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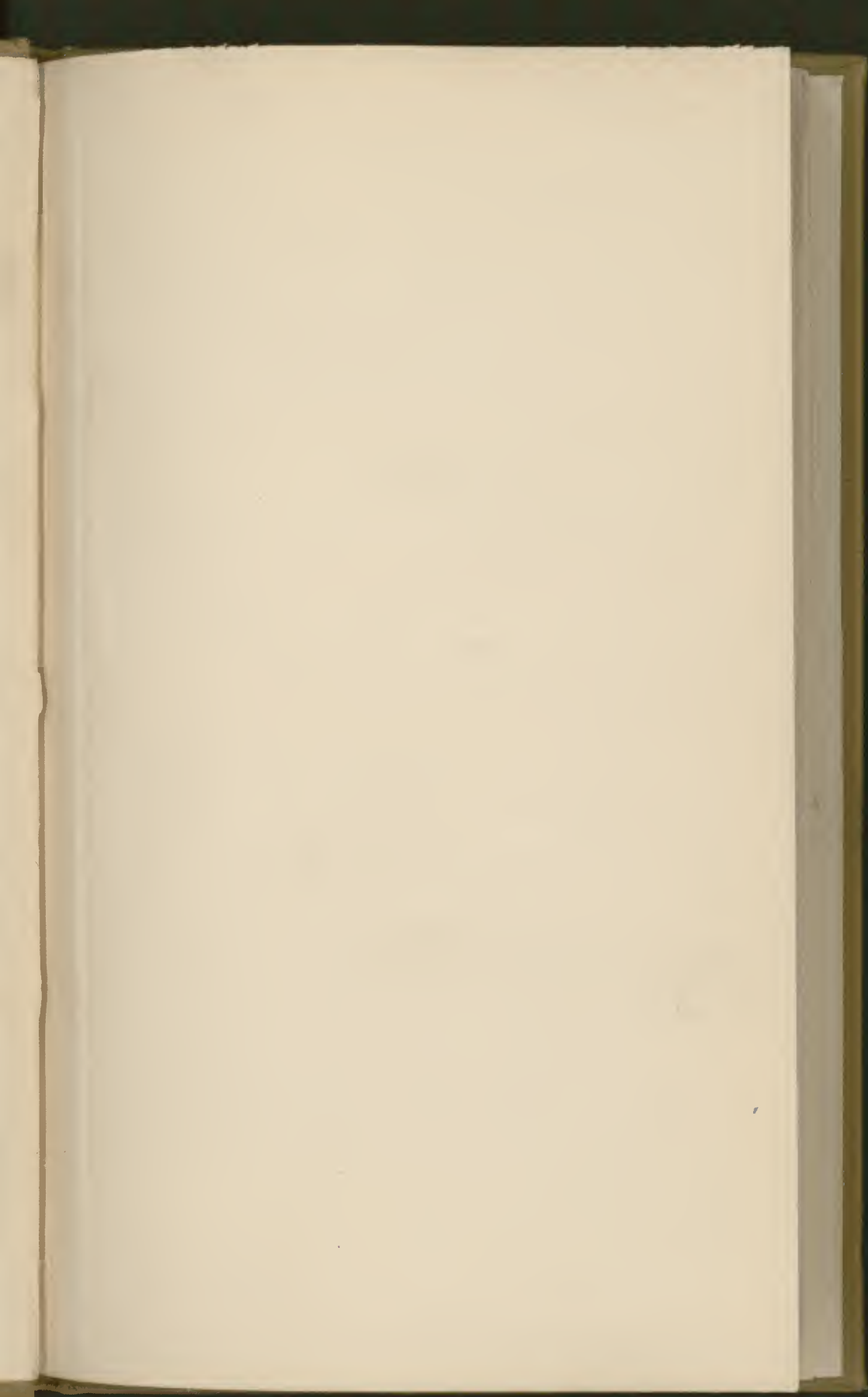
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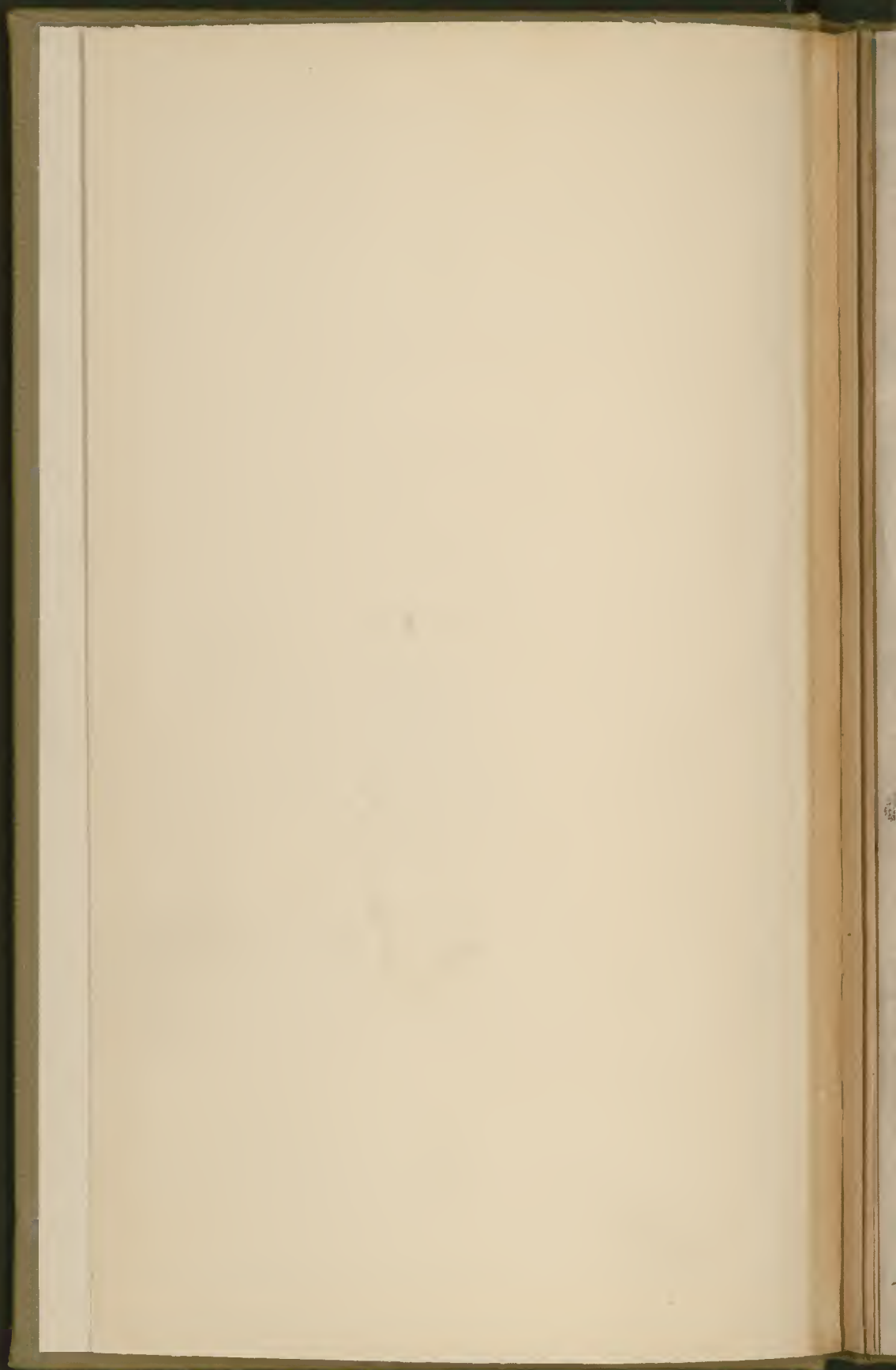
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*Circuit Court of the United States, Middle }
Circuit of the New-Jersey District. }*

