

THE ~~PIRATE~~ PIRATE

It was after 7 p.m. and dark when I knocked on the front door of the house. All the wooden shutters along the front verandah were closed down, though I noted that there was a light at the back of the house. I heard the noise of slippers feet within and some metallic and other noises which I could not identify behind the door. It was suddenly thrown open to reveal a little European man, holding a single-barrel 12-bore shotgun; I noted that the hammer was cocked and his forefinger ominously curled round the trigger; the gun was pointed straight at my stomach.

"Wha's there ?" he thundred in a voice with a strong Glaswegian accent.

Nonplussed, indeed unnerved, at this somewhat strange and utterly unexpected welcome, if such indeed it can be so described, I was momentarily speechless; whereupon the little man spoke once more in tones in which anger, apprehension and tension seemed to be equally mixed:-

"Whae the de'il are ye, and whit y're daein' here the noo ?"

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It was the height of the season of the strong westerly gales, and, although the last one had just subsided, it had been a most uncomfortable journey in the Government yacht heading southwards from Tarawa and bound for Funafuti in the Ellice Islands. The strong westerlies, in conflict with the easterly current, had caused a rough and confused sea which had not yet subsided. The yacht had been burying her bows in it, and rolling heavily at the same time, thus giving rise to a most unpleasant corkscrew motion. The slightest degree of rest or relaxation was quite impossible, and literally all one could do was to sit in the lounge and hold on to one's seat or the table with both hands.

After passing the island of Maiana, the yacht's diesel engine had broken down, as a result of which the master decided to head for the next island to the southwards, Abemama (almost on the Equator), find some kind of anchorage there if possible (though it was unsafe to enter the passage into the lagoon after dark), and endeavour to effect repairs to the engine before proceeding on our way. In the sea conditions prevailing, the chance of getting any sleep was out of the question. Further, it seemed to me as though it would be a long while before I would be able to visit Abemama (in fact I never did so again), and there were what seemed to me to be two good reasons why I was keen to do so now.

We were unable to locate any holding ground for a while but we finally succeeded in finding a tentative anchorage about 6.30 p.m. By then I had packed a bag with sufficient kit to enable me to spend the night ashore, plus a bottle of whisky. I managed to get ashore in the ship's dinghy, though not without a wetting. Stopping on the beach just long enough to swallow a generous tot of the whisky, I set off up the narrow track to where I knew the village was located. Though the sea conditions had been boisterous enough, the weather ashore showed the tropics at their best; the wind had dropped to a gentle zephyr, the temperature was a beguiling warmth, and the sky was like a cloak of black velvet on which a giant had amused himself by throwing a few handfuls of stars upon it.

I knew that the house of the man I wished to meet - my first reason for visiting Abemama - was near the village and so it proved; for, after walking for some twenty minutes during which I met no one, I reached the house to be accorded the reception I have already described.

It was the residence of one George McGhee Murdoch, the most famous old-timer in the Gilbert and Ellice Islands Colony. He had spent over fifty years in the Colony and I hoped that he might, despite his odd welcome, be willing to reminisce and that I could learn something from his vast fund of local knowledge and very varied experiences.

After I had identified myself as the recently appointed Cadet Officer to the Colony Service, and declared myself to be a fellow Scot even though I could not match his accent, he called me closer and for what seemed an age thoroughly scrutinized me from top to toes. Meanwhile I in turn was able to inspect him. He was a little man, though of wiry physique, with sandy hair turning largely grey. He had a somewhat prominent nose and a small bristling moustache, above which were set pale blue eyes below bushy eyebrows. He gave an impression of firmness and competence, though he was clearly worried at my unexpected visit for reasons which I could not then conjecture.

However, after his meticulous inspection and greatly to my relief, he lowered and unloaded his gun (the metallic sound which I had heard earlier was him loading the gun) and slung it by its strap on the back of the door (which accounted for the other sounds I had heard before the door was opened). He finally murmured "Y're nae him" - a remark the significance of which I did not understand until later that evening - and cautiously invited me to enter the house.

I apologized for calling upon him at such an impossible hour, at the same time explaining the misfortunes with which we had met thus far in our travels. With the help of the bottle of whisky, however, his tension slowly relaxed, and I was able to persuade him to tell me something of his life and experiences during the past fifty years, of which the following are the highlights. Born at Greenock in 1857, he was a sickly child who developed serious lung trouble just before attaining his teens. At the early age of twelve, it was felt that a long sea voyage might do him good, so in 1870 he managed to get employment as a captain's boy on a barque sailing for New Zealand. Arrived there however, he deserted the ship in Auckland. He spent some months there but I could not persuade him to talk about it. However, in 1871, he found a job as a captain's boy in a barquentine trading up to the Marshall and Gilbert Islands. In the latter Group, on the island of Maiana, he was befriended by a Yorkshireman, who traded there, and who took him into his own house, dosed him heavily with sharks' liver oil until his lung trouble vanished, and taught him the elements of trading and book-keeping. At twenty he married a Maiana girl (he was thrice married), and at twenty-five he set up business on his own account, but fired with ambitions to do even better. He therefore approached Tem Binoka, the absolute monarch of the three adjacent Gilbert Islands of Abemama, Kuria and Aranuka. Hitherto Tem Binoka had fought shy of all Europeans, whom he feared - not without some justification - were either merely concerned to report him to visiting warships for his cruel, murderous and despotic ways, or to siphon off for themselves the rich profits from his slave-run copra estates on the three islands. Murdoch was, however, much too shrewd to adopt the usual European approach. Instead, he became in effect the factor for Tem Binoka, organizing his estates and trading and shipping activities - and earning a fair commission thereon - whilst at the same time acting as agent in all matters between the monarch and visiting warships, whalers, traders and others. But, though he met Robert Louis Stevenson during the latter's visit to Abemama in 1889, there must obviously have been some clash of personalities since Murdoch refused to discuss their meeting. In 1892, he sailed to

Guatemala in a ship which had visited the islands and recruited Gilbertese labour for service in that country, and did not return to the Gilbert Islands for two or three years. Following on the establishment of the British Protectorate over the islands in 1892, he left the service of Tem Binoka and joined the Government Service as District Agent and Tax Collector. Thereafter he became instrumental in introducing throughout the islands a system of native administration and native courts which, remarkably, endured for some five decades. He rose steadily in the Service throughout the years to become a District Officer on a very modest stipend, and the climax of his career came in 1912 when he occupied for a year the post of Resident Commissioner - thus rising from being a sickly and peniless waif on the streets of Auckland at the age of fourteen to becoming, even if only temporarily, the head of the Colony Administration at the age of fifty-five years, which seemed to him the ultimate pinnacle of success.

Would that there was time and space for me to record here the numerous anecdotes and pen portraits of Government officials, naval officers, missionaries, traders, Gilbertese leaders and others drawn from his half century of service and which he told me that night; they would amply suffice to fill a book in themselves, whereas my present task must now be to tell a story. And, if the first part is to sketch a pen portrait of George McGhee Murdoch, the second part is based on his outline account of the most notorious crime ever associated with those islands, in which he played a modest part and which provides the title for this story. Indeed, my second reason for wishing to visit the island of Abemama was not merely to meet George Murdoch but to learn from him all I could of this amazing crime.

The bottle of whisky was almost empty and the night was far spent before we finally sought our beds.

On my return to the yacht the following morning, and for several days thereafter, I spent much time on that vessel, which continued to behave like a bucking bronco, in endeavouring to record as much of the story as I could remember, though fortunately I was later able to undertake some research which enabled me to fill in many of the details. But, alas, it was never possible for me to check any of the story with George Murdoch who died quietly on the island of Kuria on the 19th September, 1936 - the year following my visit.

