

Name: William Simmons

Occupation: Surgeon, Manchester Infirmary

Home: Manchester

Date: 4 October 1819

Source: Lees Inquest 241 – 260

Summary: Offers his opinion that the death of Lees due to his wounds received on 16 August cannot be proven. *“I have no hesitation in declaring, that any injury which John Lees might have received on the 16th of August, did not, and could not prove the cause of his death”*. A heated debate ensues re the terms used and medical expertise of the coroner and previous witnesses, Basnett and Cox.

Done by: CW

Mr. WILLIAM SIMMONS called, and sworn by the CORONER.

Mr. Ashworth (*to the Coroner*)—I now wish, Sir, that you will read over the evidence of Mr. Basnett and Mr. Cox, in order that Mr. Simmons may be apprized of what the state of the body was, when those gentlemen saw it.

Mr. Harmer (*to the Coroner*)—I trust, Sir, that you will proceed with this witness in the same manner as you have proceeded with the others; and that you will begin by asking him the same question that you have asked all the other witnesses, viz. what he knows about the death of John Lees?

The Coroner—I will; but I conceive he knows nothing about it—(*to the Witness*)—What do you know, Sir, about the death of John Lees?

A. All I know about it is, what I heard from Mrs. Lees.

The Coroner—You did not know John Lees at all?

A. No.

The Coroner—Nor how he became wounded?

A. No.

Mr. Ashworth (*to the Coroner*)—Now, Sir, I submit that it is perfectly consistent with regularity that Mr. Simmons should hear Mr. Basnett's evidence read over, in order that he may give you his opinion as to the cause of the death of the deceased, from the appearances which Mr. Basnett has described.

Mr. Harmer—I decidedly object to its being taken in that way.

The Coroner—I think I shall certainly read over his testimony.

Mr. Ashworth—I recollect a case, Sir, in which it was done for me at the instance of several most respectable physicians.

The Coroner—I do it in this case because we have the evidence of the medical man who attended the deceased.

Mr. Harmer—I beg your pardon, Sir, that is not so. You have had indeed the evidence of Mr. Cox, who opened the body; and you have also had the evidence of Mr. Basnett, who saw the body.

The Coroner—But this gentleman may hear what they both said, and then he can be asked his opinion as to the cause of the death of the deceased, from the description they give of the body.

[Mr. Basnett's evidence was now read, in taking down which, it appeared that the Coroner had inserted the name of Mr. Pearson, instead of that of Mr. Denison.]

Mr. Harmer —I beg your pardon, Sir, but you have inserted the name of Mr. Pearson instead of Mr. Denison's.

The Coroner—It is not much matter.

Mr. Harmer—I beg your pardon, Sir, it may be of some consequence, and one would wish to be correct.

[Mr. Cox's evidence was now also read over to Mr. Simmons.]

Mr. Harmer (*to the Coroner*)—Will you be also good enough to read, Sir, that part of Clegg's evidence where Mr. Cox put to him some questions?

The Coroner—That arose out of Clegg's examination.

Mr. Harmer—Yes, Sir; Mr. Cox asked the witness whether he had not said, that the deceased died of the bruises received on his body.

The Coroner—That was not in Mr. Cox's examination.

Mr. Harmer—No, Sir; but Mr. Cox was in the room, and he asked permission to put one or two questions to Clegg. If you will be good enough to read that part, I shall be much obliged to you.

Mr. Ashworth—I must request, Mr. Harmer, that we may not be continually interrupted in this kind of way.

Mr. Harmer—I beg, Sir, that you will not interrupt me. I am now in possession of the Coroner. I recollect distinctly, that I asked Mr. Cox if he could say, what was the cause of the death of John Lees, and he said, "no, I cannot, I do not know why he died."

[The Coroner here again read the latter part of Mr. Cox's evidence, but it did not appear to contain the part which Mr. Harmer mentioned.]

The Coroner—It contains nothing of the kind.

Mr. Harmer—Well, Sir, if you say so, of course I cannot help it, but I clearly recollect, that the witness's answer to my question was, that he could not tell why John Lees died. Will you have the goodness, Sir, now to read the latter part of Clegg's evidence, where he was examined by Mr. Cox?