24
1925

The United States, }
 (a.) } Indictment
William Brigstock, otherwise } for
 called John Johnston. } murder.

A true Bill.

B. SMITH, *Foreman.*

The defendant being charged on this indictment,
pleaded not guilty, &c.

R. BOGGS, *Clk.*

Et sic, &c.

LUCIUS HORATIO STOCKTON,
Attorney. U. S. N. J. District.

*Circuit Court of the United States, }
New-Jersey District, to wit, }*

THE jurors and affirmants, in behalf of the United States of America, for the body of New-Jersey district, of the middle circuit, upon their respective oath and affirmation, present, That William Brigstock, otherwise called John Johnston, late of the kingdom of Great Britain, mariner, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on or about the twentieth day of September, in the year of our Lord one thousand seven hundred and ninety-seven, with force and arms upon the high seas, near the coast of the island of Porto Rico, in the West Indies, and out of the jurisdiction of any particular state of the

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United States, and within the jurisdiction of this court, in and on board a certain armed frigate or vessel, called the *Hermione* (whereof a certain Hugh Pigot was then commander) then and there being, feloniously, wilfully, and of his malice aforethought, did make an assault in and upon one Foreshaw, one of the lieutenants then and there being on board of said armed frigate or vessel, in the peace of God and of the United States, then and there being, and to the armed frigate and vessel aforesaid, called the *Hermione*, then and there belonging, and that the aforesaid William Brigstock, otherwise called John Johnston, with a certain tomahawk of the value of eight-pence, which he the said William Brigstock, otherwise called John Johnston, then and there had and held in his right hand, did violently, feloniously, piratically, wilfully, and of his malice aforethought, beat and strike the aforesaid Foreshaw in and upon the right side of the head of the said Foreshaw, he the said Foreshaw then and there being on the high seas, in the armed frigate or vessel aforesaid, and within the jurisdiction of this court aforesaid, giving the said Foreshaw then and there, with the tomahawk aforesaid, in and upon the right part of the head aforesaid, of him the said Foreshaw, one mortal bruise, of which mortal bruise the aforesaid Foreshaw, from the said twentieth day of September, in the year aforesaid, until the twenty-first day of the said month of September, in the year aforesaid, upon the high seas aforesaid, in the armed frigate or vessel aforesaid, and within the jurisdiction aforesaid, did languish, and languishing did live, on which twenty-first day of September, in the year aforesaid, he, the said Foreshaw, on the high seas aforesaid, near the aforesaid coast of Porto Rico, in the West Indies aforesaid, in the armed frigate or vessel aforesaid, called the *Hermione*, without the jurisdiction of any particular state of the United States, and within the ju-

6. R. May 4-1923

l.R. May 4-1923
 jurisdiction of this court aforesaid, *did die*; and so the jurors and affirmants aforesaid, upon their oath and affirmation aforesaid, do say, that the aforesaid William Brigstock, otherwise called John Johnston, him the said Foreshaw, upon the high seas aforesaid, in the armed frigate or vessel aforesaid, and within the jurisdiction of this court aforesaid, in manner and form aforesaid, feloniously, *piratically*, wilfully, and of his malice aforethought, did kill and murder, against the peace of the United States, and against the form of the statute in such case made and provided.

LUCIUS HORATIO STOCKTON, }
Attorney for the United States for the
New-Jersey District. }

INDORSED.

Circuit Court of United }
 States, Middle Circuit } ff. BY the special com-
 New-Jersey District, } mand of the President of
 the United States, a *nolle prosequi* is entered on
 this indictment the twenty-eighth day of June, in
 the year of our Lord one thousand seven hundred
 and ninety-eight.

LUCIUS HORATIO STOCKTON,
Attorney of the United States for the
New-Jersey District.

I CERTIFY the foregoing, together with the indorsement, on the back or outside of this paper, to be truly copied from the original indictment remaining on file in my office.

ROBERT BOGGS,
Clerk of the said court.

March 1st, 1800.

