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and severally made Oath and first the
Appearers Charles Gibbs Crawley, Joshua Bull
and Josiah Benjamin for themselves say That
on the twelfth day of November last at about
six A.M. whilst they were in the Cutter of the
belonging to the said Brig at Anchor off the
Island of Saint Iago in the Mozambique -
Channel they observed a Portuguese Brigantine
or Vessel Sailing under Brazilian Colors but
with Portuguese Colors on Board standing for
Mozambique - That the Appearers immediately
made Sail in Chase and in about half an
Hour they further observed the Brigantine
bear away with her Studding Sails set - That
by pulling and Sailing the Cutter came up with
her at about half past seven and previously fired
four Muskets with Ball across her Bows to
which no attention was paid - That the ~~said~~
Appearers succeeded in Boarding the said

Brigantine

Brigantine off Point Bajoue about nine or ten
Miles South of Lat Mozambique and found her
Commanded by Joaquim Jose de Alesquita who
stated that his Vessel cleared out from Rio
de Janeiro and there bound on a Voyage from
Sofala with Letters from the Governor of that Place
to Mozambique and from thence to Goa with a
Crew consisting of sixteen Men (eleven of whom are
born Portuguese) and Boys besides himself and a
General Cargo - That the Appearer Charles
Gibbs Crawley doubting the Truth of said
Master caused the Hatches of the said Brig-
gantine to be opened in the presence of the other
~~Examinates~~ Appearers when they found in the
Hold a quantity of Spare Plank fitted for being
Laid down as a Slave Deck and a Slave Deck
partly laid two Iron Bolts used for Shackling
Slaves, a larger quantity of Water in Casks
than requisite for the consumption of the Crew

Two

1

of the Vessel as a Merchant Vessel an extraordinary number of Water Casks and large Leaguers stowed for and aft and also a great quantity of Mess Kids than are requisite for the use of the Vessel as a Merchant Vessel, Also more Rice Farinha and Matts beyond what might probably be requisite for the use of the Crew That the whole of the Cargo of the said Brigantine consists of Jerked Beef Beads Dungaree and Argodent suitable for the Slave Trade — Whereupon the Appearer Charles Gibbs Crawley ordered the Master of the said Brigantine to take in his Studding Sails and brace up to the Brig "Lily" then in sight coming out of the Bay of Sandaucia where she had been to Water. And the Appearer Charles Gibbs Crawley for himself further Saith, that upon coming up with the said Brig he reported

What

what he had done as aforesaid to the said George Alexander Seymour who doubting the Papers of the said Brigantine and Statement of the said Joaquim Jose de Mesquita — continued the said Appeoners in charge thereof

That On the fourteenth of said Month of November there was discovered concealed cased against a Beam in the Cabin adjoining that used by the said Joaquim Jose de Mesquita an Instrument for Branding Negroes four hundred and seventy Portuguese Gold Coins and a Portuguese Register hereunto annexed marked No. 15. dated 21st. November 1836 wherein the said Vessel is described as the "Maria Feliz" and endorsed so late as the eighteenth of July last by the Vice Consul of Porto Alegre for a Voyage to Sofala which Voyage could not have been performed by the said Brigantine as her Clearance from

Rio

Rio de Janeiro is dated the fifth of August
last Whereupon the said George Alexander
Seymour considered the Brazilian Papers
found on Board to be false and fraudulent
and that the said Brigantine is bona fide the
Property of Joaquim Jose de Mesquita a
Portuguese Subject and not entitled to claim the
Protection of any other State or Nation he seized
her subject to the pain and penalty as enacted
by the 2nd & 3rd of Queen Victoria Chap 73.
That the said Appearer Charles Gibbs Crawley
was therefore put in Charge of the said Vessel
and by the order of the said George Alexander
Seymour he sailed in and with her to this Bay
of Table Bay where he arrived on the ninth
instant And the said Charles Gibbs Crawley
further saith that he hath no knowledge
whatever who are the Owners of the said
Brigantine or Vessel or where they reside

Dated

save from the Papers which are hereunto annexed which state that the said Joaquim Jose de Mesquita is the Proprietor thereof

And the said Charles Gibbs Crawley further made Oath that the Paper Writings and Documents hereto annexed marked No. 1 to No. 19 are the whole of the Papers Writings and Documents which were found on Board by or delivered to the said George Alexander Seymour relative to the said Brigantine at the time she was seized and Deponent took charge of her as aforesaid And that they are now in the same plight and condition as when first received by the said George Alexander Seymour and subsequently by this Deponent save the numbering thereof without any fraud addition or subduction whatever

And Lastly That the said George Alexander Seymour is furnished with the painted —

