

**Name:** Robert Cooper  
**Occupation:** Hatter  
**Home:** Oldham  
**Date:** 27 September 1819  
**Source:** Lees Inquest 54 – 57  
**Summary:** Associate of John Lees and witness to the description of the events described to him personally the day after by Lees.  
**Done by:** CW

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ROBERT COOPER called in by the Constable, sworn and examined by the CORONER.

Q. What are you?

A. I am a hatter.

Q. Where do you live?

A. At Oldham.

Q. Did you know John Lees, the deceased?

A. Yes, I was with him on Tuesday night after he had received his wound.

Q. Did you have any conversation with him?

A. I asked him how he felt himself; and he said he was very ill cut, and could not work any.

Q. Where was this?

A. It was opposite the Spread Eagle, in Oldham.

Q. What time was it?

A. About nine o'clock at night.

Q. Did you see his wound?

A. No I did not; but his elbow appeared to be wounded; his wound was wrapped up. The CORONER—(to Mr. Harmer)—What the deceased said to the witness is not evidence.

Mr. HARMER—(to the Coroner)—Certainly not. The witness is not produced by me, and I am quite ignorant of the nature of the conversation that passed between him and the deceased; but unless the latter was under an impression that his life was in imminent danger, what he said cannot be given in evidence.

The CORONER—(to Witness)—You are not to tell me what he said, but what you saw.

A. I saw nothing; only he told me he was upon the hustings.

The CORONER—(to Mr. Harmer)—That is evidence.

Mr. HARMER—(to the Coroner)—I submit, Sir, it is not; and that nothing said by the deceased, unless under the immediate apprehension of dissolution, can be received by you.

The CORONER—(to Mr. Harmer)—I think it is evidence as against himself, and I shall therefore take it.

Mr. HARMER—(to the Coroner)—If, Sir, it were a question of *felo de se* that we were now investigating, not only the acts of the deceased, but all his declarations might certainly be admissible in evidence, but not in this case.

The CORONER—(to Mr Harmer)—I submit it is evidence against him.

Mr. HARMER—(to the Coroner)—Very well, Sir; only let it be recollected that I have made my objection to its reception.

The examination of the Witness resumed by the CORONER.

Q. Well, did he say any thing more? Did he tell you what he had done himself?

A. What he said to me was, he was upon the hustings when the Cavalry came riding up.

Q. He told you he was on the hustings at that time?

A. Yes; he said they came cutting and slashing away; he offered to defend himself, as well as he could, with a stick he had in his hand; and while he was defending himself, the Cavalry-man, in struggling, fell off his horse, and he jumped off the hustings, and then one of the 15th Hussars came and cut his elbow with a sword.

Q. Was any person present when he told you this?

A. No; not any one.

The Witness cross-examined by Mr. HARMER.

Q. Then, he said it was the Yeomanry Cavalry that came up to the hustings cutting and slashing?

A. Yes.

Q. And that it was to defend himself against them that he put up his stick?

A. Yes.

Q. To whom did you first communicate this that you have been now stating?

A. I think to the men of the shop where I work.

Q. When?

A. On Tuesday or Wednesday morning after.

Q. Did you mention the particulars of all that passed?

A. No, I did not.

Q. To whom did you first mention the particulars?

A. To Mr. Mellor, the constable.

Q. When did you tell him?

A. It was this morning.

Q. How came you to communicate to him the particulars?

A. Mr. Mellor called me across the road, and asked me what John Lees said to me, and I then told him.

Q. The conversation with you and the deceased passed near two months ago; are you sure the deceased was quite sober when you saw him on the evening of the 16th?

A. Yes, he was quite sober.

Q. What sort of coat had he on, when you saw him?

A. It was a brown coloured coat; I dare say I should know it again if I was to see it.

Q. Did he not say he was knocked off the hustings?

A. He did not.

Q. Did not the deceased tell you that he was off the hustings when he received his wound?

A. Yes; he said he had leaped off to get away if he could, when one of the 15th Hussars cut him.

Q. Have you been told that it was important to say it was the 15th Hussars?

A. No.

Q. Have you been told by any body besides the deceased that it was one of the 15th Hussars who struck him?

A. No, he told me himself on Tuesday night.

Q. And you never mentioned to any one until you told Mellor, this morning, that the deceased accused one of the 15th with cutting him?

A. No.

Q. Do you happen to know, that where several persons are concerned in prosecuting an illegal act, and any of them occasions the death of an individual, that all are answerable for the consequences?

A. No, I do not.

Mr. Mellor—I wish to explain that this witness's name was given in on Saturday, before I knew what he could prove; but as he was at Liverpool he could not be then examined, and Mr. Jackson, his master, desired me to get him called in to-day, and therefore I called him this morning.

The FOREMAN of the JURY—I was desirous that he should be now examined, because it is very inconvenient for us to be both from home.

The Witness re-examined by the CORONER.

Q. Did the deceased say that he had struck any of the soldiers?

A. No, he did not; he said a soldier fell from his horse while struggling with him.

Q. When did you first mention that it was a 15th Hussar who struck him?

A. Never, till this morning.

*[The witness was here ordered to withdraw.]*