*Circuit Court of the United States, Middle }
Circuit of the New-Jersey District. }*

The United States, (v.) William Brigstock, otherwise called John Johnston, John Evans, otherwise called Mi- chael Campbell, and Joannes Williams, otherwise called Joannes Williamfon,	}	Indictment for piracy.
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A true Bill.

B. SMITH, *Foreman.*

The defendant being charged on this indictment,
pleaded not guilty.

R. BOGGS, *Clk.*

Et sic. &c.

LUCIUS HORATIO STOCKTON,
Attorney U. S. N. J. District.

*Circuit Court of the United States, }
New-Jersey District, to wit, }*

THE jurors and affirmants, in behalf of the United States of America, for the body of New-Jersey district, of the Middle Circuit, upon their respective oath and affirmation, present, That William Brigstock, otherwise called John Johnston, John Evans, otherwise called Michael Campbell, and Joannes Williams, otherwise called Joannes Williamfon, late of the kingdom of Great Britain, mariners, on the twentieth day of September, in the year of our Lord one thou-

and seven hundred and ninety-seven, with force and arms, and so forth, upon the high seas, and out of the jurisdiction of any particular state of the United States, and within the jurisdiction of this court, to wit, about ten leagues from Porto Rico in the West Indies, in parts beyond the seas, then being mariners in and on board a certain armed frigate or vessel, called the *Hermione*, belonging and appertaining to the king of Great Britain, whereof one Hugh Pigot, a subject of the said king of Great Britain, was then and there commander, did betray the trust in them reposed as mariners of the said armed frigate or vessel, and then and there, out of the jurisdiction of any particular state of the United States as aforesaid, upon the high seas aforesaid, and within the jurisdiction of this court aforesaid, with force and arms did turn pirates, and the same armed frigate or vessel, and the apparel and tackle thereof, of the value of fifty thousand dollars lawful money of the United States, and one silver tankard, of the value of fifty dollars like money, and one gold watch of the value of one hundred dollars of like money, and one silver spoon of the value of two dollars of like money, of the goods and chattels of certain subjects of the said king of Great Britain (to the Jurors and affirmants aforesaid as yet unknown) then and there being in the said armed frigate or vessel, called the *Hermione*, under the care and custody of the said Hugh Pigot, as commander thereof, then and there, upon the high seas aforesaid, without the jurisdiction of any particular state of the United States as aforesaid, and within the jurisdiction of this court as aforesaid, with force and arms from the care, custody and possession of the said Hugh Pigot, piratically, and feloniously did run away with (they the said William Brigstock, otherwise called John Johnston, John Evans, otherwise called Michael Campbell, and Joannes Williams, otherwise called

Joannes Williamfon, then and there being mariners of the faid armed frigate or vefel, and in and on board the fame, on the high feas aforefaid) againft the peace of the United States, and againft the form of the ftatute in fuch cafe made and provided.

LUCIUS HORATIO STOCKTON,
*Attorney of the United States for the
District of New-Jerfey.*

I CERTIFY the foregoing, together with the Indorfement on the back hereof, to be truly copied from the original indictment remaining on file in my office.

ROBERT BOGGS,
Clerk of the faid court.

March 1st, 1800.

*Circuit Court of the United States, Middle }
Circuit of the New-Jerfey District. }*

The United States,	} Indictment
(a.)	
William Brigstock, otherwise called } John Johnfton,	
	} for piracy.

A true Bill.

