Petition of Henry Hunt of Middleton Cottage

House of Commons, Votes and Proceedings, 15 May 1821

Transcribed by Lauren Jaye Gradwell

(No. 636)

A Petition of *Henry Hunt,* late of *Middleton Cottage,* in the County of *Southampton,* Esquire, but now a close prisoner of His Majesty’s Gaol of *Ilchester,* in the County of *Somerset,* was presented, and read; setting forth, That the Petitioner is now confined in His Majesty’s Gaol of *Ilchester,* in the County of Somerset, under sentence of the Court of King’s Bench, for two years and six months, for having attended a public Meeting on the 16th of August 1819, at *Manchester;* which Meeting was assembled in the most peaceable and orderly manner, for the express purpose of “taking into consideration the most legal means of obtaining a Reform in the existing abuses of the House,” and for no other purpose whatsoever; which peaceable Meeting was no sooner assembled, than the people attending thereat were violently assaulted, cut, maimed, crushed, rode over, and many killed by a charge made by the *Manchester* and *Salford* Yeomanry Cavalry, without the slightest provocation having been given, or one single act of resistance made by the unoffending multitude, which consisted of men, women, and children indiscriminately mixed together; that the said Yeomanry Cavalry, aided and assisted by two Troops of the *Cheshire* Yeomanry, the 15th Hussars, the 81st Regiment of Foot, and two pieces of flying artillery, proceeded violently to disperse the multitude, during which dispersion fourteen persons were killed or received mortal wounds which terminated inn death, and upwards of six hundred were badly, and many of them incurably, wounded, by the newly-sharpened swords of the Yeomanry, and the trampling of their horses; that the Petitioner begs leave to remind the House, that all attempts to bring any of the parties concerned in this cruel massacre to justice, have hitherto wholly failed; and that no inquiry or investigation of the circumstances whatever has yet taken place; that when the matter was brought forward in the last Parliament, all inquiry was resisted and abandoned upon the plea that the Courts of Justice were opened to any of the parties aggrieved, and that any premature inquiry by the House was calculated to prejudice the decisions of those Courts; and many of the Members of the House will not fail to recollect, that the House was most grossly imposed upon and misled, by the many false and scandalously-fabricated mis-statements, that were palmed upon some of the Members of the House; and that many assertions of the most gross and unfounded nature were made, and insisted upon as true, which have all since been proved, upon the oaths of the most respectable and numerous witnesses, to have been mere impositions and fabrications, having no foundation whatever in fact; the Petitioner therefore most earnestly and respectfully implores the House to institute an immediate inquiry into this most important, most melancholy affair, in which so many valuable lives have been sacrificed, and in which such a large number of His Majesty’s peaceable, loyal, and unoffending subjects have been so severely wounded, and otherwise injured, by the cruel and wanton outrage inflicted upon them; and that the House will feel it an imperious duty imposed upon them to interpose, more particularly now it is clearly ascertained that all doors of the Courts of Justice have been fast closed against the aggrieved persons, who are poor and friendless, and who are unable to contend against the aggressors, who are many of them rich and powerful individuals, some of them being Magistrates, acting under the sanctions and protection of the Ministers and Law Officers of the Crown, and who have been so sanctioned and screened by them, as to have been placed above the reach of all Law; which, the Petitioner submits to the House, has been clearly proved and demonstrated by the following facts and occurrences; - First, as to the *Lancashire* Grand Juries, who threw out all the Bill’s of Indictment preferred by the Petitioner and others against the members of the Yeomanry, for cutting and maiming the people; which Bills, had they been found, it is true, would in all probability have deeply implicated some of the said Grand Jury, and many of their relations and brother Magistrates of the County, in a charge of felony; - Second, that the Magistrates of the said County refused, when application was made to them upon oath, to grant any warrant for the apprehension of the members of the Yeomanry, who stood charged with cutting and maiming women and men, in which refusal they were sanctioned, justified, and protected by the decision of the Court of King’s Bench; - Third, the Petitioner begs to direct the attention of the House to the extraordinary and unprecedented manner in which the famous Coroner’s Inquest, held upon the body of the murdered *John Lees,* of *Oldham,* was got rid and disposed of; - Fourth, as a further illustration and confirmation of the allegation “that all the doors of the Courts of Justice were closed against the aggrieved parties,” the Petitioner, at the beginning of the first Term after these bloody transactions had occurred, lost no time, but applied to the Court of King’s Bench for a Rule to show cause why a Criminal Information should not be filed against those Magistrates of *Manchester* who had instigated the Yeomanry to charge the unoffending and unresisting people; this application was supported by numerous affidavits, made by the indifferent and disinterested persons, who witnessed the whole affair; but the Court, instead of entertaining the application, they, the Judges, refused even to hear the affidavits read by their own officer, and closed the doors of that Court against the Petitioner in a very summary manner, by making a new Rule of Court, *viz.* “that no person could be permitted to act for himself when a prosecutor in a criminal cause;” which new regulation, the Petitioner earnestly submits, was neither supported by Law nor precedent, but a direct violation of both; - Fifth, the Petitioner, nothing daunted when acting in the cause of truth and justice then applied to the Attorney |General, and offered to lay his affidavits before him, requesting him to bring the matter before the Court; but this the Attorney General positively refused; - Sixth, the Petitioner, loth to leave any effort untried, while there was even the most distant hope of obtaining justice, sent for witnesses up from *Lancashire,* and preferred fresh Bills of Indictment against some of the afore-mentioned members of the Yeomanry, for cutting and maiming, and sent them in before the Grand Jury, then assembled at *Westminster* Hall, attached to the Court of King’s Bench, as the Grand Jury of all *England,* which, not being the Grand Jury of either *Westminster* or *Middlesex,* had heretofore been considered, by men eminently conversant in Constitutional Law, as the Grand