The Coroner—But other witnesses, Sir, have contradicted Clegg.

Mr. Ashworth—Clegg said, that Mr. Cox had said, that if blood had been taken from the deceased, it might have prevented inflammation; and in answer to a question of Mr. Cox, he said, that Mr. Cox had said, there were sufficient appearances on the lungs to account for the death of John Lees.

Mr. Harmer—Mr. Cox also asked Clegg whether he had not said the deceased did not die of the cut in his arm, but of the injuries on his body, and Clegg said (for we have it down accurately), "Yes, you said he died from the bruises on the body."

The Coroner—I decidedly say not.

Mr. Ashworth—I must object, Sir, to your being interrupted in this kind of way.

The Coroner—Clegg had said that before, in his own testimony, but Mr. Cox never asked him that question.*

Mr. Harmer—I beg your pardon, Sir, he certainly did, and we have got it down; but call Clegg or Mr. Cox again.

Mr. Ashworth—I object to that.

* Vide page 35.

The Coroner—I shall not call them again. I have got down what it was accurately.

Mr. SIMMONS examined by Mr. ASHWORTH.

Q. Now, Sir, after having heard the evidence of Mr. Basnett and Mr. Cox, and their description of the appearances of the body, both externally and internally, what was, in your opinion, the cause of the death of John Lees?

A. I have no hesitation in declaring, that any injury which John Lees might have received on the 16th of August, did not, and could not prove the cause of his death.

[Here Mr. Harmer repeated the answer of the Witness aloud, while he took it down.]

Mr. Ashworth—Really, Sir, I must object to this; it is shocking that we cannot proceed without these interruptions.

Mr. Harmer—I was not interrupting you, Sir; I was merely repeating the answer of the witness.

The Coroner—I will put an end to this by and bye.

Examination of the WITNESS resumed by Mr. ASHWORTH.

Q. What will you tell us are the grounds of your opinion?

A. I judge from the history of the case. Every professional man knows—I mean in our profession—or ought to know, that the danger follows closely upon the violence inflicted, and that nature immediately assists the process of the system to repair any injuries that may be sustained. Now, the next point to which I shall advert, is connected in order with this, and I shall afterwards explain any particular point which I may be called upon to explain. The injury was that of a cut on the *Olecranon*, or elbow bone. That is not apprehended to be a dangerous wound. It ranks not as a dangerous wound. There are many instances of that bone being taken out by surgical operation, and the only danger that would follow the infliction of such an operation or accident, that is, where it is only a simple cut, for a contused wound makes a broad distinction—the only danger, I say, that can follow, is inflammation in the first state, which will follow closely upon the operation. Now, according to what I have heard delivered, the inflammation had subsided in this case, as it must necessarily do, or go on rapidly to a fatal termination in a short time. That is the active stage of the complaint. I think it necessary to explain, in this stage, that when a joint is opened, when a patient recovers from the first inflammation or active state, it must be generally in chronic disorders, and similar to what we see in what are called white swellings of the joints. Now in this instance, the first inflammation had subsided, whatever inflammation there might have been immediately after the accident.

Mr. Harmer—Now, Mr. Coroner, is this what the witness can know? It is still the hearsay of others, and though it is down upon your notes, the witness is not speaking it as from his own knowledge. He is forming an opinion merely upon what he has been told somebody else has said.

The Coroner—He is forming an opinion upon what has been stated on oath, in this room.

Mr. Harmer—Still, Sir, I submit that is not evidence, as to him it is still nothing more than hearsay.

Mr. Ashworth—With respect to hearsay evidence, Sir, it is evidence with respect to the science of others, and in that shape, hearsay evidence is admissible.

Mr. Harmer—But, Sir, the other witnesses spoke from ocular observation; they had the evidence of their senses to assist their judgment.

The Coroner—I am of opinion this is evidence. I had resolved to have such evidence brought forward in consequence of a Juryman expressing a wish to know whether this mode of treatment, or that mode of treatment, was proper.

