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The undersigned having seen the petition of Mr. B. B. Fitzgerald Proctor for Capt. Strong of H. B. M. Ship *Morgiana*, praying the undersigned and Thomas Gregory Esq. H. B. M. Commissary Judge, to proceed to the adjudication of the Spanish Schooner *N. S. de Regla*, thinks it his duty to make the present declaration to H. B. M. Commissary Judge and Commissioners of Arbitration of the mixed Commissions of which he himself is a member.

When, in consequence of the weighty reasons urged in the conference with the said Commissioners the undersigned first proposed and afterwards agreed to act in the proceedings to be instituted in the case of the said Schooner, he did so reserving to himself his rights as Commissioner of Arbitration whenever judgement on the said vessel should be pronounced.

However, considering that the process is finished; that the subject in question is of a kind that by delay occasions expenses, which the maintenance of a numerous crew increases, and that the same object now detained in the River

Commissary  
of the Spanish Schooner  
*N. S. de Regla*  
J. Murray, Master.

In the presence of  
Mr. Fitzgerald & Co  
10 Oct 1820.

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River is in danger of perishing, and that all the parties concerned in the case suffer great inconveniences; such as were experienced in the case of the Spanish Ship the Josefa now completely lost to all parties for want of judgement; the undersigned cannot but agree in giving to the Treaty from which the mixed Commission is derived, a liberal interpretation convenient to each Government and to every party concerned, by looking upon the unfortunate illness suffered by H. C. M. Commissary Judge as a civil or moral death, for as such it may be held in this country, in which the least of the probabilities respecting human life is that the four Commissioners will not be all of them at the same time in good health, or that all of them will be able at the same time to perform the duties consigned to their care.

Upon these considerations the undersigned has no objection to concur in pronouncing immediate sentence upon the N.º de Regla. But, as from the mere fact of doing so, the equilibrium which should be preserved in the mixed Commission would be thereby destroyed, the undersigned could only undertake the charge on condition that the parties concerned, if they thought proper, should have the same right of appealing to the mixed Commission

Commissioners at the Havannah, as is given to them by the Treaty in case of the death of one of the four Commissioners in Africa; and on condition that the party applying for judgement, should, on being acquainted with the present declaration, again petition the undersigned on the subject.

The undersigned has the honor on the present occasion to make to the Commissary and Commissioners of His Britannic Majesty a tender of his esteem and consideration.

Freetown of Sierra Leone 3<sup>rd</sup> Sept. 1819.

José Camps

Thos. Gregory Esq.  
 Do. Fitzgerald Esq. }

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