Inquest of the Nation, having cognizance over all matters commensurate with that Court to which they were immediately and solely attached; many of the members composing this Jury being of this opinion, they were about to entertain the Indictment and to call the witnesses, but some doubts having arisen, they applied to the Court for instructions which Court again decided against the aggrieved party, and informed the Jury, that they had no power to take cognizance of any such matters committed out of the County of *Middlesex;* the Petitioner, therefore, having spared no pains nor trouble, and having incurred an enormous expense, which he has paid out of his own confined income, and finding himself foiled and frustrated in all and every attempt he made to obtain justice, and to bring the matter before the Courts of Law, as a dernier resort, now humbly, but zealously and earnestly, appeals to the House, in hopes of obtaining that justice for the poor and helpless, unoffending, persecuted, and cruelly-treated inhabitants of *Manchester* and its vicinity, which has been denied them in the Courts below; in whose behalf the Petitioner begs to state this fact, that although they escaped from the bloody massacre of the 16th of August with their lives, yet many of the left orphans and widows, and others are reduced to the most abject state of wretchedness and want, in consequence of their being rendered cripples for life, from the wounds and bruises they had inflicted upon them by the remorseless hands of an infuriated and drunken Yeomanry; the Petitioner therefore earnestly implores the House to take these matters into their most serious consideration, and in case any one should so far forget what is due to the House, and dare again to attempt to impose upon its credulity, by repeating any of the false and groundless statements which were upon a former occasion advanced, the Petitioner begs to direct the attention of the House to the incontrovertible testimony, given upon oath at the late Trial of the Petitioner and others at *York,* where it was proved, that not the slightest provocation or insult was ever given to any one of the Authorities, either Civil or Military; that not the least resistance was ever made by the people to the Military, first or last, but that an unexpected and sudden charge was made upon the unsuspecting, unoffending, and unresisting multitude, without the slightest possible notice or intimation having been previously given to enable any one to escape from their fury; and in any case any one should attempt again to deny these facts, the Petitioner begs to call the attention of the House to the fact, that the whole Evidence, and other proceedings at the Trial at *York* were taken in short by Mr. *Gurney* for the Crown, and that these notes have been produced by the Crown, and referred to by the Judge who tried the cause in Court of King’s Bench; therefore it is competent to the House, by the production and printing of these notes, to set all these assertions and contradictions at rest, although it will appear that the learned Judge who presided at the Trial of *York* prevented the Petitioner from examining witnesses to prove the cutting, maiming, and killing by the Yeomanry; yet when the Petitioner was brought up for judgment, he caused to be filed several affidavits to prove the fact of the number of persons actually killed and wounded, copies of which affidavits may be easily obtained from the proper office for the information of the House; the Petitioner has been more particularly induced to appeal to the House in Consequence of hearing of a Debate which arose from the treatment of a prisoner in *Lancaster Castle,* wherein some humane and patriotic Members of the House have revived a latent hope that they are disposed at length to listen and redress the wrongs of an individual, although those wrongs are inflicted under the sanction of a lawless Magistracy; the Petitioner having been confined in *Lancaster Castle* one day, in justice to the Gaoler, can speak of his own knowledge as to his conduct to prisoners who are committed to his custody upon charges of a political nature; when a prisoner of this description is consigned to the care of young Mr. *Higgins* the Gaoler (the father, as this deponent was informed, living out of the Gaol, the son manages as his deputy), it is no uncommon thing for a wretch who, to save his own life, acts as a hangman, and is kept within the walls of the prison, this gentleman (for all are called gentleman who are servants of the humane *Lancashire* Magistrates) attends the prisoner, and demands an inventory of his clothes, insolently observing, that they will be his vails, or perquisites, when he has the honour of hanging him, which he hopes and expects will be very soon; this actually happened to a decent young man of the name of *Adamson,* a taylor who committed about the time for attending a public meeting in the neighbourhood; as for a prisoner’s making any complaint of such conduct, the answer would be hard labour or solitary confinement, and that to repeat a complaint it would be almost as much as a man’s life was worth; the gentleman (Jack Ketch) did not actually overhaul the clothes of the Petitioner and his fellow-prisoners when they were committed, but he was paraded in his dress of office upon a platform or tower in front, and immediately in the view of the yard, where the Petitioner and his friends were almost the whole of the day, making gestures of what he wish to be at; every species of extortion was allowed, and to detail the manifold acts of cruelty there practiced, which came to the Petitioner’s knowledge in one day, would exceed the limits of a Petition; therefore the Petitioner humbly, but most seriously, intreats the House, in their humanity and consideration, to throw the shield of their benevolent protection over the Petitioner *Broadhurst* as well as over *Adamson,* who is still confined in the said Gaol, to save them from the horrible torture which inevitably awaits them, if they are left to the mercy of young *Higgins,* who appears to be a willing instrument in the hands of such persons as the *Lancashire* Magistracy, whose tyranny is so unequivocal that the Petitioner and his fellow-sufferers now confined in *Lincoln Castle* would have risked their lives in any enterprize, however desperate, rather than have been re-placed in the *English* bastile under the care of young Mr. *Higgins,* and subject to the control of such Magistrates as Mr. *Hulton* of *Hutton*; the Petitioner therefore humbly sues and earnestly prays, that the House will, in its wisdom, discretion, and humanity, cause an immediate and radical inquiry to be made into the transactions above detailed; all and every allegation contained in this Petition, the Petitioner is ready and willing, and prays that he may be permitted to prove, by the most disinterested and unquestionable witnesses, either at the Bar, or before a Committee of the House.