Mr. Harmer—When did that take place, Sir? I never heard it.

[Mr. Harmer delivered these two sentences with some warmth.]

The Coroner—It took place from Mr. Kaye, openly in court. What do you mean by that violence? It came from Mr. Kaye.

Mr. Harmer—It certainly did not come from Mr. Kaye in my hearing. He did not express any doubt, that I heard, as to the cause of John Lees' death.

The Coroner—For my own satisfaction, it was my opinion that I ought to have the judgment of superior men upon the subject.

Mr. Harmer—Well, Sir, I shall call evidence then to the same effect.

The Coroner—Very well.

Mr. Harmer—If we are to have evidence of this description, I shall send to London for the first men of the faculty, and I shall beg the inquest may be adjourned for that purpose.

The Coroner—I think this is the last open court we shall have here of the kind, if we are to be threatened in this sort of manner with such an immense number of witnesses; *(to the Witness)*—You say the inflammation in this case had subsided?

A. Yes.

Mr. Harmer *(to the Witness)*—How do you know the inflammation had subsided?

A. From Mr. Cox.

The Coroner *(to the Witness)*—Well, Sir, go on.

A. I am of opinion, that in this case the first inflammation had subsided. Now, Sir, in going on with the argument with regard to the state of the wound, the first inflammation having subsided, no irritation that could at all endanger life (if any existed afterwards) did subsist: all immediate source of danger, my conclusion is, had subsided. My reason for using the term, "immediate," is, that in consequence of the exposure of the joint, a chronic inflammation in the joint must have taken place.

The Coroner—What do you mean by "exposure of the joint?"

A. I mean the joint laid open. My conviction, therefore, is, that the cut on the elbow joint did not, and could not, be the cause of his death, at such a distance of time after the accident took place. There is something mentioned with regard *paralysis*, and injuries to the spine and neck. I do not know whether I may be permitted to render myself intelligible upon that stage of the case, by some physiological and pathological observations. If it would be permitted, Mr. Chairman, I will cheerfully do so.

The Coroner—If you please.

The Witness *(proceeded)*—It is stated, with regard to the back, that there were bruises inflicted upon it, and on different parts of the body. Now, whatever injuries might be inflicted, it does not appear, from the history of the case, that the spinal cord was injured, which alone would have produced paralysis. There were not, as it seems, bruises of the bone. Now, had the spinal cord been injured, a man could not have walked; but there are no symptoms indicative of the spinal cord having been at all injured by the bruises. I shall next proceed to the appearance of the bruises described to have taken place. Now, to a medical mind, it is easy to describe what is the effect of a bruise; but to those who are not in the habit of seeing such things examined, it is necessary to state, that when a bruise is created by a blunt blow being inflicted, a number of vessels, more or less, are ruptured. A quantity of blood is poured out into the cellular membrane, immediately after this the discolouration of the skin is black, or of a very dark colour, but in a few days, or a week, more or less (though the appearances may continue for more than that), a gradual change is evinced. Absorption takes place very frequently, unless the blood has issued from the ruptured vessels in large quantities, and nature sets her preparer of lymph to act as a purifier, to prevent a diffusion, and this is called "adhesion." Now supposing the

