

Name: Joseph Nadin
Occupation: Chief of local Constabulary
Home: Manchester
Date: 8 October 1819
Source: Lees Inquest 457 – 471
Summary: EXTRACT. Testifies to his part executing the arrest warrant for those on the hustings; tells the Inquest why he felt it necessary to have the physical presence of the military behind him when approaching the hustings; denies seeing anyone cut or trodden on by the Yeomanry; describes Hunt's arrest and custody, and his confiscating of the green flag displayed by the Reformers.
Done by: CW

The cross-examination of the WITNESS resumed by Mr. HARMER.

Q. Now, perhaps, Sir, you will condescend to give me one or two answers to the questions I put to you. I repeat my first question. What arrangement, to your knowledge, had been made between the civil and the military power, for the dispersion of this meeting?

A. Not any that I know of.

Q. Do you mean to say that none had been made?

A. Not to my knowledge.

Q. Did you not hear from some members of the Manchester Yeomanry, or from some of the Magistrates, that there had been an arrangement between the civil and the military powers to disperse this meeting?

A. No, I did not.

Q. You never heard it from either?

A. No.

The CORONER—You never heard before that time, of any such arrangement?

A. No.

Mr. HARMER (*to the Coroner*)—Or subsequently either, Sir? But he says he did not hear of any at any time.

A. No.

The cross-examination of the WITNESS resumed by Mr. HARMER.

Q. Did you not know that the Manchester Yeomanry were to disperse the people by the edge of the sword?

A. No.

Q. Will you tell me then why, as soon as the Yeomanry made their appearance, you drew your constables behind them?

A. Of course I thought they had come to assist me.

Q. Why did you draw your constables behind them?

A. Why that there might be room for them to go down.

Q. Very good. Do you not know that it is the duty of the civil power to precede the military, even in cases of the greatest danger?

A. I should be very sorry to precede it in such a case as this.

Q. That is not an answer to my question, and you know it, Mr. Nadin. Do you not know that it is the duty of a civil officer to try to execute any warrant he may have to execute, in such a case as this, before he calls in the aid of the military?

A. If he can; but I could not.

Q. Did you try, upon your oath?

A. I did, Sir; and I was certain I could not execute the process.

Q. Have you not just now said that the military went first, and that you followed them?

A. Yes.

Q. How was it then that you tried to execute the process?

A. I went down before the military went.

[Here some persons laughed at the lower end of the room; upon which the Coroner ordered that part of the room to be cleared.]

Q. Was there not any warrant in the hands of Captain Birley?

A. He had never seen it. Very likely, indeed, that he would have the warrant! There was nobody had the warrant but me. Not even the boroughreeve, nor the constable. Nobody had the warrant but me.

Q. Throughout?

A. Throughout, yes.

Q. Did you not hear Captain Birley tell Mr. Hunt that he had a warrant to execute against him?

A. I never did hear any thing of the sort, Sir.

Q. Nor any thing of the sort?

A. No.

Q. Will you tell me, Sir, how you tried to execute the warrant?

A. I went down after the special constables were drawn back, to see how they were standing; and I saw them linked together, and I heard a remark from the hustings, something about keeping their enemies down.

Q. Then it was after you drew back your men, that you attempted to execute the warrant?

A. I went down several times, while the constables were there, to keep them, as far as we could go, until I saw the people linked so.

Q. What did you mean by saying before that, after drawing your men back, you then went to try to execute the warrant?

A. I went down to try if they were in the same state.

Q. How long had you the warrant in your possession?

A. Not long before I executed it.

Q. At what moment and by whom was it given to you?

A. Very few minutes before it was executed.

Q. By whom was it given to you?

A. By Mr. Hulton, I believe. I think it was, but I am not certain.

Q. Where were the military then?—the Yeomanry, I should say?

A. I did not see them then. They had not come upon the ground then.

Q. Was the warrant delivered to you near Mr. Buxton's house?

A. It was delivered in the house—in the room.

Q. You came out and dispatched the mounted constables for the military?

A. No, I did not dispatch them; they were mounted before, and I believe Andrew gave them the letters or cards, but whether they went to fetch the military or not, I do not know.