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And so to the story of "The last Pirate?".

On the 24th January, 1908, two schooners lay at anchor in Abemama lagoon - the auxiliary schooner "Laurel", whose master was one Frederick P. Malcolm and whose engineer was one Thomas Frederick Dunn, and which was engaged in trading between Fiji and the islands; and the "Louise J. Kenny" of 150 tons, whose master was Isaac Handley (a Liverpoolian, who was cruelly murdered by the Japanese in Tarawa in 1942), and whose supercargo, in charge of all the trade goods and currency on board the vessel was one Henry Lionel Bradshaw.

At about 9 a.m. Captain Malcolm noticed from his cabin door the two masts of a fore-and-aft schooner but with no sails set; the vessel was on the weather side of the island, and he at once concluded that she was either stranded, or anchored to save herself from drifting on to the reef or ashore. Accordingly, he ordered the "Laurel's" launch to be lowered and he and the engineer started for the scene. There they found a fine American built two-masted schooner of about 50 tons hard and fast on the weather reef.

At about the same time, Bradshaw, who had been up the rigging of the "Louise J. Kenny", had also noticed a vessel "rocking on the outside reef", and persuaded his captain to lower a boat and proceed to investigate. He also noted that the "Laurel's" launch was on its way to investigate. When they neared the vessel, they saw that she was hard and fast on the reef; she lay on her starboard side on the reef with her bilge stove in, her false keel gone and her rudder and transom carried away. A roughly rigged-up yard was crossed on the foremast. But the strong north-easterly winds then prevailing made it seem likely that the vessel would be driven even further on to the reef and ultimately become a total wreck.

Dunn was the first to reach the stranded schooner which was so far up on the reef that he was able to wade out to her. His captain meanwhile waited in the launch. Arrived at the schooner, Dunn was met by a man who lowered a rope over the side and hauled him aboard. The man asked Dunn what he thought of the position as regards the ship and when Dunn asked him how she came to be on the reef the man replied that "the ship was in stays and, coming around, had missed stays and went on the reef". Dunn then asked who the captain was and the man said that he was and, on enquiring further as to the crew, the man pointed to another younger man on deck and said that there only the two of them. He added that they had come from Valparaiso, which had taken them 19 days. (As the distance is some 7,000 odd miles, this was a ridiculous assertion). He said that they were bound for Tahiti.

The man then enquired what island they were on and the name of the Group. He said that he intended having the vessel registered in Tahiti and trading there. When asked if the vessel was registered at Valparaiso, he said "no", and when asked for the clearance papers from Valparaiso said that they had none. In reply to a further question, he said that he had no flag but "supposed that a man could fly his own flag". When asked by Dunn the name of the vessel, the man said that it had no name. He added that he had bought the schooner in Valparaiso. Whilst Dunn was questioning the man, Captain Handley came aboard. Dunn then went into the hold and examined the deck galley and other parts of the ship. There was no cargo on board, though he observed pieces of charcoal floating about in the hold. He also observed the wheel cap with the name "Valparaiso" on it. He noted that the two men always kept together and that their demeanour towards each other appeared very friendly; nevertheless the younger man always had very little to say and the talking was done mostly by the elder man. Dunn offered to render any assistance necessary but the man did not think it was worth while trying to get the schooner off the reef as she was stove in. Dunn then left the ship and returned to the launch and reported to his captain.

Bradshaw arrived on board just after Dunn's departure, and Captain Handley took him aside, saying "This seems a fishy business". Bradshaw spoke with both men, but said that the older man did most of the talking, and the other only spoke when asked leading questions by the older man. The latter said that they had come from Valparaiso and had intended going to San Francisco; they then changed their minds and decided to go to Tahiti; but, changing their minds again, they decided to go to Brisbane where they hoped to get a cargo. The older man said that he had not been to Australia before but that the younger man had; the latter when asked where he had been before replied "Bombay". The older man said that he owned the vessel though his companion had a share in it; a man in Valparaiso had lent him the money to buy the vessel, but he could not recall the man's name. When asked what they

navigated by the man replied that they had a chart. The chart, a folding one, was later produced at the trial, and Bradshaw identified it since the man stated that the chart was supposed to show the weather, yet they had met with a gale which was not marked on the chart. Whilst on board, the man gave Bradshaw a cigarette with the name "Callao" on it which the latter thought was somewhat odd as the man claimed that they had come from Valparaiso. The man stated that they had left Valparaiso in October, that his name was Taylor and that he came from Manchester; the other man was Jackson, a London Cockney. When Bradshaw asked to see the ship's papers, the man evaded the question and no papers were produced. He also said that he had no clearance. For navigation, he said that he used the sextant but it was "so loose that he could only get one position on it" and he had no chronometer. He said that they had been caught in a gale when a sail was partly carried away. However, instead of "letting the ropes go, they took a hatchet and chopped away the sail". Bradshaw then examined the decks and the hold, the latter being awash with water with peices of coke floating in it. Before leaving the ship, he went round her and saw the name "White Rose" on the stern. The ship was painted a "dirty white".

At the subsequent trial, Bradshaw deposed that the "Louise J. Kenny" had been trading in the Gilbert Group for about six months and that he had on board in the safe about £800 in coin and currency notes.

That evening Dunn, in company with the mate of the "Laurel", one Burns, again visited the stricken ship at his captain's request in order to invite Taylor and Jackson to breakfast aboard his ship. Burns asked Taylor how he managed to navigate and whether he had a sextant. Taylor replied that he did possess a sextant but he thought it was broken as he "could never get it to register more than 117°". Burns also asked Taylor if he had a chronometer. Taylor said that they had not, but they had an 8-day clock "which was just as good".

Bradshaw again visited the ship that evening, but found that Taylor and Jackson had gone ashore, where board and lodging had been provided for them by the local native government authorities. As the tide was out, Bradshaw walked round the vessel and saw the name "White Rose" painted on the stern, but nowhere else on the vessel. But it was also painted on the dinghy where it looked as though the original name of the vessel had been painted over. Bradshaw then visited the village where Taylor asked him if he would buy the vessel, but Bradshaw refused. Pressed further by Taylor to buy items such as anchors, chains, etc., off the vessel, Bradshaw again refused. The native magistrate asked Bradshaw if he would take Taylor and Jackson to Tarawa in the "Louise J. Kenny". Bradshaw said that they were not going direct to Tarawa, but via the island of Tabiteuea, but that, if the native magistrate was prepared to pay the extra passage money, he would take them, and this was agreed.

At breakfast next morning on the "Laurel", Captain Malcolm asked the two men their names and was told that the older one was John Taylor of Manchester and the younger one G. Jackson of London. Taylor said that he was 24 and Jackson was 19. Taylor reiterated that they were bound for Tahiti, but Captain Malcolm was sure that they were in complete ignorance of their whereabouts, not even knowing the Group they were in. Captain Malcolm then remarked that their vessel had no name painted on her, to which Taylor replied very hesitantly "We were going to call her "White Rose"; she used to be called "Pulche" of Valparaiso". He added that they had left Valparaiso on the 10th October and that he had bought the vessel from a Mr. Usshley there. Captain

Malcolm then said that he presumed that they had a ship's register, but Taylor said that the late owner had refused to part with it. Captain Malcolm finally asked if they had a clearance from Valparaiso, but Taylor replied that they had not. After breakfast, Taylor asked if he and his companion might write some letters, and this request was readily agreed to. Afterwards Taylor asked the captain to give them passages to Fiji in the "Laurel", but the latter was unwilling to accede to this request. Taylor and Jackson then left the "Laurel", which sailed for Fiji at 10 a.m. on the 29th January.