worst to have happened, these appearances having been formed by nature, the worst that could have happened, would have been suppuration. Where absorption has failed, suppuration would take place. I need hardly mention What is meant by suppuration; it means a gathering. Now as this had not taken place speedily, I am compelled to infer that danger, if ever such danger existed, was perfectly expelled, because the suppuration was external to the large cavities of the body. I now, therefore, for the present at least, take leave of the external parts, and proceed into the larger cavities. Now, beginning with the abdomen or belly, the account of Mr. Cox, who inspected the body, is, that there was an inflammation in the *omentum*; and if I recollect rightly, of some of the smaller guts. Now, Sir, I must lay down a broad distinction with regard to the wound on the elbow; between acute inflammation and chronic disease. Now the appearances described by Mr. Cox, indicate acute inflammation; now as acute inflammation of the bowels, is one of the most violent diseases that can afflict the human frame; it is utterly impossible that a man could have carried it about him, from the 16th of August to the time of his death; it is utterly impossible, I say. I now ascend to the chest; and there the appearances described are, of an accumulation of blood in the right lobe of the lungs; and there was also an extravasation of blood into the right cavity of the chest. It does not appear that there were any marks of external violence upon the chest. Now if this extravasation of blood into the right cavity of the chest, or the accumulation of blood in the right lobe of the lungs, had been caused by any injury inflicted on the 16th of August, the man must have died much earlier than he did; and there must have been external marks of violence on his chest. It must have happened in his case, as it has happened in all other cases of injuries, where the vessels of the lungs have been punctured by fractured ribs; that he would either have been suffocated by the accumulation of blood preventing respiration, or by the inflammation following upon the injury by the extravasation, or he would have died from both causes in conjunction. It appears also, that the internal inflammation had extended to the *pericardium*, or the bag in which the heart is lodged.

Now, Sir, I must go to the *lymph*. In chronic inflammation, the lymph would be brought out on the surface of the frame or outer membrane. Now Mr. Cox distinctly states, that there were appearances of inflammation, of course the disease was acute; and hence, again, I am compelled to infer, that death could not be owing to any violence received a fortnight or three weeks before. I believe these three heads exhaust this part of the subject,

I will now explain, as far as I can, what was not the cause of his death; namely, that from the active inflammation which was stated to exist in the abdomen, and in the pericardium; and from the extravasation of blood in the cavity of the chest, I think that he died of an acute disease, and not of the injuries received on the 16th of August. I am not aware, Mr. Chairman, whether in forming a medical opinion as to what was not the cause of his death, I should advance to describe certain appearances which have not been fully described.

Mr. Ashworth—I understand you perfectly, Sir. (*To the Coroner*)—This gentleman, Sir, in fact, says, that what occurred on the 16th of August, could not be the cause of the death of the deceased. He now wishes, from the evidence of Mr. Cox, to give some further explanation in fact, as to the appearances that were exhibited, and how they were connected with the cause of death.

A. Certainly, that is what I wish to do.

Mr. Ashworth—Have you ever seen me, Sir, upon this subject before?

A. No, Sir, and I would wish to satisfy any gentleman, that I am not influenced by any man, and that any consideration, unless that of a public duty in this case, is below my notice. I have not seen Mr. Ashworth nor Mr. Barrow, excepting in meeting them in the street, but no conversation has passed between us on this subject.

Mr. Ashworth—And in order to stifle all suspicions, I declare, I have not said one word to Mr. Simmons on this subject; nor have I uttered one syllable to him about the

matter before he came into this room.

The Witness—It is impossible; for I never heard a word about my attending here until Wednesday, nor did I hear any insinuation that I was to attend here in any shape; and no man shall ill-use me, by insinuating that which is contrary to the whole tenor of my character. No consideration should ever influence me to give evidence contrary to my conscience on any occasion, to serve any man or set of men on earth. Now, Mr. Chairman, I will ascend to the neck, and I beg to say, that it would be impossible for any human being afflicted with a disease of the brain to go about; and with regard to the accumulation of blood in the right lobe of the lungs, and the extravasation of blood into the right cavity of the chest, it is impossible not to infer that there was great difficulty in breathing. Any man who has seen a paroxysm of asthma will see that it is owing to the want of a free circulation of blood through the lungs. Now the blood is sent up to the brain by the arteries. That being sent up in the course of circulation to the brain, and having been prevented from returning from the head through the lungs, an accumulation of blood must have taken place, about the head and neck; and hence I should explain the swollen appearance of the features and of the neck, and the discolouration of the features and the neck, for a reason which I shall presently mention. Now the accumulation of blood in the head and neck would press upon the brain more or less, and upon the optic nerve, which would blind one eye. Now this accumulation of blood in the vascular system at the time of death, it is necessary I should explain, at least to render myself intelligible, that this accumulation of blood in the vascular system which existed during life, would, after death, transude through the coats of the vessels, and hence occasion a dark morbid appearance, which is observed more or less after death in every instance. Now, during life, the blood vessels do not permit the blood to pass through them.

