

Name: Thomas Hardman

Occupation: Constable

Home: Manchester

Date: 18th March 1820

Source: Trial of Henry Hunt, 46-47

Summary: Saw no attacks, no black flag. Questioning interrupted by discussion of court procedure. 'Justice Bayley said, that if he received what was, or rejected what was not evidence, the Crown would certainly be at liberty to move for a new trial.'

Done by: RH

Thomas Hardman examined by Mr. Littledale, was a constable on the 16th of August. I heard two people speak from the hustings before the whole party arrived. The first speech was, "There has been an order given to stand six yards back from the stage, otherwise you will afford your enemies an opportunity of rushing in with their cavalry and their corruption." The other speech was as follows:—"if you had ever so stout-hearted a leader you will do no good, unless you stand firm to your post; " Jones spoke first I believe. The alarm in Manchester was very great. Cross-examined by Mr. Hunt— did not see any of the men make use of their sticks. I saw no black flag. The sticks were very large ones, hut not so long or so large as a musket. I saw no persons injured that day. I accompanied Mr. Hay to London.

Mr. Hunt—Did you give the same evidence before his Majesty's Ministers as you have given here?

Witness. —Does you lordship think I ought to answer that question?

Justice Bayley —You may answer it.

Witness. —I did. I am not a magistrate.

Mr. Hunt—Did you compare the evidence given to ministers with what you now say?

Witness. —I do not think proper to answer that question.

Justice Bayley —I think you may say whether the evidence given on both occasions be correct.

Mr. Scarlett —I object to this question.

Justice Bayley to Mr. Hunt. —Do you mean to contradict the evidence of this witness?

Mr. Hunt—I can show that he has equivocated, I think I have a right to do so.

Justice Bayley —You may ask any question tending to invalidate the testimony of the witness?

Mr. Hunt— He gave different account at different times, I wish to know where and how he corrected his opinions.

Mr. Scarlett —The defendant has no right to inquire into what has taken place elsewhere, unless he means to contradict the witness. But how can the witness be contradicted in this instance, without calling some of his Majesty's Ministers into Court, which cannot now be done? If Mr. Hunt can contradict the witness in any legitimate form, I have no objection to his going on.

Justice Bayley —I am of opinion that a general question of this kind may be asked, not for the purpose of being received as evidence, or of contradicting a witness; but in order to go to his credit, and to see if his evidence is substantially the same.

Mr. Hunt said, that sooner than put any question likely to disturb the verdict when given, he would waive the question.

Mr. Scarlett —Don't be afraid, Mr. Hunt; if you are acquitted, the Crown will not move for a new trial. -'

Justice Bayley said, that if he received what was, or rejected what was not evidence, the Crown would certainly be at liberty to move for a new trial.

Cross-examination continued. —Capt. Hindley is a nephew of mine; he is a captain in the Manchester and Salford Yeomanry Cavalry; he was on duty on the 16th of August.

Re-examined by Mr. Littledale. —The expression which drew my attention to the Oldham division fell from a man who exclaimed, "Who says we Oldham lads durst not come here? " That was all I heard; Mr. Ellis wrote down; the speeches which I have stated.