During the next few days, sails, running gear, anchors, chains and other similar moveable items were taken ashore, listed, and placed in a Government store by the native magistrate for safe keeping. Taylor's effects, which were contained in a sea-chest, a box of books and documents, and several bags, were then collected in his presence and taken off the wreck; those, together with certain other items which later formed important exhibits at the trial, viz. a gun, three pieces of canvas cut from the squaresail, mainsail and the jib, the sternboard and the wheel cap were all shipped aboard the "Louise J. Kenny" before her departure from Abemama on the 6th February. The vessel carried Taylor and Jackson as distressed British seamen. It reached the island of Tabiteuea four or five days later and spent some days trading there.

The only Europeans on board the schooner were the captain, the supercargo and the steward. In addition, there were a small number of native labourers. As already mentioned, the supercargo was carrying some £800 on board at that stage for trading purposes. Taylor discovered that a large sum was held on board, possibly through one of the natives, and told Jackson that, if he could get hold of the captain's revolver, he planned to seize the schooner. It has already been mentioned that Taylor kept Jackson under close observation, and almost always within earshot, at all times, and that he almost always spoke on their joint behalf. Jackson, however, unbeknownst to anyone else, and possessed of knowledge of the most appalling happenings which had taken place earlier on the "White Rose", was in a constant state of terror, Taylor having already told him bluntly that, if he disclosed such knowledge, he would kill him without mercy. From what had occurred previously, Jackson had little reason to doubt this threat. Taylor's plan to seize the "Louise J. Kenny" must therefore have heightened Jackson's terror of him. For this was no commonplace piracy.

It was not, however, until one day at Tabiteuea, when the steward said to him that it was "very funny just the two being alone on board the "White Rose", that Jackson made the momentous decision to make a clean breast of everything. Despite Taylor's almost constant observation, Jackson managed to tell the steward, though only in odd snatches, of his terrible knowledge and his personal predicament. The steward thereupon told Captain Handley. The latter, who had already visited the "White Rose" and met Taylor and Jackson, must as a thoroughly practical and experienced sailor have been highly suspicious of Taylor's account of himself, of his antecedents, and of his obvious ignorance of navigation and all marine matters. The story of Jackson, whose real name it appeared was Frederick Skerritt, whilst Taylor's was Joseph Mortelmans, therefore merely served to confirm the captain's worst suspicions of Taylor (henceforth referred to by his real name).

As a result, Captain Handley made the following entry in the ship's log:-

" GILBERT & ELLICE ISLANDS PROTECTORATE.
Tarawa,
February 15th, 1908.

COPY OF EXTRACT FROM OFFICIAL LOG OF "LOUISE J. KENNY".

Tabeteuea.

13/2/08.

A serious allegation made to me I.R. Handley, Master, against John Taylor, alias Joseph Mortimer (sic), by a fellow passenger, Fred Skerritt, to wit that the said John Taylor, alias Joseph Mortimer (sic), murdered the Captain and Boatswain on the vessel they were wrecked in at Abemama. Fred Skerritt further declares that he moves about in momentary dread of his life, John Taylor, alias Joseph Mortimer (sic), having threatened to murder him if he failed to keep his own council (sic). Inferring from this information and my own observations that the said John Taylor, alias Joseph Mortimer (sic), is a menace to the ship's company, I at once placed him under arrest till such time as I can hand him over to the authorities at Tarawa, where he was getting forwarded as a distressed seaman by the Native Government of Abemama.

15/2/08.

Having this day read over the proceeding (sic) entry to John Taylor, alias Joseph Mortimer (sic). Result nothing to say in answer.

1.30 p.m. Signed I.R. Handley. Master.
Tarawa. Signed J.M. Ravelli. "

A guard was also placed over the cabin in which Mortelmans was confined until such time as the ship arrived at Tarawa.

Shortly after arrival, Captain Handley and his supercargo proceeded ashore and the captain informed the acting Chief of Police, who was then George Murdoch that, whilst at Tabiteuea with the two shipwrecked seamen on board, one of them, Frederick Skerritt, had made a charge against his shipmate John Taylor, alias Joseph Mortelmans, of mutiny and murder on the high seas. At the same time the captain produced the ship's log in which were recorded details of the charge on the day on which it was made.

In consequence, George Murdoch, accompanied by the Chief Medical Officer, Dr. Robertson, and five native police all armed with revolvers, boarded the "Louise J. Kenny". Murdoch informed Mortelmans that he was arresting him on the combined charge of piracy and murder on the high seas. Mortelmans offered no resistance, however, and he was then handcuffed and placed in leg irons. He was then removed ashore and incarcerated in a cell in the local gaol. His effects were placed in the office of the Resident Commissioner (the head of the Administration) for safe keeping. Skerritt also proceeded ashore but was permitted to be at large on the Government station on parole.

It was unfortunately not possible to initiate judicial proceedings at once as the Resident Commissioner (Mr. W.T. Campbell), who was the only officer qualified to hold the preliminary inquiry into a case of this nature, was absent from Tarawa in Ocean Island and, whilst it proved possible for Murdoch to advise him of the case by letter dated the 17th February, it was not possible for the Resident Commissioner to find a vessel to take him to Tarawa.

In that letter, George Murdoch wrote inter alia as follows:-

"...John Taylor alias Joseph Mortimer (sic) by his general demeanour and actions has led us to believe that he is a dangerous criminal; I have therefore taken every precaution for the safe keeping of this man and have appointed Mr. Thomas night watchman at Betio Gaol. Taylor or Mortimer (sic) is handcuffed and ironed; he is a powerfully built man of about 30 years of age. ...I would respectfully beg to suggest that it would be advisable if you can find it convenient for you to come over as early as possible, as the accused has not yet been formally charged; he appears to be a very dangerous man and required constant watching".

He also forwarded a copy of a statement made by Skerritt before himself and Dr. Robertson, giving details of his earlier meetings with Mortelmans, and of the horrific occurrences aboard the "White Rose".

The Resident Commissioner arrived at Tarawa on the 6th March and immediately instituted the preliminary inquiry into the allegations made by Skerritt, Mortelmans being charged as follows:-

" CHARGE.

George McG. Murdoch, Acting Chief of Police, Betio, Tarawa, Gilbert Islands, charges that:

On or about the twelfth day of November 1907 at sea the above-named John Taylor alias Joseph Mortimer did unlawfully assault wound and drive overboard Melis Nicolino and another whose name is unknown, the Master and Mate respectively of the Schooner "Nueva Tigre" or "White Rose" and seize the said Schooner "Nueva Tigre" or "White Rose" ".

The inquiry lasted two days, during which Skerritt made a fairly lengthy deposition on oath. At the conclusion of the proceedings on each day, Mortelmans was asked whether he wished to ask the deponent any questions or make any statement but, somewhat oddly, he replied in the negative. Further, asked by the Court at the conclusion of the evidence given by Skerritt, whether he wished to account for how he and Skerritt came into possession of the schooner, or to answer any questions in that respect, Mortelmans again replied in the negative. At the conclusion of the inquiry, the Court ordered that Mortelmans be removed to Fiji there to undergo trial in the Supreme Court for piracy. The Resident Commissioner sent full details of the case to the High Commissioner for the Western Pacific in Fiji.