Mr. Ashworth—That is, through their coats?

A. Yes, I mean through their coats. As soon as the living principle is extinct, the blood does transude to a considerable extent, through the coats of the vessels, just as if it were soaking through a piece of cloth. That explains the principle upon which" it takes place, and the difference between a living state and a dead state.

The Coroner—That is the difference between the outward appearance of a body?

A. Yes.

Mr. Ashworth—That, then, Sir, causes the difference between the appearance of a human body, alive or dead?

A. Yes; it is the vital principle that forms the organization, and not the organization that forms the vital principle; because the body becomes disorganized the moment the vital principle is extinct. Disorganization commences immediately upon the extinction of the vital principle. The period for the disorganization of the body having commenced with the extinction of life, putrefaction next takes place. A decomposition, and a new arrangement, in fact, ensues, and this, much more rapidly when the body dies in a state approaching to high health, than it does after a lingering disease, and more especially in a hot season of the year, where gas is extricated; and hence may be explained the *emphysematous* appearance about the neck and back, and it is very common for air to escape in opening the body. Now that this could not have happened with any communication is most clear, and hence it must have proceeded from the putrefactive process. Nor was there any communication with the cavity of the lungs. I believe this, Sir, exhausts the subject, according to the view which I had taken of it; and here, probably my examination might terminate; but if it be the wish of any gentleman that I should explain my own view of the cause of the death, I have not the least objection to do it. I think I have demonstrated according to the laws of the living.

Mr. Harmer—I beg, Sir, you will not be talking about demonstration. What you have demonstrated or not demonstrated is a question for the Jury, and we shall have their opinion upon the subject in due time.

The Witness—I speak professionally.

Mr. Harmer—And professionally, Sir, I object to it.

Mr. Ashworth—I beg the witness may not be interrupted.

Mr. Harmer—I beg the witness will not use the term demonstration, as applicable to his own evidence, and then I shall not interrupt him. Here he is talking about having given demonstration, and then he is proceeding to reason upon what he says he has demonstrated. Why, Sir, what are the facts that are demonstrated, cannot be known till the termination of our present investigation, and this gentleman must not assume to himself that which is the province of the Jury alone.

The Coroner—I think he may give evidence of his opinion as to what was the cause of his death, from the evidence that he hears was given as the cause of the death.

Mr. Ashworth (*to the Witness*)—Come, Sir, go on if you please; we will not be interrupted in this kind of way.

A. I think I have shewn then, *to demonstration*, if that is a word that may be uttered, and I think there cannot be any harm in it, that according to the laws of the living system, and I trust I really have demonstrated it, the injury received by the deceased on the 16th of August, could not have caused his death.

The Coroner—What is your opinion of the cause of his death?

A. Now, Sir, he died, I should conclude from the circumstances stated, of an acute disease; it must be of an acute disease of the bowels or lungs; it must have been brought on, as in other cases, by recent injuries, by intemperance—by the application of cold, which is another cause of internal inflammation, and which, like other acute diseases of a similar character, might have terminated his existence. Upon the whole then, what I believe is, that in my opinion, if he had received ten times more than that which he afterwards recovered from, there would not have been any dangerous consequences from any injury he received on the 16th of August. I don't say he had perfectly recovered, but he had recovered from all dangerous consequences, and he died of an acute disease, brought on in the manner I have described, or by some other means, and I am most confident of it.

Mr. Ashworth—Which means are the common causes of such diseases?

A. Yes.

The Coroner—That is your opinion, from what you have heard?

A. Yes.

The examination of the WITNESS resumed by Mr. ASHWORTH.

Q. That is your opinion, from the evidence of Mr. Basnett, who saw the body without its being opened, and from the evidence of Mr. Cox, who saw it after it was opened?

A. Yes.

Q. That is your opinion, from the evidence of these two gentlemen?

A. Yes, certainly.

Q. And, not from what you heard; in any other way?

A. Certainty not. I knew nothing about it. I only heard that an inquest was going forward, and I read an editorial argument, but I could not know any thing about it.

