fire, and the crew all took to their boats and went ashore. The carpenter was the last man on board, and went ashore in a canoe; do not know how the carpenter meant to set the vessel on fire; saw him take fire from the galley, got scared, and went into the boats; went on shore, and staid some time on the beach—afterwards returned to the *Panda*, of which the English had then possession. When I joined the *Panda*, she was under the Spanish flag; heard all the prisoners say that the *Panda* came from Havana.

*Cross-examined.* Was four months on board the *Panda*. Heard some of the prisoners confess to the captain of the Eng-

lish brig; know of no inducement held out to them to make them confess; some of them are here who confessed; some confessed on shore at Fernando Po; one only on board the brig—the rest denied it. The one who confessed on board the brig was a small mulatto, named Domingo Guzman. He is now present. The confession was made to the captain of the *Curlew* in the cabin. The prisoners were called in singly; was present in irons; heard all that was said; was called in to interpret what I could, as Captain Trotter did not understand the Indian language; confession was written down by Captain Trotter. Being on shore at Fernando Po, heard the other prisoners confess before Guzman made his confession. All the others, five in number, confessed together. Know all their names. They are Montenegro, Garcia, Castillo, Perez, and Delgado. All refused to state any thing at first, but told all afterwards; think the confession of Perez was written down, as all the English were writing at the time. Remember seeing the justice writing, but don't know what he wrote. Plenty of people present. Know Captain Trotter was present. All the prisoners were in one room, but called up singly to be examined. Perez confessed first and boatswain next; did not see boatswain sign any thing; all were sworn by the justice before confessing. Castillo next confessed. Two of those who confessed are dead—the boatswain and Delgado. During the four months that I was on board the *Panda*, never heard any thing said of the robbery of the Mex-