In relating this story I have, at this stage, had to decide whether to include here the greater part of the statement made by Skerritt on the 17th February to Murdoch, or of his deposition at the preliminary inquiry. After carefully studying the material, however, I have decided against doing so since, on a careful reading, it is noted that virtually all the material is included in the evidence which Skerritt later gave before the Supreme Court in Fiji at the trial of Mortelmans there, and it would be unduly repetitious and tedious for the reader to have to peruse all three statements which are substantially the same.

Arrangements were then made to send Mortelmans to Fiji on the s.s. "Muniara" in the custody of Mr. Cogswell, Chief of Police, and a suitable escort, together with many items which had been removed from the "White Rose" and which were to figure as exhibits in the trial of Mortelmans in Fiji. They are too numerous to list here, but those of major importance receive mention at the appropriate point in the record of the trial. Skerritt travelled to Fiji by the same vessel.

The s.s. "Muniara" called at Abemama on the 14th March en route to Fiji, in order that the Chief of Police might inspect and report upon

the wreck. Excerpts from his report are as follows:-

"The schooner lies on her starboard side, with the bilge stove in and false keel gone, and rudder and transom carried away. The vessel bears evidence of having had a coat of white paint over an original green...on the stern board of the vessel the name "White Rose" is painted on the spot where a previous name plate had been removed, but no port of register has been painted on the spot where the previous name plate appears to have existed. It is not possible to remove the planks with the name on as it is painted over heavy timbers and would require shipwrights' tools to carry out the work. I removed the brass cap from the wheel of the schooner which bears the name of "Puelche", Valparaiso. However, I do not place much importance on this as the wheel and fittings, together with the gearing, appear very much older than the vessel, and suggest that these have been taken from some older vessel.... The schooner's 14 ft. dinghy was stored ashore in the court house. I have removed the tuck (stern board) which bears the name "White Rose" painted over the name "Nueva Tigre", Callao, which was quite distinct under the white paint. From the squaresail, main-sail and jib I have removed a piece of canvas bearing the maker's name. There are no official numbers on the hatch beams or elsewhere on the vessel by which she could be identified. In conclusion I would state that the schooner bears evidence of having been hurriedly discharged and disguised, but there is no local evidence of the alleged murders".

The s.s. "Muniara" reached Fiji at the end of March and Mortelmans and the exhibits were there handed over to the police.

On the 1st April, the High Commissioner, in Fiji, addressed the following telegram to the British Consul-General in Callao:-

"Schooner "Nueva Tigre" said to have left Callao about 10th November last year for Pisco, has been wrecked on Abemama, Gilbert Islands; two survivors now in Fiji - cook John Taylor alias Joseph Mortimer alias Mortelmans believed to be Belgian and sailor Skerritt Englishman. Other two members of crew Captain Nicolino and Mate name unknown, both supposed Italians, said to have been murdered or forced overboard by Taylor not far from Peruvian coast and ship headed for Australia. Informer Skerritt supposes that mate may have reached shore. Can you ascertain and inform me by telegram of any particulars of corroboration or otherwise of above".

The British Consul-General in Callao replied by telegram three days later as follows:-

"Peruvian schooner "Nueva Tigre", Captain Nicolas Melis, crew Juan Boster and two others sailed from here 18th November; since then no information has been received. Supposed that vessel had foundered immediately after leaving".

Two days previously the High Commissioner had notified the Secretary of State of the case in the following terms by telegraph:-

"Resident Commissioner Gilbert Islands has sent for trial Supreme Court Fiji under Pacific Order in Council John Taylor alias Joseph Mortimer or Mortelmans claiming to be Englishman but more probably Belgian charged piracy and murder on schooner "Nueva Tigre" of Callao Peru but said to have been sailing under Italian flag and to have had on wheel name Puelche Valparaiso. Schooner left Callao on or about 10 November last year with crew of four viz. Captain Nicolino Mate name unknown both supposed Italians and also accused and Englishman named Skerritt. Last named alleges Taylor murdered Captain and mate about 14 miles off some islands off Peruvian coast and then forced Skerritt to help in heading

"schooner for Australian coast till wrecked on Gilbert Islands. Wreck has name "White Rose" painted over previous name and no port of register or official number.....I am offering prisoner means of legal defence...".

The High Commissioner followed up the above-quoted telegram with a lengthy report on the facts of the case known thus far, dated the 15th April.

The Secretary of State, however, in reply to the above-quoted telegram in which it was stated that it was believed that Mortelmans was of Belgian nationality, ruled in a telegram dated the 16th April that -

"unless there is clear proof that Mortelmans is not a British subject, the case should be proceeded with".

To this, the High Commissioner replied in a confidential despatch dated the 20th April as follows:-

"... there is at present no clear proof, such as would be considered conclusive in a Court of Law, as to the man's nationality. He speaks English fluently, though with a foreign accent; he originally claimed to be an Englishman, though he has since withdrawn this; he has served in many British and I think no foreign ships; we have in our possession a "continuous of discharge" belonging to the man, issued by the Board of Trade (British) from the first entry in which it would appear that at the time that entry was made he gave himself out to be a Belgian; he has more than once stated - and I hardly think he could have invented this - that he enlisted, apparently twice, in the British Army, and got his discharge by intervention of the Foreign Office. On the whole, and after consulting the Acting Attorney General, I can at present only say that there is not clear evidence that he is not a British subject, though there is a presumption that he was born in Belgium. Under these circumstances I have assumed that I am at liberty to proceed against the man...".

After further telegraphic correspondence, the Secretary of State concluded in his despatch No. 28 of the 6th May -

"I gather that Taylor will be tried for piracy jure gentium and the question of his nationality is therefore now indifferent".

Meanwhile, enquiries were made of the United Kingdom Marine Department of the Board of Trade to ascertain further details regarding Mortelmans's service at sea. In a letter dated the 29th April from that Department, it was reported that:-

"...the Continuous Discharge Certificate (No. 420903)...was issued to Joseph Mortelmans, who gave his birthplace as Antwerp, and his age as 21, on his engagement on the s.s. "Kara" at South Shields on the 7th September, 1906, as cook. It appears from the Agreement of this vessel that the man signed in the name of "J. Mortelanz".

In a subsequent letter from the above Department, dated the 13th May, it was stated that -

"they have ascertained that, after leaving the "Kara", Mortelmans was for several voyages on the "Westwood" of Christiania. He then signed on the barque "Glenogil" (Official No. 99360) at South Shields on the 23rd March, 1907, and deserted at Liverpool on the 11th May, 1907, after which date it has not proved possible to trace his movements".

Under cover of his despatch of the 11th July, the High Commissioner forwarded to the Secretary of State photographs and fingerprints of both Mortelmans and Skerritt, and these were sent to New Scotland Yard for possible identification. The Yard reported on the 28th August that search and enquiry had been made to trace the antecedents of Mortelmans but without success. It reported, however, that Skerritt had been identified by his fingerprints as Frederick Jackson, and his criminal record was forwarded to the High Commissioner. It showed him to have been born in London in 1888, thus making his age 20 years at the time of the piracy. His occupation was stated to be that of labourer, and his height 5 ft. 6 $\frac{3}{4}$ ins, with a fresh complexion, light brown hair and blue eyes. He had been convicted on four occasions as follows:-

- on the 19th August, 1904, for stealing £9 for which he was sentenced to 6 weeks imprisonment;
- on the 12th October, 1904, for stealing bread for which he was sentenced to 7 days imprisonment;
- on the 14th November, 1905, for stealing money for which he was sentenced to 3 months imprisonment; and,
- on the 2nd April, 1906, for burglary for which he was sentenced to 6 months imprisonment.