B. SMITH, *Foreman.*

*Circuit-Court of the United States, }
of New-Jerfey diftrict, to wit, }*

THE jurors and affirmants, in behalf of the United States of America, for the body of New-Jerfey diftrict, of the middle circuit, upon their refpective oath and affirmation, prefent, That William Brigstock, other-

wife called John Johnston, being a citizen of the state
 of New York, one of the United States of America,
 late of the kingdom of Great Britain, mariner, on the
 twentieth day of September, in the year of our Lord
 one thousand seven hundred and ninety-seven, with
 force and arms, and so forth, upon the high seas, and
 out of the jurisdiction of any particular state of the
 United States, and within the jurisdiction of this court,
 to wit, about ten leagues from Porto Rico in the West
 Indies, in parts beyond the seas, then being a mariner,
 to wit, the boatswain's mate in and on board a certain
 armed frigate or vessel, called the Hermione, belonging
 and appertaining to the king of Great Britain, where-
 of one Hugh Pigot, a subject of the said king of Great
 Britain, was then and there commander, did betray
 the trust in him reposed as a mariner, to wit, the boat-
 swain's mate of the said armed frigate or vessel, and
 then and there out of the jurisdiction of any particular
 state of the United States, as aforesaid, upon the high
 seas aforesaid, and within the jurisdiction of this court
 aforesaid, with force and arms (together with divers
 other persons whose names are not at present known to
 the jurors and affirmants aforesaid) did turn a pirate,
 and the same armed frigate or vessel, and the apparel
 and tackle thereof, of the value of fifty thousand dol-
 lars, lawful money of the United States, and one silver
 tankard of the value of fifty dollars like money, and
 one gold watch of the value of one hundred dollars
 of like money, and one silver spoon of the value of two
 dollars of like money, of the goods and chattels of
 the said Hugh Pigot, and of other subjects of the said
 king of Great Britain, to the jurors and affirmants
 aforesaid as yet unknown, then and there being in the
 said armed frigate or vessel, called the Hermione, un-
 der the care and custody of the said Hugh Pigot, as
 commander thereof, then and there upon the high
 seas aforesaid, without the jurisdiction of any particular

state of the United States, as aforesaid, with force and arms, and so forth, from the care, custody and possession of the said Hugh Pigot, piratically and feloniously did run away with (he the said William Brigstock, otherwise called John Johnston, a citizen of the state of New-York, one of the United States of America, as aforesaid, then and there being a mariner, to wit, the boatswain's mate of the said armed frigate or vessel, and in and on board the same on the high seas aforesaid) against the peace of the United States, and against the form of the statute in such case made and provided.

LUCIUS HORATIO STOCKTON, }
Attorney of the United States, for the }
New-Jersey District.

Circuit Court of United States, }
Middle Circuit, New-Jersey } ff. BY the special com-
District. } mand of the President
of the United States, a *nolle prosequi* is entered on
this indictment, the twenty-eighth day of June,
A. D. 1798.

LUCIUS HORATIO STOCKTON,
Attorney of the United States for the
New-Jersey District.

I CERTIFY the foregoing, together with the indorsement on the back hereof, to be truly copied from the original indictment remaining on file in my office.

ROBERT BOGGS,
Clerk of the said Court.

March 1st, 1800.

COPIES OF HABEUS CORPUS.

Answer and Commitment.

- Middle circuit court of New-Jersey district, ss.
- The president of the United States of America, to the keeper of the common goal or prison of the county of Middlesex, in the New-Jersey district, greeting: You are hereby commanded, that the bodies of William Brigstock, alias John Johnson, Johannis Williamson, alias Johan Jacob Williamson and Michael Campbell alias John Evans, in your prison detained; as is said, under a safe and secure conduct, together with the day and cause of their caption and detention, by whatsoever names they may be called, in the same you have before the justices of the circuit court of the United States, at the circuit court now holden before the justices aforesaid at Trenton; in and for the New-Jersey district on Thursday the fifth day of April instant, to do, receive and submit to, what the said justices shall then and there consider concerning them and each of them in this behalf: and have you then and there this writ. Witness, Oliver Ellsworth, Esqr. chief justice at Trenton, the second day of April, in the year of our Lord one thousand seven hundred and ninety eight.

R. BOGGS, Clk.

L. H. Stockton. District Attr.

ANSWER.

The answer of Peter Keenon, the keeper of the common gaol or prison of the county of Middlesex in the New-Jersey district to the writ whereunto this schedule is annexed.

