**Name**: James Heap

**Occupation**: Farmer

**Home**: Stake Hill, Thornham

**Date**: Apri; 6th, 1822

**Source**: Redford v Birley, 282-288

**Summary**: Testifies to alarm at drillings, which he says were regularly practiced from July 1819, and in which he felt the participants were practicing the ‘art of war’. Names Bamford and James Mills as commanders and Edward Cocker as a participant.

**Done by**: RM

*James Heap sworn: examined by Mr. Littledale*.

Q. I believe you are a farmer?

A. Yes.

Q. Where do you live?

A. Stake Hill, in Thornham.

Q. How far is that from Middleton, is it short of two miles?

A. Yes.

Q. Do you know John Tetlow?

A. Yes.

Q. Do you remember the meeting of the 16th. August?

A. Yes; I heard tell of it, but I was not there.

Q. Do you remember, prior to that time, any thing attracting your attention, by people passing your house?

A. Yes.

Q. When was the first time you saw any body?

A. Sometime in July, on a Sunday morning; I cannot exactly tell the time.

Q. What did you see?

A. I saw a party come up, consisting of four or five hundred; and one walking by their side.

Q. Do you know a person of the name of Bamford?

A. Yes.

Q. Was he walking by their side?

A. Yes.

Q. What was he doing?

A. I did not see him do any thing but walk by their side; he seemed to be the commander of them.

Q. You did not see him do any thing?

A. Only walk by their side to Tandle Hills.

Q. Where were they coming from?

A. Middleton.

Q. Have you, at other times besides this, seen people marching past your house?

A. Yes.

Q. In parties of how many—the same number?

A. It was night time, and I could not count them.

Q. Do you a person of the name of James Mills?

A. Yes.

Q. Had he been in the army?

A. I have seen him in his soldier's dress, after he returned.

Q. Did you ever see him go with these parties?

A. I met him, one night as I was returning home, by the side of a number of people.

Q. What direction were they going in?

A. To a place called Slattocks.

Q. Was he walking by their side?

A. Yes.

Q. He appeared the commander?

A. Yes.

Q. At times when you have been attending to your farming business, have you heard people?

A. I have, when I have been looking after my beasts: I did not see them, I heard them call out to “halt,” “march,” like military people, but I did not see them; they were two or three fields from me and it was nine at night.

Q. Did you ever hear the bugle sound at night?

A. I have, in August, but not before August.

Q. Was it before the meeting?

A. Yes, it was; the first time I heard it was the 1st. of August.

Q. Did you hear it any other night?

A. I heard it almost every night till the 16th., except on Sunday; I do not know that I heard it on Sunday.

Q. About what time of the night?

A. Nine or ten, after I was gone to bed.

Q. In what direction?

A. In the direction of Royton.

Q. Did you ever go to Tandle Hills?

A. One time, I did.

Q. What day?

A. First of August.

Q. What time of the day?

A. I started off about five in the morning.

Q. What time did you get there?

A. I suppose in half an hour. I went very slow; I went a private way.

Q. You did not wish to be seen?

A. No, I did not.

Q. What did you see when you got there?

A. A great number assembled there; I was at a distance from them, I went nearer. The first part I lit on, were thirty or forty, drilling as soldiers do, with a man standing before them, giving them the word of command; such as “attention,” “right wheel".

Q. Did they seem perfect?

A. The same as I have seen soldiers; I know nothing of military. They appeared to me to be the awkward squad. All the rest were in one body.

Q. Do you know a person of the name of Edward Cocker?

A. Yes.

Q. Do you know if he ever was in the Militia?

A. Yes; I hired him for the Militia myself.

Q. Was he where these thirty were?

A. Yes, he was; he was doing the same as the others — marching.

Q. Did he give the word?

A. No; the last word I heard was, "let your left foot tell."

Q. Before you left, did you see the awkward squad join the body?

A. I did not.

Q. Did you see the main body do any thing?

A. I could scarce see for the number of people about; but some few words I could hear. I did not wish to be very near them.

Q. What were the words you did hear?

A. I heard the bugle sound, and then the word “fire,” at which there was a clapping of hands. Some words I could not tell; but I heard clapping of hands.

Q. Do you know the name of the person who commanded the main body?

A. I did not know him at the time; I do not know I should know him now.

Q. This was on the 1st. August; do you remember the 8th. of August?

A. Several people passed my house; I heard the bugle, but I did not go from my own house. I could hear words, but I could not tell the very words.

Q. Where were the people going to?

A. Tandle Hills.

Q. On the 15th. August, did you see people?

A. Yes.

Q. In the same direction?

A. In the same direction.

Q. Did you hear the bugle with them?

A. I cannot say.

Q. Did it create any impression on your mind, seeing all this?

*Mr. Evans*.—Does your Lordship think the impression made on his mind is evidence?

*Mr. Justice Holroyd*.—If he said that it created an alarm in his mind, I think it is evidence for the Jury.

*Mr. Evans*.—Then it is evidence against us, if people, at any time, felt any alarm.

Q. What impression did it make on your mind?

A. I was very ill afraid it would bring something very serious. I thought learning the art of war, and not under the direction of his Majesty, could come to no good—learning the art of war, and not under the direction of Government.

Q. You say it created an alarm in your mind, what did you do?

A. What tools I had of defence, i took them up stairs and put them over my bed.

Q. What tools of defence had you?

A. Two pitchforks and a gun; I slept with them at the top of the bed; it is a bed with rails, and I had them at the top.

Q. Do you remember, on the morning of the 16th. going to Middleton?

A. I had some business there.

Q. What time of the morning did you get there?

A. It might be about nine or ten o'clock.

Q. Do you know a place called the Barrow Fields, near the church?

A. Yes.

Q. Did you see any body there?

A. Yes; but it was a long way off; I saw their colours.

Q. Did you see anything besides their colours?

A. Nothing particular there, at that time; I was a quarter of a mile off, or nearly so.

Q. Could you judge how many people there were; you must pass them?

A. I did not pass them.

Q. Did you see any other party join them?

A. That was after.

Q. Tell us what you saw after?

A. When I had done the business I went for, I went to pay for the school for my daughter. I then went to buy some meat. I stopped till they passed away; the first body stopped and halted near the market-place.

Q What township did they come from—where did they come from?

A. I do not know, but it was said Rochdale.

Q. At the place where they halted, had there any assembled before?

A. They were the first; a party came afterwards, and they divided to let them walk through.

Q. That is, the first party divided?

A. Yes.

Q. Was there any noise or shouting?

A. I cannot say.

Q. What became of them?

A. They stopped some time, and marched away.

Q. In what direction?

A. In the direction of Manchester.

Q. How many of them were there?

A. I cannot say; but some thousands; a thousand or two; I never attempted to count them; I was very glad to get away.

Q. Did you see whether they had colours?

A. They had three stand of colours, and a pole with a cap of liberty at the top.

Q. Had they any music?

A. Yes; a bass drum for one thing, and several other instruments; I do not exactly know what.

*Cross-examined by Mr. Evans*.

Q. Your house is situated in the middle of the village?

A. No, on one side; there are not many houses.

Q. It is one of them?

A. Yes.

Q. It is on the high road?

A. There is no high road there; there is a road, a public road for carts to go to some places.

Q. Is it an occupation way?

A. Yes; people drive their cattle that way.

Q. It is a highway to and from the town?

A. It is a highway, but there is no way except behind to go to Manchester.

Q. You say you heard the bugle at ten o'clock?

A. Yes.

Q. It would be quite dark?

A. It never is dark then.