Meanwhile George Murdoch had inspected the wrecked vessel when he visited Abemama in mid-May. He noted that the vessel had been painted white comparatively recently, but that the painting had been done "very roughly", though he could not identify the original colour. He also noted that the name "White Rose" was painted on the stern of the vessel. He made a more profitable visit, however, on the 5th September when he noted that the paint was then becoming weather-worn. The white paint had come away in various places, showing a coat of green paint underneath. He also noted that the name "White Rose" painted on the stern had come away in places, showing a name underneath, though he could not identify the latter with accuracy. A sketch of the vessel in water colours, and a card on which was written "White Rose", "John Taylor" and "George Jackson" were also handed to him by the natives.

On the 1st October, 1908, one Gilchrist Alexander, who was a Magistrate in the Fiji Government Service, but who had been acting as Attorney General, was appointed by the High Commissioner to proceed to Callao to obtain evidence and, if possible, witnesses necessary in connexion with the trial of Mortelmans. Alexander left Fiji on the 6th October by ship for Vancouver, but it was only after a lengthy journey in various coastal vessels that he finally reached Callao. There he was busily engaged with the British Vice-Consul in visiting sailors' haunts in the old seaport and obtaining evidence for the trial of the case. But his time was short. After only a week, he secured passages for himself and two witnesses in the sailing ship "Waterloo", bound from Callao in ballast for Newcastle, New South Wales. They did not reach Suva from Sydney, however, until the 7th April, 1909. Messrs. Cogswell and Murdoch travelled to Fiji by the same vessel.

After a preliminary meeting of the Supreme Court on the 14th April to deal with an application by the Crown for an order of trial and to fix the date of trial, it commenced before the Chief Justice and a jury comprised of Europeans on the 23rd April. Dr. Brough, the acting Attorney General and Mr. Alexander appeared for the Crown and a Mr. H.M. Scott for the accused. Perhaps somewhat surprisingly, the trial lasted only two days.

The first day was taken up with prosecuting counsel's opening address, summarizing the case against the accused, and the calling of three witnesses. George Murdoch testified to his arrest and custody of the accused at Tarawa, and his two visits to the wreck at Abemama. Mr. Cogswell testified to his visit to the wreck, and in particular to the appearance of the removal of a name plate on the stern of the vessel and the rough painting of the words "White Rose" over the vacant place. He also testified to having seen a patent anchor some four feet long which had been taken ashore from the wreck in Abemama, and, finally, to the exhibits which he had brought to Fiji. Inspector Francis testified to the custody of certain exhibits since their receipt in Fiji.

The most important exhibits were as follows:-

A purse containing English and Peruvian gold and silver coins.

A Bank of Italiano deposit slip for £20 for Nicolas Melis.

Three books with the name of N. Melis on the fly-leaf.

Skerritt's note-book and exercise book which purported to be a log of the "White Rose".

Another book which purported to be the journal of the "White Rose" (this and the preceding book being badly spelled and not at all like ordinary log books or journals).

A Board of Trade continuance ticket of discharge showing that Joseph Mortelmans was born at Antwerp in 1885 and had been engaged on various boats as cook or mess-room steward since 1903. Each discharge showed "good behaviour".

Three pocket books, two of which had N.M. embroidered on them.

The crimson lining of a hat or cap with a trade mark and 'Callao' stamped on it.

A document purporting to be a Bill of Sale from Valparaiso of the schooner "White Rose", together with a packet of paper, rubber type outfit, ink pad, etc., suggesting that the Bill of Sale had been prepared by Mortelmans.

A package of accounts.

A rusty chopper.

A parcel of clothing with most of the articles marked with the initials "N.M." or the name Nicolas Melis in full.

A roughly made Union Jack, made from an old Peruvian flag.

A ruler with the name "Melis" on it.

A packet of plain cards, on one of which was written "White Rose", "John Taylor" and "George Jackson".

A package of matches with "LIMA" on the boxes.

A water-colour of a ship with "N. Melis" in the right-hand corner.

A brass wheel, part of steering-gear, on which appeared the word "PUELICHE".

The stern board of the dinghy showing the words "White Rose" painted in red over the words "NUEVA TIGRE".

Pieces of canvas with the names of various Callao makers stamped on them.

At the commencement of the second day's hearing, counsel for the prosecution introduced as exhibits the following documents in Spanish obtained from Callao, to which were attached certified English translations:-

Certificate of Registration of the "NUEVA TIGRE".

Certificate of survey of the "NUEVA TIGRE".

Crew list (containing the names of Captain N. Melis, Joseph Mortimer, and Juan Boster).

Certificate of date of sailing of the "NUEVA TIGRE".

Memorandum concerning the discharge from the Peruvian man-of-war "ALMIRANTE GRAU" of Mortelmans and Skerritt.

Mercantile Pass of the "NUEVA TIGRE".

There now follows the evidence given by the various witnesses for the prosecution. Save in the case of the principal witness, Skerritt, whose evidence is given in considerable detail, that of the other witnesses has been summarized from the record or refers to that already given.

The first witness was one Jose Cafiero, who had been brought from Callao. His testimony may be summarized as follows: in 1902, his father an Italian long resident in Callao, had visited Valparaiso and purchased a schooner for some \$6500. He brought it to Callao, named the vessel "Nueva Tigre", and registered it under the Peruvian flag. The schooner was now worth about £10,000. His father died in 1903 and the schooner was chartered by another Italian in Callao, one Murello, a ship chandler, for £25 per month, which went to the support of his widowed mother and other children. The schooner was used in the Peruvian coasting trade. He knew the schooner, having worked for some months for Murello. He identified the brass portion of the steering wheel with "Puelche, Valparaiso" on it as part of the steering wheel of his mother's schooner. He also identified the darkest red portion of the roughly made Union Jack as part of the Peruvian flag under which the "Nueva Tigre" sailed from Callao on November 18th, 1907. He had never seen her since then. He also identified pieces of canvas cut from the sails of the "White Rose" as bearing the same trade marks as the canvas of which the sails of the "Nueva Tigre" had been made. He further identified a black coat and waistcoat taken from Mortelmans and Skerritt as clothing worn by Captain Melis. Finally, he identified the clock which had been taken from the "White Rose" as that which he knew to belong to the "Nueva Tigre". He said that the schooner was painted green when he had last seen her; that was when he had watched her leave Callao on her last voyage; he then noted four men on her decks - one at the wheel, two hoisting sail and one coiling rope.

In cross-examination, counsel for the accused endeavoured to shake the evidence given by the witness regarding his identification of the canvas, clock, and clothes of Captain Melis, and his sighting of four men on the deck of the schooner when she left Callao. But Cafiero positively confirmed his assertions as to the clock, canvas and clothing. He said that he knew Captain Melis; he did not recognize the men on the deck of the schooner, but was certain there were four and that he could see what they were doing on deck.

The next witness was one Monktele Augustino, who also had been brought from Callao. His testimony may be summarized as follows: he lived in Callao and was employed by Murello, who kept a ship-chandler's establishment. The firm had fitted out the "Nueva Tigre" for her voyage when she sailed from Callao in November, 1907, since which date neither the vessel nor the four men had returned to Callao. He knew the four men who sailed with her on that voyage and recognized Mortelmans and Skerritt as the crew engaged for that voyage. He had seen Mortelmans on several occasions and had once delivered to him a patent anchor and chain for the schooner. He recognized the pieces of canvas cut from the sails of the "White Rose" as being canvas supplied by Murello establishment in Callao. Finally, he identified the end board taken from the dinghy of the "White Rose" and on which that name had been painted in red over the name "Nueva Tigre", as the end board of the dinghy of the schooner "Nueva Tigre".