The bodies of William Brigstock alias John Johnson, Johannis Williamson, alias Johan Jacob Williamson, and Michael Campbell, alias John Evans, the persons in the same writ named. I have before the court at the time and place within mentioned, for the

purposes therein contained, and the day and cause of their caption and detainer, I do hereby certify to be contained in the warrant of commitment hereunto annexed. Witness my hand this fifth day of April, An. Dom. 1798.

P. KEENON.

COMMITMENT.

L. S. State of New-Jersey } ff. The state of New-Jer-
city of Perth Amboy. } sey, to the marshal of the
said city, and to the keeper of the goal at New Brunf-
wick in the county of Middlesex greeting: Whereas
Johannis Williamfon, John Johnson and Michael
Campbell, mariners on board the brig relief, now ly-
ing in the port of Perth Amboy aforesaid, have been
arrested for suspicion of felony by them, as it is said,
committed, in feloniously murdering on the high seas,
the captain and other officers of his Britannic Majesty's
ship the Hermione, and together with the rest of the
crew of the said ship piratically delivering up the said
ship Hermione to the officers of the king of Spain, now
at war with his said Britannic Majesty—And Whereas
it is stipulated in the treaty of amity and commerce be-
tween the United States and Great Britain, that per-
sons committing murder or piracy in one of the said
countries or within its jurisdiction, shall not receive
protection or refuge in the other.

We therefore command you the said marshal forth-
with to convey and deliver into the custody of the said
keeper of the goal aforesaid, the bodies of the said
Johannis Williamfon, John Johnson and Michael
Campbell, and you the said keeper are hereby requir-
ed to receive the said Johannis Williamfon, John John-
son and Michael Campbell into your custody in the
said goal, and them safely keep until they are deliver-
ed by due course of law, or removed by the proper
authority. Given under our hands and seals at Perth
Amboy in the county of Middlesex, the tenth day of
March, An. Dom. 1798.

ANDREW BELL, Recorder.
JOHN RATTOONE, Aldr.

I certify the foregoing to be truly copied from the original habeus corpus answer, and commitment, remaining on file in my office. March 1st 1800.

ROBT. BOGGS, Clk.
of the said court.

Circuit Court of United States New Jersey District.

Copy of Minutes.

I certify the within to be truly copied from the Minutes of the Circuit Court of the United States, in and for New Jersey District.

ROBERT BOGGS,
Clerk of said Court.

March 1, 1800.

COPY OF MINUTES.

Circuit Court of the United States, holden at Trenton in and for New-Jersey district on wednesday the fourth day of April, in the year of our Lord one thousand seven hundred and ninety eight.

Present the hon.

Samuel Chace, esquire, one of
the Justices of the supreme court.
Robert Morris esquire,
District Judge.

The United States,
vs.

William Brigstock,
alias John Johnson,
Johannis Williamson,
alias John Jacob Wil-
liamson, and Michael
Campbell, alias John
Evans.

} The defendants being confined
on a charge of piracy, in the
common goal of the county
of Middlesex; on motion of
the district attorney, ordered
that a Habeus Corpus, do
issue, directed to the gaoler
of the said prison command-
ing him to bring into this
court, the bodies of the said defendants.

17
Thursday 5th April, 1798.

Frances Martin, sworn as a witness to go before
the grand jury.

Friday, 6th April, 1798.

The grand jury came into court, and being called
over, they all appeared, and being asked if they had any
thing to offer to the court, they presented the follow-
ing bills of indictment,

The United States,	}	Indictment for murder on the High Seas.
vs.		
William Brigstock,		
otherwise called John Johnson,		

The United States,	}	Indictment for piracy.
vs.		
The same.		

The United States,	}	Indictment for piracy.
vs.		
William Brigstock,		
alias John Johnson,		
John Evans, alias Mi- chael Campbell, Joan- nes Williams, alias Joannes Williamfon.		

The court being informed by the district attorney,
that a traverse jury will be wanted to try several crimi-
nals, on indictments for Capital offences, ordered that
one be legally summoned accordingly.