Q. Was that before or after you got the warrant?

A. After, I believe.

Q. Endeavour to recollect.

A. I believe it was after I received the warrant, I think.

Q. Be a little accurate. Will you swear it was after you received the warrant?

A. I should swear that way sooner than the other. Q. You may have your choice, Sir; and swear which way you please, only let us know which way you will swear.

A. I believe it was after I got the warrant; but I cannot be certain.

Q. Then it was at your suggestion, that the military were to come?

A. I said I could not execute the warrant without the assistance of the military, because I had a specimen of it before.

Q. You walked up as far as where you say the links were?

A. I walked up as far as the constables had been.

Q. Had you not walked up and down there for a considerable time?

A. I walked up and down there many times.

Q. Had any person struck you, or attempted to strike you?

A. No.

Q. Now, many men are obnoxious, and what I am going to ask you, I do not mean as any improper reflexion; but do you think there is any person more obnoxious to Reformers than you are.

A. I dare say, there is not.

Q. And yet you walked up and down the midst of them, without receiving any violence?

A. Yes.

Q. Up to the moment that you had the warrant?

A. Yes; I went backwards and forwards.

Q. You say the Manchester Yeomanry *moved* forward. I should like to know what you call "moving." At what pace did they go?

A. Why, pretty quick.

Q. You cleared the way for them?

A. I drew the constables back.

Q. When they came, a great many people ran away?

A. Yes, some did.

Q. And you, to make room for them, also drew back your party of special constables?

A. Yes.

Q. Did they go in slowly, pray?

A. I do not know whether they trotted or cantered, I am sure.

Q. But they went at a very quick pace?

A. I was as quick up as they were.

Q. They happened to be stopped, you know; but do you mean to say, that you kept close to them all the time.

A. No; but I was up at the hustings as soon as they were.

Q. The most of them went to the back of the hustings, and others, you said, filed off to your right.

A. Yes.

Q. Nobody was trodden down?

A. I never saw one.

Q. Of course, not And there was not a single sword uplifted?

A. Not a sword, that I saw.

Q. Of course, there was no person either cut or struck?

A. No.

Q. And such things could not have happened, without your observation?

A. It might have done that though.

Q. Now, as to this massy piece of iron; pray, is that forthcoming.

A. I believe it was the same that was afterwards found upon the ground.

Q. Then it is forthcoming?

A. I believe it is.

Q. In whose possession is it?

A. It was brought down to the office.

Q. But who found it?

A. I do not know. It is easy to be got at.

Q. Were not many of the iron palisades forced down by the pressure of the people?

A. Where?

Q. Why, in that neighbourhood?

A. No.

Q. No post was forced down?

A. No.

Q. No area or railing was forced down?

A. No; nor did it appear to be the pattern of any palisades that I had seen in Manchester.—Dear me, (*wiping his face with a pocket handkerchief*) if this heat continues-I must go out, for I can not stay here.

Mr. ASHWORTH (*to the Witness*)—Will you take a glass of wine, Mr. Nadin? You seem rather unwell.

A. No; I had rather not, I thank you.

The cross-examination of the WITNESS resumed by Mr. HARMER,

Q. Throughout the whole day, you did not see any persons cut or knocked down?

A. No; my business was to apprehend the prisoners. I apprehended HUNT and JOHNSON, and escorted them to the New Bailey, and I did not see any thing more of the ground.

Q. Now, with respect to Mr. Hunt, nobody struck him while he was in your custody?

A. No. A man struck at him, I believe, and hit me over the head.

Q. I heard something very humane of you—I heard that somebody struck him, and you said, “Nobody shall hurt him, he is now my prisoner?”—Is that so?

A. Yes; I did say so.

Q. Were not the Yeomanry cutting at the people at that time?

A. No, never. Most positively I did not see any.

Q. I ask you again. Did not a special constable strike Mr. Hunt?

A. Somebody struck him with something; but whether he was a special constable or not, I don't know; but I say, what Mr. Hunt himself would say if he was asked, that I said to the person, if lie attempted to do it again, I would take him into custody.

Q. Do you mean to say, that none of the Manchester Yeomanry cut at the people upon the hustings, and at the flags.

A. Upon my soul, I did not see any body do it.

Q. You did not, upon your soul! But I ask you upon your oath, Sir?

A. I can't tell, because I had two men to take care of; and if you had had two men to take care of, you would have had enough to do, without looking to other things. Besides, I was looking after Knight.