Q. But you form your judgment from nothing but the account that you have heard read?

A. I read an account in the *Courier*.

Q. But is your judgment formed from the account given by Mr. Basnett and Mr. Cox, and nothing else?

A. Certainly. Before I read the account in the *Courier*, on Thursday morning, I knew nothing.

Q. What I mean is this:—Is your judgment given from the evidence you have heard read from the Coroner's notes?

A. Yes; and I only explain, that I had read the *Courier* on Thursday morning. My evidence was founded on the evidence of Mr. Cox and Mr. Basnett, which I went through, as far as my recollection served me, *seriatim*.

Q. How long, Sir, have you been in practice?

A. I have held my appointment, at our Infirmary, twenty-nine years; and I had been in practice some time in the town before that.

Q. But you have, held your present appointment of Surgeon; to the Infirmary twenty-nine years?

A. Yes.

Q. I need not ask you if, during that time, you have seen a great variety of cases?

A. You need hardly ask it. I have seen between fourteen or fifteen thousand patients, all, with a very few exceptions, constantly on the spot.

Q. And, of course, you have seen a very great variety of cases?

A. All sorts of cases.

Q. And constantly on the spot?

A. Yes, for twenty-two years I never had an excursion for more than a single day, and that was fifteen years ago; and, in fact, I went on until I could go on no further. A friend reminds me, that at the expiration of twenty-two years I was obliged to go to Scarborough. I wish to guard against a quibble.

The WITNESS examined by the CORONER.

Q. I would wish to ask whether the inflammation in the lower bowels, and the *omentum*, which you have had described to you, could have existed from the 16th of August to the time of the death of the deceased?

A. Certainly not. I most particularly explained that. That is the view which I take of it.

Q. If that inflammation had been produced by external bruises, when would it take place?

A. It would follow rapidly.

Q. Suppose the bruises had been inflicted on the 16th of August, and had been the cause of that inflammation taking place, what time would elapse before it would take place?

A. Not above two or three days.

Q. Then, if the cause had been inflicted on the 16th of August, how soon would the inflammation begin?

A. It would begin its process very quickly. It commences almost immediately; within two or three days at furthest.

Q. Then, from the description you have had of the inflammation in the deceased, how long are you of opinion that it had existed, previous to his death?

A. Not many days. Now, Sir, it must either prove fatal then, as it did, or the patient must have been saved, by adhesion forming with the lymph, which I before described.

The examination of the WITNESS resumed by Mr. ASHWORTH.

Q. Then, Sir, are you, in fact, of opinion or not, that the cut on the elbow, and the different bruises mentioned in the evidence of Mr. Basnett and Mr. Cox, occasioned the death of the deceased?

A. I have before stated, and I will confirm it, that his death was not owing to any injury received on the 16th of August. What I mean by adhesion after inflammation terminates, may be understood by an illustration, as in pleurisy. The way in which pleurisy frequently terminates, is by the formation of adhesion to the inside of the chest, and that terminates the inflammation. In this instance, the man died from this adhesion, in all probability, not having formed. Either the disease would run its course to destroy life, or the adhesion that would form in case of pleurisy, would put a stop to the progress of the disease.

Q. How long do you think it possible for this inflammation of the *omentum* and the lesser guts to have existed, before it occasioned death? How long is it possible that they should have existed before they terminated fatally?

A. Not many days. Inflammation in the bowels, as every one knows, is soon stopped, or soon terminates existence. Every one must have heard of that. It will sometimes destroy life in twenty-four hours, or a shorter time. It depends, of course, upon the degree of inflammation, which is various in different instances.

Q. Then, I understand you to say, that if the inflammation of the *omentum* and the lesser guts had arisen from bruises inflicted upon the deceased, on the 16th of August, his death must have ensued in a week from that time?

A. That depends upon the inflammation. It is impossible to fix it positively, unless one knows the state of the inflammation.

Q. But, supposing the inflammation to be that which has been described, must existence have terminated in a week?

A. Yes, in a shorter time.

Q. I think you said also, that the inflammation itself, if produced by those bruises, must have come on in two or three days?

