

British and Netherlands Mixed Court of Justice  
Sierra Leone - 9

Before Thomas Gregory Esquire His Britannic Majesty's  
Judge and Dove Van Sirtima Esquire Judge on the  
part of His Majesty the King of the Netherlands

Present Daniel Molloy Hamilton Esquire Notary  
Public Registrar.

Monday the 15<sup>th</sup> day of  
November in the year of our  
Lord 1819.

"Virginia" Schooner. - Carnasse. Master.

In pain of parties cited and not appearing the  
said Judges having examined the papers of the said  
Schooner and received the deposition on oath of John  
Peterson the only seaman remaining on board the  
said Schooner and brought here therewith as well as  
the declaration of Robert Hagan Esquire the Captain:  
pronounced the said Schooner "Virginia", her tackle,  
apparel, and furniture, and the Goods, Wares and  
Merchandise laden therein to have been at the time  
of the Capture and seizure thereof engaged in the illicit  
traffic in Slaves, and as such subject and liable  
to confiscation, and condemned the said Schooner her  
tackle, apparel, and furniture, and the Goods, Wares  
and Merchandise laden therein, as lawful Prize, and as  
taken in such illicit traffic by His Britannic  
Majesty's

Majesty's Brig of War "Thistle" Robert Hagan Esquire Commander, and moreover pronounced the said Slaves, Natives of Africa to be emancipated from slavery, and to be employed as servants or free labourers; and also, that it had been proved that at the time of passing the said sentence Seven Men, Eight Women, Thirteen Boys, and Four Girls children under fourteen years of age, did compose the whole of the Slaves so decreed to be emancipated.

Ordered that the following Declaration of Col. Van Surinam be entered.

Do consent in the condemnation of the Schooner Virginia because she has thirty one Slaves on Board mostly all Children apparently from four to twelve years old and without their Parents being with them which proves to me that they were certainly bought and conveyed on board the Schooner for no other purpose than illicit traffic in Slaves, and in this, my opinion I am the more confirmed by the clear Answers in the questions put by the Court to John Peterson the only sailor on board said Schooner when she was captured, the Master and the Crew having left her a moment previous to the Brig of War taken possession of her, ~~but~~ I find myself in duty bound to state, that I object and protest that any officer either in the Netherlands or British Navy and regular commissioned to search Vessels according to the Treaty between His Majesty the King of

of the Netherlands and His Majesty the King of Great Britain past on the 1<sup>st</sup> of May 1818. shall in any way deviate from the abovementioned Treaty and their instructions, as has been done in my opinion, by Lieutenant Hagan Commanding His Britannic Majesty's Brig "Thistle" in the first place by removing the sailor John Peterson on board the Brig of War, this sailor as being the only man on board the "Virginia" ought on no consideration to have been removed, as Article 3<sup>rd</sup> of the Instructions for the Ships. says: the cargo, Master, and part at least of the crew shall be left on board: And in the 2<sup>nd</sup> place for removing half of the Slaves without stating the necessity of so doing by a written certificate in form as is likewise specified by Article 3<sup>rd</sup> of said Instructions.

The said Judges also Decreed a Commission of appraisement and sale to James Woods Esquire, that he reduce into writing a full true and perfect inventory of the said Schooner "Virginia" and that he choose two good and lawful men well experienced in such affairs and swear them faithfully and justly to appraise the same according to their true value and that he so appraise and value or cause the same to be so appraised and valued and the appraisement being taken that he expose or cause the aforesaid Schooner "Virginia", to be sold to the best bidder, and that he pay or cause to be paid the produce money arising from such sale into the hands of the

12.

Registrar of this Court within two months from the  
day of the date hereof, and, that at the same time he truly  
transmit the Appraisement subscribed by himself to  
the said Judges together with the said Commission of  
Appraisement and Sale.