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Monday, 9th April, 1798.

The United States,
vs.
William Brigstock,
alias John Johnson,
John Evans, alias Mi-
chael Campbell, Joannes
Williams, alias
Joannes Williamson.

Indictment for piracy.
On motion of the district attorney, ordered that the prisoner be set to the bar that the marshal return the venire in this cause, and that the trial thereof come on — Whereupon the following

persons, after all challenges, were sworn and affirmed on the jury, viz.

- | | |
|------------------------|-------------------------|
| 1 Ellet Tucker | 7 John Bellerjeau, Jun. |
| 2 John Morris, Jun. | 8 Samuel Bellerjeau, |
| 3 Albemarle Collins, | 9 William Smith, |
| 4 Joshua Newbold, afd. | 10 Joseph M'Culley |
| 5 Joseph Brumley, | 11 Enoch Cook, |
| 6 Smith Hill, | 12 Mahlon Reed. |

For United States.	For the Defendants,
LUCIUS H. STOCKTON,	Samuel Leatre and } coun-
District Attorney.	Aaron D. Woodruff } fel.
William Griffith, counsel.	Witness for Defendants
Witness	Samuel Lay, Ann Huet
Frances Marten, Sworn.	John Bayley, Robert Boggs
	Richard Soderstrom,
	Thos. Lowrey.

The counsel summed up to the jury, and Judge Chace charged them, when they withdrew to consider of their verdict, with a constable sworn to attend them.

Court adjourned for an hour, and met again pursuant to adjournment.

The jury came into Court, and being called over, they all appeared, and being asked if they had agreed on their verdict, they said they had, and by their Foreman, Ellet Tucker said they found the prisoners at the Bar, William Brigstock alias, John Johnson, John Evans alias, Michael Campbell, and Joannes Williams alias, Joannes Williamson, and each of them, not guilty of the charge whereof they stand indicted respectively, and so they said all.

14
The Court order, that William Brigstock, alias John Johnston, be committed to the safe and close custody of the Marshal of the District, there to remain, until thence delivered by due course of Law.

In October Sessions 1798, Present the Honourable William Cushing Esq. one of the Justices of the Supreme Court; Robert Morris Esq. District Judge.

The United States } On indictment for murder.
of America, } I will no further prosecute the
vs } above indictment.
William Brigstock. } LUCIUS HORATIO STOCKTON,
Attorney of the United States for
the New-Jersey District.

The United States of America, } On indictment for
vs } murder.
William Brigstock, } I will no further
(a citizen of the United States.) } prosecute the a-
bove indictment.
LUCIUS HORATIO STOCKTON, Attorney of the
United States, for the New-Jersey District.

Notice to the Marshal, to discharge Brigstock.

Circuit Court of the United States; Middle Circuit, New Jersey District.

The United States. }
vs. }
William Brigstock, } On Indictment for Murder.
otherwise called }
John Johnston. }

The United States. }
vs. }
William Brigstock, } On Indictment { On two
otherwise called John } for piracy. { Indictments.
Johnston, (a Citizen }
of the United States.) }

Sir

15

Take notice that in obedience to the special command of the President of the United States, I have this day entered a *nolle prosequi*, on each of the above Indictments, and that it is the pleasure of the President of the United States, that the prisoner be discharged from your custody; and from answering further, or from being further held on the above indictments, or either of them. Dated at Trenton this 28th. of June A. D. 1798.

I am Sir, Your Obedient Servant.