He was cross-examined regarding his identification of the end board of the dinghy but insisted that he recognized it by its size and shape and the weight of the timber.

Dunn, the engineer of the "Laurel", Captain Malcolm of the "Laurel" and Bradshaw, the supercargo of the "Louise J. Kenny", were then called as witnesses. Their evidence was substantially that already given and recorded in this story, relative to the events at Abemama when the "White Rose" went on the reef. In the case of each of the three witnesses, counsel for the accused questioned them closely as to the apparent relationships between the accused and Skerritt. All said that Taylor had done almost all the talking, but that Skerritt had not contradicted him and occasionally confirmed what he said. Bradshaw said that Taylor and Skerritt appeared to be on friendly terms. He stated on redirect examination, however, that the two men were always together and that he had had no opportunity to talk to Skerritt on his own.

It should be interpolated here that the captain of the "Nueva Tigre" was a captain Nicolas Melis, who was an Italian of excellent character and who had been a Petty Officer in the Italian Navy. The mate was another Italian of good repute named Juan Boster.

The last witness for the prosecution was Skerritt, whose evidence was given in some detail as follows: he testified that his name was Frederick Skerritt and that he was 21 years of age. He had been following the sea for some years. He knew the accused. He had first met him in South Shields on the River Tyne, on the sailing ship "Glenogil". He was a sailor and accused cook on the vessel. They put to sea but the vessel sprang a leak and put into Queenstown, Ireland, whence the vessel was towed to Liverpool. There they left her and signed on the Peruvian cruiser, the "Almirante Grau". The warship arrived in Callao in August, 1907. The keeper of the boarding house where he stayed ashore got him a job on a barquentine. He worked for a month in that vessel and went from Callao to another port, where he left her and walked back to Callao, working at a sugar mill en route to pay his passage the balance of the way back. He did not know where Mortelmans was all that time, and he returned to the boarding house he knew in Callao, where the keeper was Charlie Baker.

He was sitting on a seat in the square one day when Mortelmans came up and said "Hello, how are you getting on?". I said "Alright". He said "Have you got work?". I said "No". He said "Do you want a ship?". I said "Yes". He then told me to come along with him and took me on board a schooner he was on. The name was the "Nueva Tigre". I think the captain's name was Nicolas - I can't remember any other. When we went on board the first time, the captain was not there. We had tea and met the captain on the wharf. Mortelmans spoke to him about me. The captain asked me if I was a sailor; I said "Yes" and went to work for £2.10s. Od. a month. I worked about a fortnight unloading and then loading.

We were supposed to sail on a Sunday, but the captain did not come aboard, and we did not sail until the afternoon of the Monday. Then we sailed with the captain, the mate, Mortelmans and myself on board with a load of coke and sulphate. We had good weather for starting and sailed the rest of the day.

Between 11 and 12 o'clock the next day I was on deck and the captain gave me orders to go below and clear up the forecabin. The mate was cooking when I left the deck and Mortelmans was at the wheel. It was the captain's watch below and he went down.

I had been down 15 or 20 minutes when I heard a cry - a howl - and ran up on deck and saw the mate rushing by me with blood running down his head. He was running towards the forecabin. I asked him what the trouble was but he did not answer me, but ran down into the forecabin. He was bleeding freely.

I ran aft to the cabin and just as I got there Mortelmans hit the captain on the head with a chopper at the cabin door. (At this point the rusty chopper was produced as an exhibit and identified). The captain fell back down the cabin way. I ran up on the coke and could hear them wrestling down below. In a short time the captain ran up past me and said "What's this for, Charlie?" I said "I don't know, captain". I suppose he called me Charlie because he did not know my name. He picked up an iron bar and ran forward, and Mortelmans ran after him with a gun in his hand. There was a small dinghy being towed astern and I began to pull on the rope to get in it because I was frightened. Mortelmans saw me pulling the rope and he came up to me and said "If you don't let go the rope, I will give you the same dose".

He made me go to the wheel and steer due west. I understand the compass and had taken the wheel before, but not on that ship. Then Mortelmans went down into the cabin and got the gun and loaded it on deck. (At this point the gun was produced as an exhibit). "Yes, that is the gun. I know the case because Mortelmans made it on board".

Then Mortelmans went forward and chased the captain overboard with an axe. As the captain jumped overboard, he took the top of the forecastle hatch with him; as he went overboard I threw a plank about six feet long and two or three, or maybe twelve, inches wide. There was no other timber like it on board. I think the captain got the plank. Then Mortelmans tried to shoot the captain in the water, but the gun would not go off.

While this was going on, the mate came out of the forecastle and ran up the rigging as far as the sails. Then Mortelmans with the gun said "If you don't come down, I'll shoot you". The mate said "Oh, Joseph, Joseph save me. I have got a poor old mother on shore". Then when the mate would not come down he said to me "Pick up that iron and go and chase him down". I took the iron bar the captain had had and went up the rigging part of the way and then came down. Mortelmans then went up the other side of the rigging, and I am not sure but I think the mate fainted. He went down along one of the arms and part of the way down the jib stays and fell into the water. Blood was all over the sail and some dropped on the deck. I saw the mate in the water. He swam about 30 feet back past the ship and the water was red with blood. I was going to throw him a plank but Mortelmans would not let me. I was at the wheel and saw the mate sink.

Then Mortelmans came to me and said "Now I have got rid of those two devils and the ship is mine". Then Mortelmans made me clean the blood up off the cabin and deck, and then mind the wheel again while he ransacked the ship and threw a lot of papers overboard. Then he had a sleep in his own bunk as if nothing had happened. When it was getting dark he told me to go and sleep in the captain's bunk. So I went but could not sleep as I was frightened every minute that Mortelmans would come and "do for me".

The next night there were two or three feet of water in the hold and we started to work to dump the cargo overboard. We worked at this for about three weeks. We met bad weather and lost the fore topsail and had to chop it away because we could not pull it in and the vessel was heeled over. When we cut the sail away, the vessel righted herself. We then made a squaresail on the foremast.

One night when I was at the wheel, Mortelmans came up and asked what all the noise was about and said that when he tried to sleep he did not like things rolling about on the deck. Then he took the axe and

walked up to me and stared at me, and then walked away. Another time Mortelmans said that he saw two great white globes like electric lights and he said that he had been going to call me and shoot me with the gun.

Then they went on the reef at Abemama. I recognized two photographs of Mortelmans taken without his beard.

Mortelmans and he had painted the schooner white and had painted the name "White Rose" in red letters on the stern on top of the white paint. Before that the schooner had been the "Nueva Tigre" and painted green. The whole of the dinghy had been painted too. He was positive that the end board of the dinghy produced as an exhibit had belonged to the schooner "Nueva Tigre".

He then identified many other exhibits and said that the document purporting to be a bill of sale had been prepared by Mortelmans and the John Taylor and the George Jackson to whom it was made out was supposed to be the accused and himself. He saw the prisoner prepare the bill of sale and when it was finished he said it was alright.

It is worth pausing a moment at this point to elaborate on this so called bill of sale, before resuming the witness's narrative of events. In preparing the bill of sale, Mortelmans was obviously concerned with the questions which would await him at his journey's end. He would have to explain his possession of the schooner, but had no clearance, no ship's papers, no log, etc. So he set to work to concoct a paper which he imagined would explain everything. But he was an uneducated man and the result of his efforts was so naive that it would inevitably have roused suspicions rather than allayed them. On some ruled paper which he found in the captain's cabin he printed, by means of a blue rubber dye, the following document:-

" Valparaiso, 3 October 1907.
I the undersigned Jose F. Oechsle do hereby declair to forfeit all right of ownership of the two masted schooner "Puelche" (the name on the wheel) which I declair to have sold to the two partners, John Taylor and George Jackson. I also hereby state her to have a registered tonnage of 49 tons.
I the undersigned also declair to pay all debts standing out against above named schooner up til this date.
Debts arising afther said date must be met by pressent owners.
The sum agreed to having been payd.