Q. You do not mean to say, that such a thing did not occur?

A. No, I do not. I seized the green flag, when I had Mr. HUNT in custody.

Mr. ASHWORTH (*to Mr. Harmer*)—I trust, Sir, you will pause for a moment, that the lower part of the room may be cleared, with the Coroner's permission; for it is intolerably hot—(*to Mr. Nadin*) Will you be good enough to clear that part of the room?

The CORONER—Aye do; for it is so hot, I can't bear it.

Mr. NADIN (*with a tremendous voice*)—Is there any constable there?

A VOICE (*in the lower part of the room*)—Yes.

Mr. NADIN (*in the same tone*)—Then clear the room.

[Here several constables began to remove the people, from the further end of the room, with some force.]

Mr. HARMER—As this is an open Court, Mr. Coroner, I should hope no violence will be used towards the people.

[Here a window having been opened, and part of the crowd removed from the further end of the room, the proceedings were resumed.]

Cross-examination of the WITNESS resumed by Mr. HARRIER.

Q. The only body you went up with, was the Manchester Yeomanry?

A. Yes, but I thought the Constables would follow of course, as they were in the rear.

Q. You knew nothing of any arrangement, with respect to the military, nor that they were to be there?

A. No; certainly not, until I saw them there. I had mentioned that I could not execute the warrant.

Q. You did not know the contents of the cards or notes, that were given to these mounted constables?

A. No, I did not.

Q. Then will you be good enough to tell us how it happened, that you knew the 15th Hussars were coming, and you desired Captain Birley to wait until they arrived?

A. (*after a pause*)—Well, I can't tell that—but I had heard about the door, that there was another squadron somewhere at the back of St. Peter's Church, and therefore I concluded they were there.

Q. How should you happen to know that it was the 15th Hussars?

A. I heard it was the 15th Hussars.,

Q. Now, on the day before the 15th of August, had you not some conversation with somebody about the Meeting that was to take place the next day?

A. Some conversation?

Q. Yes; idle conversation, I dare say?

A. I don't think it is fair, to ask me any conversations I might have had.

Q. Yes, it is; and I will remind you what it was. Did you not say, that "if the Reformers did not make a row, still there must be one the next day?!"

A. No.

Q. Did you say any thing like it?

A. No.

The CORONER—When, and where?

Mr. HARMER—Any where?

A. Not any where.

Cross-examination of the WITNESS resumed by Mr. HARMER.

Q. No such expressions were ever made use of by you?

A. No, not to my knowledge.

Q. But stop, Sir. I will not have it in this loose way. Will you swear you did not use those words?

A. I am confident I never did.

Q. Then you will swear you did not?

A. Yes.

The WITNESS re-examined by Mr. ASHWORTH.*

* The learned Counsel had been out of the room.

Q. I understand, Sir, that you have been, in fact, asked the law of this case, and whether you did not know it was the duty of the civil power to precede the military. Do you, in fact, know any thing about the law?

A. No, not upon that, I don't.

Q. Do you know any thing of the law of the case at all?

A. No.

Q. But could the civil power, (for they are not obliged to do impossibilities) with safety, execute that warrant at the hustings, by themselves?

A. It was impossible.

Mr. HARMER—I never asked him the law upon the subject, and moreover, he never tried the experiment, whether he could execute the warrant or not, without the military.

Mr. ASHWORTH—If you did not ask him whether he knew it was the law; you asked him whether he did not know that it was his duty to precede the military.

Mr. BARROW—Yes, you asked him whether he did not; know that it was his duty.

Mr. HARMER—Well, duty; but that is perfectly immaterial.

The cross-examination of the WITNESS resumed by Mr. ASHWORTH.

Q. Then it was utterly impossible to make a way up to the hustings, without a military body?

A. It was not possible.

Q. When they got up to the hustings, did the military open, to enable you to go and execute the warrant?

A. I went round to the back at first, and three or four went into the front, and then I slipped into the front.

Q Now you were asked, if when you were walking up and down between the special constables, you were molested. Is there no difference between walking up and down in that, way, and attempting to seize any body under a warrant?

A. A little, I should think.

Q. Did you think, if you made the attempt, that you would be molested?

Mr. HARMER—This is all new matter.