To Thomas Lowry Esqr. }
Marshall of the district of N. }
J. or Thomson Stelle, Esq. }
one of his deputies, or to the }
keeper of the common pri- }
son in the city of New Brun- }
swick in the district of New }
Jersey, or to any or either of }
them. }

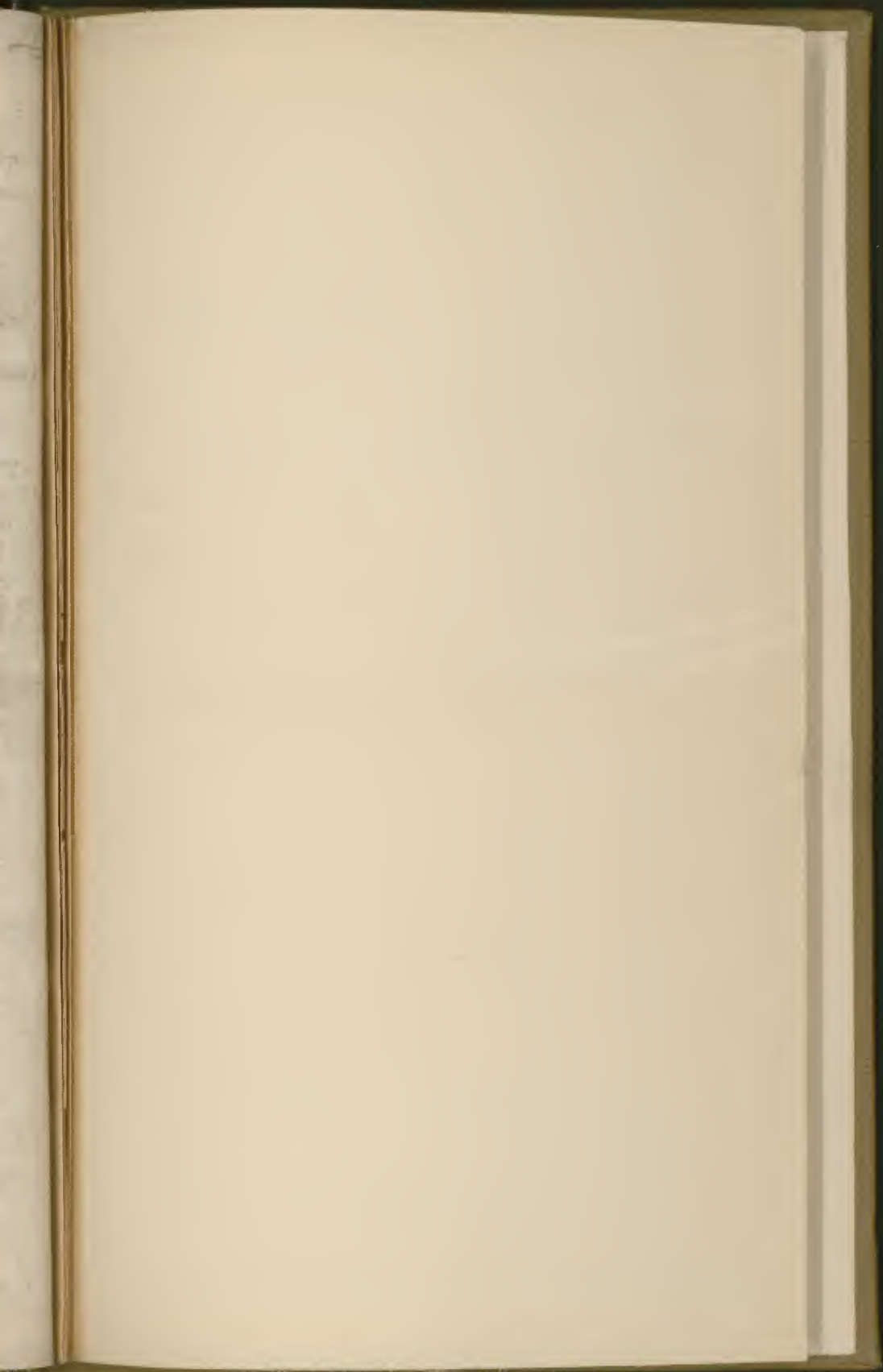
LUCIUS HORATIO
STOCKTON, Attorney of
the United States for the
New Jersey district.

I certify the above to
be a true copy of a notice
remaning on file in my
office.

ROBERT BOGGS, Clerk
of the said Court.
March 1st. 1800.

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