Jose F. Oechsle,
Pedro Fabius.

Witnesses:-
James Dumphy.
E. Manuel Olivera.

".

No doubt the idea was suggested by the old wheel of the schooner "Puelche" of Valparaiso, still in use on the "Nueva Tigre". But if the bill of sale was written in Valparaiso, it should have been written in Spanish and not in English - and badly spelt English at that. And it was odd that a Peruvian postage stamp should have figured on the document, if executed in Chile. In fact, as Skerritt testified, the stamp cam from the captain's purse, when Mortelmans was looting the cabin.

But to resume the testimony of Skerritt. He next testified to having written an account of what happened on the "Nueva Tigre" while on board before reeching Abemama, and having hidden the document from Mortelmans. The notebook was produced and identified and, after certain addresses and verses of various songs, contained the following entry:-

"My name is Fred Skerritt and I belong to Lambeth, London. I left Liverpool I think in the month of June 1907, in the Peruvian man-of-war "Almerante Grau". We went to Callao, Peru. I was aboard of her about five months and most of the English left her. I went from her to Charles Baker's boarding house in the Calle Miller. He shipped me on a barquentine and we went to Pisco. I was aboard about a month and left her in Pisco. I went back to Callao. I was in Callao two days when who should come up to me but the chief steward of the "Almerante Grau", Joseph Mortimer. (Note - Mortelmans had been a leading steward but was very soon disgrated because of his incompetency and reduced to the rank of ordinary seaman). He said "Hello, haven't you got a ship?" I said "No". He said "I have got one for you". I said "Where?" He said "A two-masted schooner called the "Nueva Tigre". So he took me to the captain. The captain said to me "What are you?". I said "A sailor or a steward" He said "Do you want to go aboard now?" I said "Yes" as I wanted to start work. I was working by her about two weeks. The captain then said to me "Make everything ready because we go away tonight (Sunday)". But the captain never came aboard until Monday morning. So we started when he came. The first day was all right but the next morning the captain gave me orders to be on day work. About 11 o'clock I was down the forecandle when I heard a cry out. I ran up on deck. My heart went up into my mouth. I see the boatswain running around with a cut in his head. I ran to the cabin. The cry of the boatswain had waked the captain up and he was just coming out of the cabin when Joseph Mortimer struck the captain on the head. There was a scramble in the cabin and then the captain ran forward with Joseph Mortimer after him. Our small boat was towing on the stern of us and I started pulling the painter to jump into the boat when Joseph Mortimer ran up to me and said "If you try to get away I will give you the same dose", and he lifted the chopper towards me. I saw the boatswain run up the rigging and then Joseph Mortimer ran after the captain. The captain ran up to me and said "What is this for, Charlie?" I said "I think he has gone mad, captain", and with that he nearly caught the captain. Mortimer then said "Jump over the side or I will shoot you" and he ran after the captain again. But the captain jumped over the side. As he jumped, I threw a big board to the captain. He shot at the captain but missed him. I had a good mind to jump over the side myself but there was a lot of big fish. Then he said to the boatswain "Jump over the side or I will shoot you". The boatswain's name was John. John said "Oh, Joseph, Joseph, I have got a poor mother ashore. Save me, save me" Joseph said "I can't help that" Then he said "Are you going to jump over the side?" So the poor fellow dropped. I see him swim out of sight. I was going to throw a big board to John but that wicked brute stopped me. He said to me "You will be alright with me. This is my ship. I worked for it". I asked where he was going to but he would not tell me. But he said "If you try to get away it will be bad for you" The boat was astern of us when he turned it. I was filling a bottle of water and some biscuits when he said "Its all right". So we did not see land until we came to

(Signed Fred Skerritt.). "

In conclusion Skerritt said that, when Mortelmans took charge of the ship they were 14 or 15 miles offshore with no other land in sight. At Abemama Mortelmans threatened to kill him if he said anything to anybody about what had happened, and stayed with him all the time. When they got on the "Louise J. Kenny" Mortelmans said that if he could get hold of the captain's revolver he would take the ship. He did not know how Mortelmans proposed to do this, but thought he meant to kill them all, white men and natives. Bit by bit witness told a steward about what had happened and then the captain arrested Mortelmans and locked him up in a cabin.

Skerritt was cross-examined at some length by counsel for the accused. He admitted that he had been thrice convicted of theft, whilst in London, being imprisoned for six weeks, three months and six months on those occasions. He had known Mortelmans for about two and a half years and they had only been separated for two or three months during that time. He knew that the accused was being tried for his life and realized that he as a witness must be careful what he said. The two weeks he was working on the "Nueva Tigre" in Callao he was with the accused for the whole time. The captain had not been displeased with him. He did not see the accused hit the mate. All he saw when he came on deck was the mate running by with blood on his head. He saw the accused strike the captain and the captain fall back. When the captain came running up on deck with Mortelmans after him, he did nothing. When Mortelmans chased the captain, he jumped overboard with the top of the hatch. The mate had meanwhile left the forecabin and climbed up the rigging, where he was when the captain jumped overboard. It was after the captain jumped overboard that he tried to pull in the dinghy. Mortelmans tried to shoot the captain after he was in the water, not whilst he was on deck. He saw the mate sink after he fell in the water. Mortelmans did not try to shoot him. He asked Mortelmans what it was all about, but Mortelmans took no notice. That was all he did to try and stop him.

It was about a week or a fortnight before Mortelmans told him where he was trying to go. They took turns about at cooking and other work and never talked again of what had happened. Sometimes when one was at the wheel, the other came and talked.

He heard all the talk to the white men at Abemama but he never had a chance to tell anybody what happened until he told the steward on the "Kenny". He was afraid for his life. He did not hear Mortelmans ask for a passage by the "Laurel" to Fiji. The letter he wrote in the captain's cabin on the "Laurel" was to his aunt and he did not say anything about what had happened on the "Nueva Tigre"; Mortelmans was watching him. Mortelmans did not say anything about it in the letter he wrote either because he watched Mortelmans write it.

He had not made up his mind to tell anybody about what had happened when he went aboard the "Louise J. Kenny" but when the steward said to him that it was very funny they two being alone on the "White Rose", then bit by bit he told him. He was two or three days telling the steward because Mortelmans watched him. He had not spoken to many people in Fiji about the matter, but he had spoken to some. He did not tell the captain of the "Kenny" what Mortelmans said about taking that boat, but he told the steward about what happened before. He spoke to the steward after Mortelmans had said that if he could get the captain's revolver, he would take the "Kenny". He told the people on board the "Kenny" and at Tarawa that his name was Jackson, because Mortelmans told him to call himself that. The first time that he told anyone that his name was Skerritt was on board the steamer coming to Fiji.

On re-examination, Skerritt said that the whole tragedy on board the "Nueva Tigre" did not occupy more than five or six minutes. He told the steward of the "Kenny" rather than the captain, because he associated with the steward and did not associate with the captain. He had had a chance to tell the steward before he did tell him, and he did not know why he did not take advantage of the first chance. He did not know how Mortelmans proposed to take the "Kenny"; he never told him how; he just said that, if he could get the captain's revolver, he would do so.

That completed the case for the Crown.