The CORONER—No, it is not. You asked him about walking up and down, and this arises out of it.

The examination of the WITNESS resumed by Mr. ASHWORTH.

Q. From the position of the people, and their conduct, in linking together, do you imagine, that if you had attempted to execute the warrant, with only the assistance of constables, they would have molested you?

A. I believe they would. And I had had a good specimen, a very few days before.

Q. I think you have stated, at least I am informed you did, while I was out of the room, that you frequently went down between the constables, to see if the people were in the same way?

A. I had gone down two or three times. Before I had the warrant, I went down there backwards and forwards two or three times.

Q. And you heard something?

A. Yes; I did hear mention made of something about linking together, and something about keeping down their enemies. That was some time before I got the warrant.

Q. Now about this palisade; you say you saw it in some man's hand?

A. Yes; and it was a general conversation among the constables, that it was a very dangerous weapon. This was before they were all come to the Meeting.

Q. Did you see any thing of an iron palisade, similar to that afterwards found on the field, in the hands of any body?

A. Yes.

Q. In the hands of what body was it?

A. It was in the hands of one of the people, that I conceived to be Reformers. He appeared to have come away a short distance from the body. And there was another man, who had a kind of dagger in his hand, which appeared to have been in a stick, but the stick must have been broke and lost away from it.

Q. Was the piece of iron palisade, which you found on the ground, similar to that which you saw in the hands of this man?

A. I did not find it upon the ground.

Q. But did you afterwards see it?

A. Yes.

Q. Was it of the same size and description as the piece of palisade which you had seen in the hands of this person whom you have mentioned?

A Yes; and it does not appear to be any pattern of any palisade in the town of Manchester.

The WITNESS examined by the CORONER.

Q. At what distance from the hustings, was this linking together of arms?

A. I should think it might be about ten yards from the hustings but I do not exactly know the distance.

Q. Was it on the side of the stage next Mount-street?

A. Next the house were the Magistrates were.

Q. Did any one of the Yeomanry Corps precede the main body, when they went up to the hustings?

A. Do you mean a constable?

Q. No, any one of the corps themselves?

A. I think Captain Birley was first; or whether that trumpeter went first, or not, I don't

know: I think Captain Birley was first; but I cannot be certain, whether he was, or was not.

Q. Before you went into the crowd, had there been any exhortation, by any peace officer, or by any body else, requesting the crowd to disperse?

A. I have heard that the Riot Act had been read, but I did not hear it. My purpose, in going to the hustings, was only to execute the warrant.

Q. As they approached the hustings, were any stones thrown at the soldiers before they arrived at the hustings?

A. I did not know of any but one, that hit me while I was pulling Johnson off; but there was such confusion, that I did not look about. I was engaged with Mr. Hunt, and pulling Johnson off.

Q. Did you hear any fire arms discharged?

A. No; I did not.

Q. I think you told us before, you did not see a single wound given?

A.—No; none at all.

Q. How long had you Mr. Hunt and Mr. Johnson at the Magistrates, before you took them down to the New Bailey?

A. We had them there until we got an escort.

Q. How long was that first?

A. A quarter of an hour, at most.

Q. Was the ground clear, then?

A. There was a great deal of people on the ground; but as I had Mr. Bunt and another man to take care of, I did not take particular notice. There was a good deal of military on the ground then, more than I had seen before.

Q. Before you took Mr. Hunt to the house in which the Magistrates were, were there any other soldiers on the ground than the Manchester Yeomanry Cavalry?

A. Yes; I saw both the Hussars, and some of the Cheshire Yeomanry.

Q. Were there any of the Hussars, or the Cheshire Yeomanry Cavalry, up at the hustings when you were taking Mr. Hunt?

A. I never saw them. I saw one of the Hussars when I had come a little way from the hustings.

Q. How far might you be from the hustings, then?

A. I should think about the same part where their arms were clasped together; and I had a green flag, and I carried it to that place, and there Major Trafford took it from me

[Here the witness retired, and in quitting the court, with the assistance of his constables, he forced many auditors from the further end of the room, with the most brutal violence.]

Mr. HARMER—Mr. Nadin, you ought not to use such violence; and I do not know what business you have to turn any one out who is not misbehaving.