Instructions

Instructions issued by the Lords Commissioners for executing the Office of High Admiral of Great Britain for the detention and Capture of Vessels - Sailing under Portuguese Colors, & not entitled to claim the Protection of any other State or Nation engaged in the Slave Trade as also with the Act of Parliament intitled as aforesaid by which he is authorized to send such Vessels as he may detain and Capture to a British Vice Amiralty Port for adjudication he the Deponent having seen and perused the said Instructions and Act of Parliament - whilst in the possession of the said George Alexander Seymour And the Appearers James Acres, Joshua Butt and Josiah Benjamin for themselves say that on the 14th. of November last in consequence of Orders from Charles Gibbs Crawley they proceeded to search for Papers belonging to the Brigantine suppposed tobe concealed - That upon such Search they discovered concealed and cased against one of the Beames in a Cabin adjoining that of the Master of the Brigantine the Paper Writing hereunto annexed marked No 15. also an Instrument used for Branding Negroes and several small Packages of Gold Coin which they handed over to the said Charles Gibbs Crawley

True Copy
Charles Gibbs Crawley
James Acres
his X mark
Joshua Monk
Josiah Benjamin

Sworn at Cape Town Cape of Good Hope
this fourth day of December One thousand
eight hundred and forty
Before me
G. Hay Capt. R.N. & Vice Admiralty (illegible)

In the Vice Admiralty Court
of the Cape of Good Hope

Our Sovereign Lady the Queen against the
Brigantine or Vessel called the "Maria" whereof
Joaquim Jose de Mesquita was Master her
Tackle Apparel and Furniture and also the
Goods Wares and Merchandizes on Board the
same taken by George Alexander Seymour
Esquire Commander of Her Majesty's Brig
"Lily."

Appeared personally Charles Gibbs Crawley —
Lieutenant of and belonging to Her Majesty's Bri
"Lily" whereof George Alexander Seymour Esquire
is Commander Who in addition to the facts
stated in the joint and several Affidavits of
himself and others sworn in this Cause on the
tenth Instant further made Oath and saith
That upon boarding the Brigantine "Maria"
otherwise "Maria Feliz" on the twelfth day of
November last this Deponent demanded of
Joaquim Jose de Mesquita the Master thereof
delivery of the Papers he had belonging to his said
Vessel Whereupon he handed over the whole of
the Papers annexed to the Deponents said

Affidavit

Affidavit with the Exception of the Portuguese
Registrar or Passport N° 15. and at the same
time he informed this Deponent that he had
no other Papers whatever in his possession relative
thereto That on the fourteenth of said Month the
Carpenter of the said Brig "Lily" by Orders of
this Deponent proceeded to search with a
Hammer and Chisel all the Lining of the Cabin
Beams &c, that during the progress thereof the
said Joaquim Jose de Mesquita was looking
down the Skylight of said Cabin with every
appearance of great anxiety and that upon
the Carpenter placing his Chisel against
one of the Beams of said Cabin he found a
Secret Ledge had been nailed against the
Beam and cased over within the Cavity of
which was discovered the Portuguese Register
or Passport N° 15 annexed to said Affidavit
the Bread and Gold Coin before deposed to
And upon this Deponent shewing the said
Document and Articles to the said Joaquim

Jose

Jose de Mesquita and accusing him of duplicity
in concealing the same he the said Joaquim
Jose de Mesquita admitted he was aware
that the same had been so secreted but
offered no plausible excuse for the concealment
and further that on board the said Brigantine
this Deponent found Portuguese Colors -
And Lastly that after the discovery of the
said Portuguese Register or Passport, Brand,
and Gold the said Joaquim Jose de Mesquita
although frequently charged with being a
Portuguese by Birth never denied it

On this the thirteenth day of
December 1840 the within
named Charles Gibbs Crawley
was duly Sworn to the truth
of the Affidavit

C. G. Crawley

Before me
H. Cloete Law.
Surrogate

A true Copy

To all whom it may concern

I John Stein, Merchant residing
in Cape Town, Cape of Good Hope
Do hereby certify and attest that
John Barker whose Signature is
affixed to the foregoing Affidavit
is a Sworn Public Notary residing
and practicing as such, and also a
Proctor of the Vice Admiralty Court
in Cape Town; and that to all acts
and Documents signed by him in
either of those Capacities, full faith
and Credit are given in this Colony
in Court and thereout.—

As Witness my Hand & Seal
at Cape Town, this 26th day of
January, One thousand Eight
Hundred & forty One.—



No 2.—

To all to whom these presents shall come
I John Samuel Merrington of Cape Town
Cape of Good Hope, Notary Public, duly admitted
and sworn, and one of the Proctors in the Court
of Vice Admiralty at the Cape of Good Hope
Do hereby certify, That on the thirty first
day of December, one thousand eight
hundred and forty, the Brigantine or
Vessel, called the Maria, whereof Joaquim
Joze de Masquita was Master, her tackle,
apparel and furniture, and the Cargo laden
therein, taken and seized by George Alexander
Seymour Esquire, Commander of Her
Majesty's Brig Lily was condemned by
the Worshipful Sir John Wylde, Knight,
Doctor of Laws, Judge and Commissary of
the said Court as forfeited to Her Majesty
the Queen of Great Britain, her Heirs and
Successors.

