

ceived him, by telling him that he would not be kept a prisoner, while, in reality, he was now as much a prisoner as the others." I think, when he said this, he did not refer to any individuals in this country, but to the English. I told Mr. Dunlap what the prisoner had said, and Mr. Dunlap replied, "Very well, he may do as he pleases; if he does not like to be a witness, we can do without him." Perez then cooled down, did not appear in such a passion as previously, and said that "when he went before the judge, he would tell the whole truth."

*Mr. Dunlap* (sworn). I shall be happy to state anything within my knowledge in relation to this matter; indeed, I consider such a course a duty. After having had, with Perez, the conversation just alluded to by Mr. Badlam, and having noticed the state of his [Perez's] mind, I did not think it safe to leave the case for the government in its then state. I had, therefore, caused Nicola Costa to be

brought in, and after telling him that he was under no obligation to state anything, and that all I [the District Attorney] could promise him was, that nothing he might say should be used against him, asked if he was willing to become a witness for the United States. The prisoner's reply was, "that they were all innocent, and that no robbery had ever been committed by them upon the Mexican." I then called in Domingo de Guzman, and afterwards Antonio Ferrer [the black cook], but found them both in the same story as Costa. As a last resort, I then sent for Bernardo de Soto, the mate, but succeeded as ill with him as with the others. I was influenced in sending for Costa and de Guzman, by considerations as to their youth; as regarded the black, by compassion for his ignorance and degraded condition; and I selected de Soto in consequence of his having performed the act of humanity which has been alluded to.

*Mr. Child* said the District Attorney had been influenced, in this affair, by the honorable feelings he supposed him to possess, and begged him to accept sincere thanks for the course pursued.

*Mr. Dunlap* said that when the offer of becoming a witness was made to de Soto, the later returned, for answer, that he was willing to testify, but could only do so to his own innocence. He thought de Soto answered evasively, and, therefore, immediately ceased conversing with him.

*E. G. Prescott*. Was in court when the prisoners were brought up to receive their indictments. Saw Ridgely upon that occasion. I was standing in front of the crier's desk. Some one pushed against me; saw it was the black. Asked him what he did inside the bar, when he replied "that he

was one of the crew of the Mexican, and wanted to look at the d—d rascals and see if he knew any of them." Made way for him, and asked him several questions. He pointed out several of the prisoners, and afterwards shook his fist at them, saying, in a loud tone, "d—n you,