

This vessel, fitted out for a slave trading voyage, provided with a Royal passport, and commanded by *Isidro Pasqual*, sailed from the *Havannah* in the month of November 1819; arrived at *Manna*, Lat. $6^{\circ} 29' N$, Long. $11^{\circ} 12' W$, in January following; and, in the same month, cast anchor in the River of Little Cape Mount, Lat. $6^{\circ} 38' N$, Long. $10^{\circ} 55' W$, where on the 16th October 1820, she was captured by His Britannic Majesty's Brig of War, *Whistle*, *Sicut. Hagare*, Commander, with eighty five negroes on board.

From the depositions of the several witnesses concerned in this case, it appears that the Schooner *Montserrat*, although she was provided with requisite documents to enable her to fulfil every object of a traffic then permitted by the Treaty of the 23rd September 1817 between His Britannic Majesty and His Catholic Majesty, was taken by her original Master, *Isidro Pasqual*, to *Manna*, situated on that part of the Coast of Africa where the trade in slaves was interdicted to Spanish subjects by the most formal prohibition. After touching at *Manna*, the Master proceeded with her to the River of Little Cape Mount where he landed his cargo, and where whilst engaged in an illicit traffic of slaves, he, in a short space of time, fell through

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Nuestra Señora

de Montserrat

the climate, a victim to his lawless pursuits. The management of the vessel and of her concerns, then devolved on Isidro de Urioste, first Mate, who, not alarmed at the penalties attached to a violation of the Treaty or discouraged by the death of his commander and by that of the greater part of his crew, carried on the illicit traffic, and, up to the time of his capture by the Brig of War, *Thistle*, had, according to his own declaration, purchased and shipped on board of the Schooner from the same place, one hundred and forty three slaves, of which number, however, forty eight only were found on board when detained by His Britannic Majesty's Cruiser.

At the same time that the Master was thus infringing the laws of his Country, he was violating them in another respect by giving the protection of the Spanish flag to a French subject, who from the Schooner *Montserrat* traded in slaves, contrary to the 4th Section of the 5th article of the Treaty which declares as illicit any traffic in slaves carried on under the British or Spanish flag for the account of the subjects of any other Government.

The French subject in question is René Rielland, passenger on board of the *Nuestra Señora de Montserrat*, who states that he was first Lieutenant on board of a French Schooner named the *Industry*, fitted out at Nantes in France by Haentgens Brothers, merchants of that place, for a slave trading voyage to the coast of Africa; that his vessel being wrecked on the bar of the River of Little Cape Mount, he shipped what property he could save therefrom on board of the *Nuestra Señora de Montserrat* together with some slaves that he had already purchased

from the natives on shore; that he carried on the traffic in slaves whilst on board of the Spanish Schooner, giving for them in barter part of the goods taken from the *Industry*, and that, at the date of capture, he had collected sixty slaves which were to have been taken by the *Nuestra Señora de Montserrat* to the Havannah on his paying freight to the Master at the rate of ninety dollars per head; of the sixty slaves he says that only thirty seven were on board of the Spanish Schooner when taken by the *Thistle*.

The view of this case being rendered so clear by the evidence, of which the foregoing is the substance, of the Master and sailors of the *Nuestra Señora de Montserrat*, and of that of René Rielland, no doubt can arise as to declaring that the said Schooner was captured whilst carrying on an illicit traffic in slaves; that the beforementioned eighty five negroes found in her were purchased as slaves; and consequently that she should be condemned together with the effects on board thereof.

His Catholic Majesty's Commissary Judge concurring in such declaration, the Court decrees the condemnation, as lawful prize, of the Spanish Schooner *Nuestra Señora de Montserrat* and effects belonging thereto, of the private adventure of the Master, Isidro de Urioste, together with the goods and property appertaining to the French Schooner *Industry*, placed on board of the said Spanish

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Spanish Schooner by René Rialland. The Court
further decrees the emancipation of eighty four
slaves, being those now on board of the Nuestra
Señora de Montserrat; and, orders that they be
delivered over to the proper Authorities of the Colony
to be employed as servants or free labourers.

Ferra Leone, November 3^d 1820.

C. G. G. G.