As Witness my Hand, and Notarial
Seal, at Cape Town aforesaid, this
fifteenth day of January one thousand
eight hundred and forty one.

Jno Ann Merrington
Not Pub

To all whom it may concern

I John Stein, Merchant residing in Cape Town, Cape of Good Hope, Do hereby certify and attest that John Samuel Merrington whose signature is affixed to the aforegoing Certificate, is a Sworn Public Notary residing and practising as such, and also as a Proctor of the Vice Admiralty Court in Cape Town; and that to all acts and documents signed by him in either of those capacities, full faith and credit are given in this Colony, in Court and thereout.

As Witness my Hand and Seal at Cape Town, this 16th day of January, One thousand eight hundred and forty one.

John Stein

No 3 doc 14

These are to Certify, that His Honor Sir John Wylde, Knight, Judge, and Commissary of the Vice Admiralty Court, of the Cape of Good Hope, at a Court holden at Cape Town, upon the Thirty First day of December, One Thousand Eight Hundred and Forty by Interlocutory Decree, a monition to that effect having previously been made and promulgated, pronounced the Brigantine or Vessel, called the "Maria", otherwise "the Maria Felix," whereof Joaquim Jose de Mesquita was Master, her Tackle, Apparel, and Furniture, and Cargo Laden therein, taken and seized by Her Majesty's Brig "Lily," whereof George Alexander Seymour, Esquire, is Commander, to have been at the time of the

Seizure

seizure engaged in the Slave Trade,
or employed in the illegal transport
of Negroes, or others, for the purpose
of Consigning them to Slavery: and
the said Vessel, her Tackle, Ap-
parel, & Furniture, & Cargo, by virtue
of the Statute for the Suppressing
of Slavery, to be subject & liable
to forfeiture, and Condemnation:
and Condemned the said Brigan-
tine or Vessel, and Cargo as
forfeited to Her Majesty, Her
Heirs and Successors.

Dated at Cape Town, Cape
of Good Hope, this Twenty Third
day of January One Thousand
Eight Hundred and Forty One.

John Reid
Deputy Registrar

To all whom it may concern

I, John Stein, Merchant residing in Cape Town, Cape of Good Hope, Do hereby certify and attest that John Reid whose signature is affixed to the foregoing Certificate, is a Sworn Public Notary residing and practising as such, and also Deputy Registrar of the Vice Admiralty Court in Cape Town; and that to all acts and Documents signed by him in either of those capacities, full faith and credit are given in this Colony, in Court and thereout.

As Witness my Hand and Seal at Cape Town, this 26th day of January. One thousand Eight Hundred and forty One.—

John Stein

No 4 — dec 15



To all whom it may concern

I John Stein, Merchant, residing in Cape Town, Cape of Good Hope, Do hereby certify that John Alfred Mercurio[illegible] whose Signature is affixed to the within protest, is a Sworn Public Notary residing and practising in Cape Town, and that to all acts, documents and writings subscribed by him in that capacity full faith and credit are given in this Colony in Court and thereout.

As Witness my Hand at Cape Town aforesaid, this Sixteenth day of January One thousand eight hundred and forty one

John Stein



By this Public Instrument of Protest be it known and made manifest, That on the Twelfth day of December one thousand eight hundred and forty Before me John Alfred Merrington of Cape Town, Cape of Good Hope, — Notary Public, duly admitted and Sworn — Personally came and Appeared Joaquim Joze de Mesquita Master and Owner of the Brigantine or Vessel called the Maria of the Brazils, now lying at Anchor in Table Bay, Who did declare to Note and Enter his Protest against the Commander and Officers of Her Majesty's Brig Lily, and all other person and persons whom the same doth, shall or may concern, for all Losses, Costs, Charges, damages, demurrages, and expences, which have arisen or shall or may arise in Consequence of the Seizure of the said Brigantine and her Cargo, while on her Voyage from Sofala towards Mosambique and which Seizure was made on the ground of the said Brigantine being, as alleged, engaged in the Slave Trade, or employed in the illegal transport of negroes or others for the purpose of consigning them to Slavery; reserving to himself the right to extend such protest in time and place convenient —

And be it further made known That on this the Sixteenth day of January One thousand eight — hundred and forty one Before me the Notary again personally came and appeared the said Joaquim Joze de Mesquita, who did declare that on or about the eleventh day of December last past, he was served with the Monition of which a Copy is hereunto annexed marked A — and thereupon repaired to one of the Proctors

J