Counsel for the accused, who did not put him in the witness-box, summed up briefly. He emphasized the long delay before the case had been brought to trial and the fact that the accused had been held in custody all that time and had had no chance to prepare a defence. He did not question the circumstantial evidence proving that the "Nueva Tigre", which sailed from Callao in November, 1907, and the "White Rose", which was found upon a reef in Abemama in January, 1908, was one and the same vessel. Nor did he question the evidence of Captain Malcolm, and of Messrs. Murdoch, Dunn and Bradshaw as to what had occurred in the Gilbert Group following the finding of the "White Rose". That charge constituted piracy on the high seas and was punishable by penal servitude for life. However, the more serious charges of piracy with assault, which were punishable by death, rested entirely upon the evidence of the self-confessed thief, Skerritt, and he asked the jury, whether in all seriousness, after listening to the evidence, they would "hang a dead cat on it".

The Acting Attorney General then summarized the case for the Crown, emphasizing the obligation of all civilized nations to suppress piracy, the youth of the witness Skerritt, and the difficulty of anyone recalling details accurately when under such a stress of emotion as he must have been at the time of the tragedy.

The accused had been charged on one charge of piracy against the law of nations (piracy jure gentium) and on two charges of piracy by statute in connexion with the deaths of Captain Nicolino Melis and Juan Boster so that, in his address to the jury, the Chief Justice first defined for the information of the jury the difference between the two charges. If the jury believed the first charge proven, and the accused did steal the vessel, the "Nueva Tigre" from its lawful owners, upon the high seas, i.e. on waters not within the jurisdiction of any nation, then that crime was punishable by any nation upon whose shores the pirates arrived. On the charge of piracy by statute, i.e. piracy coupled with murder or attempted murder, if the jury believed the story told by Skerritt that also was proven. As to the witness being, on his own statement, a thrice convicted thief, it was not so serious as if he had said that he was convicted a year or two ago for perjury. Because he was a thief did not prove him to be a liar. Even the fact that this witness took part in the piracy with murder would not in the least affect the guilt of the accused. But the punishment for this crime was death at the discretion of the Court, and not compulsorily as Counsel for the defence had stated. The diary they had seen was written up by Skerritt he had said, and it appeared to be true, from time to time on board the "Nueva Tigre", and systematically hidden under his bunk. The suggestion that Skerritt had prepared that evidence with an ulterior motive was very hard to believe.

The jurors retired but within half an hour returned the Court with a unanimous verdict that the accused was guilty on all counts, whereupon the Chief Justice adjourned the Court until the morning of Monday, the 26th April, for sentence.

Mortelmans was, of course, the centre of great interest to the authorities, as well as to the general public, by reason of his most unusual crime. And of this fact he seemed to be well aware. To quote Mr. Alexander, one of the prosecuting counsel in the case:-

"He (Mortelmans) seemed to regard himself as a hero, and posed openly and consciously to the visiting justice, doctor or other person who had occasion to see him. He was of middle

"stature, but powerful physique, not unlike a Rugby international forward. As he stood in the exercise yard with arms folded over his massive chest, every attitude suggested the traditional pirate and every look betrayed appreciation of the fact..... One could have sworn that the pirate, standing in the dock of a court crowded to the door with an audience on tiptoes of curiosity to see a modern buccaneer, was determined not to disappoint them. He assumed his most ferocious aspect and listened to the evidence with a deepening scowl".

Certainly he looked a formidable figure as he stood in the dock on that Monday morning for sentencing - with his powerful build, his heavy black beard, holding himself erect and with an imperious and contemptuous look on his countenance as it swept the courtroom. And he seems to have more than justified the Chief Justice's description of him when later reporting on the case to the Secretary of State that Mortelmans -

"is a man utterly devoid of any moral sense, a very 'tiger of the sea'".

Before passing sentence, the Chief Justice asked the accused if he wished to make any statement showing cause why sentence should not be passed upon him. The accused had much to say; he was dissatisfied with the conduct of the case and wished to have all the witnesses recalled in order that he might ask them questions which would prove that their evidence was false. The Chief Justice gave him several further opportunities to make genuine representations, but the accused merely continued to reiterate his vague and general dissatisfaction and repeat his demands.

Finally, the Chief Justice, after enlarging upon the enormity of the crime, and stating that, but for the bare chance that the captain and mate of the "Nueva Tigre" had survived the murderous assault and succeeded in reaching shore, the sentence would have been one of death as the law permitted, sentenced the accused to penal servitude for the remainder of his natural life. Though the accused still made determined efforts to address the courtroom, he was finally removed to the cells by order of the court.

The public was obviously surprised and clearly regretted that Mortelmans was not sentenced to death, for it seemed that a more callous and cold-blooded crime could not have been committed. But the Chief Justice, in addressing the Secretary of State after the conclusion of the case wrote as follows:-

"Evidence in support of the crime charged in the first count of the information was clear and conclusive; that given to prove the charges laid in the second and third counts was entirely confined, in all essential elements, to the testimony of the man Skerritt, on his own showing particeps criminis allegati in circumstances which did not in my opinion justify the shield of duress with which the prosecution sought to cover him.....
...conceiving the prisoner (a foreigner, in a foreign ship, on the high seas and, even if Skerritt was to be believed, feloniously assaulting two foreigners) to have been in law wrongly convicted of piracy by statute, I passed a sentence upon him of penal servitude for life".

The Chief Justice also called the attention of the Secretary of State to the fact that the Suva gaol was not a place where a convict

of the 'callous and desperate' character of Mortelmans could be incarcerated without danger as well to his fellow prisoners as to the community at large and he asked that arrangements be made for his removal to some place of imprisonment better suited for the confinement of that class of criminal. As a result, Mortelmans was shipped from Suva in H.M.S. Gambrian and, after being transferred to H.M.S. Pegasus en route, arrived in Sydney on the 28th July, 1910, to continue to serve his sentence there, being lodged initially in Parramatta gaol. He may well have been a somewhat recalcitrant prisoner, however, for he moved between no fewer than eight gaols over the next seventeen years.

Finally, on the 14th July, 1927, he was apparently released and deported back to Belgium, and there the trail of what happened to this notorious pirate is thereafter lost. Suffice it to say that he never again returned to the Pacific islands.

And so, from the prologue to this story to its epilogue. My most lasting memory of the incident is, not merely the somewhat strange reception which greeted me that evening in Abemama, but my departure the following morning. George Murdoch walked with me down to the beach off which the Government yacht was anchored, but he seemed strangely embarrassed and ill-at-ease. And, as he bade me goodbye, the reason became apparent as he apologized profusely to me for his reception the previous evening. He explained that, when he had last seen Mortelmans in Suva after his trial and conviction, the latter solemnly vowed that one day, when his life imprisonment was ended - and, as nowadays, such prisoners seldom served their full term - he would return to the Pacific and "do for" Murdoch and Handley. Murdoch had always implicitly believed this threat and so, since that time, had always kept his 12-bore shot gun hanging on the back of his front door with cartridges nearby. He explained that any native calling on him urgently after dark would naturally go to the back door so that, when he heard a loud knock on the front door after dark the previous evening, it had never for a minute entered his head that it was not Mortelmans back to seek his revenge - hence his reception of me. And, as he said, even if Mortelmans had been ready and shot at him, he had his forefinger curled round the trigger and, whatever had happened, Mortelmans would doubtless have received the full force of the shot, probably in his vitals. If I had not sounded so truly English in voice and appearance, and with my hands at my sides, there might well have been tragedy; mercifully there was not. But, as George Murdoch finally pointed out, how much safer I would have been if I had not by then lost my Glaswegian accent, which he was confident no Belgian national could ever properly imitate.