

on the 20th or 26th of August, commanded by Captain Gilbert, and manned by a crew, part of whom were the prisoners at the bar. All this was undeniable; it was proved by the Custom House documents, and also by the testimony of Perez and Guzman. Perez says that she sailed on the 20th or 26th, and the ship's papers and Moro Pass, etc., being dated the 18th, all induce us to believe that the 20th August was the day on which she commenced her voyage. Now the track of the Mexican is before us, marked by the mate of that vessel till the day of the robbery. The Panda sailed on the 20th or 26th, from Havana, her track lies directly over the spot where the Mexican was met, and you have the testimony of Mr. Peabody, the owner of the vessel, now a merchant, but formerly a practical seaman, that the two vessels would be likely to meet. The next testimony upon this point is that of Mr. Briggs, who has been a captain for thirty-two years, and who informs you that the Panda would probably come as far north as 37 deg. and that she would be more likely to meet the Mexican in 33, 34½ than at any other point on the chart. We have, then, Capt. Rich, who says that the latitude just mentioned is the spot where the vessels would meet. He tells you that were he bound for the coast of Africa he should come north as far as Cape Hatteras. We then have Capt. Budd, an officer in the U. S. navy, who has commanded two sloops of war on the Havana station; he agrees with Capt. Rich and the line indicating the course of the Panda, which he traced with his finger on the chart, passed over the very place where the robbery was committed.

Consider also the evidence given by Capts. Bethune, Faulkner, Bacon, and Devens, to the same effect. Now we have witnesses from the Mexican, and one from the Panda herself, who swear that the prisoners are the persons who committed the robbery. What sort of a vessel was the Panda? She was a clipper schooner, with raking masts, painted black, with a white streak, and her armament consisted of two small guns and one large pivot gun. And what does Capt. Butman tell you? Why, that the piratical vessel was a clipper, painted