A. Yes.

Q. And that inflammation would have terminated existence within a week from that time?

A. Yes, unless adhesion had formed, to stop the spreading of the disease.

Q. Which, from the history of this case, you learn had not taken place?

A. No. It does not appear so from the examination of Mr. Basnett and Mr. Cox. Their remarks shew, in my opinion, that it was an acute disease.

The examination of the WITNESS resumed by the CORONER.

Q. If I understand you right, Sir, then this inflammation would not have suffered the deceased to have gone about so much as we hear he did, after the 16th of August, if the inflammation had arisen, as you say it must have done, within two or three days after the injuries that produced it, and if those injuries that produced it, were inflicted on the 16th of August?

A. No. No man ever heard of a man going about with an acute inflammation of the little guts. It is utterly impossible.

Q. Is it physically impossible?

A. Yes, it is.

Q. You said, that the effects of the injuries received on the 16th of August, were surmounted and got over, and you gave a reason for it?

A. Yes.

Q. Now, will you explain that?

A. The consequences of an injury which produces this inflammation are, either to go on to destruction, or, for the inflammation to terminate and subside. Having subsided, the source of danger is done away with; and, therefore, it could not happen in this case, because the man was healing, which would not be the case if danger was not over. Whatever injury he might have received on the ground, on the 16th of August, all source of danger had terminated from that cause, before his death, and he could not die of that. The cause of his death was of recent origin.

Q. It has been stated in the evidence of another person, that there was an appearance of specks, and an appearance of a bluish colour. Can you account for that?

A. That is one point that I am afraid I have been too tedious upon, but which I will endeavour to explain. But I will explain the difference in appearance, between a recent extravasation, and an extravasation of some continuance. Soon after the injury is inflicted, the part looks black; but, as nature is endeavouring to restore the injured part, an absorption takes place of part of the extravagated blood, and instead of the part being black, it assumes a variegated appearance, and becomes black and blue, and lilac, and yellow, according to the stage of the absorption; but any spot at that time must still be explained upon the principles I before stated, that is,

the transudation of the blood through the coats of the vessels.

Q. Do you think that was produced by paralysis?

A. He could have had no paralysis, when he was enabled to walk about, and from the statement I have heard, he certainly had received no injury of the spinal cord, because if he had, he could not walk about.

Q. How are you of opinion, that these appearances—these spots, could have taken place?

A. That proceeded from extravasation after death, I have no doubt.

Q. There is another point which we wish to be ascertained. Were these spots owing to paralysis?

A. No; it was not owing to paralysis. It might be similar to apoplexy; but this had nothing to do with any injury that the man might have received, had it been ten times greater than it was, on the 16th of August.

Q. To the best of my recollection, this loss of the use of one side, and of the sight of one eye, took place on Thursday, and John Lees died on the Monday night.—Could any injury received on the 16th of August, produce any such effect as that, at the time before he died?

A. Certainly not, as far as the evidence goes, he had received no injury on the head. A concussion of the brain is a most alarming disease, and shews itself instantly.

Q. It is also in evidence. Sir, that the deceased, after he was in bed some time, towards the latter end of his life, complained of a pain towards his shoulders when he was removed. That was when he was confined to his bed, for three or four days before his death. Can you account for that pain?

A. The symptoms stated are, that he had lost the use of his left side, and the sight of his left eye. Paralysis on the left side would blind the left eye. There must have been also evidently a congestion of the blood on the brain, and in case of an injury to the head, trepanning is frequently resorted to, and when you remove a body which is lying like a dead weight, I have known it frequently happen to be so.

Q. What, from the attempt to remove a person from the posture in which he lies?

A. Yes, when a person has been constantly lying in a particular posture, when he is attempted to be removed, he will feel this pain.

Q. And that is not confined to any particular part?

A. The pain is generally where the flesh is contused.

Q. This was after he had lost the use of one side, and he came very soon afterwards to be so as not to be understood: but the evidence is, when they put an arm under his shoulders to get him up, he always complained?

A.: Evidently at this time he was lying under an apoplexy, and this apoplexy could not be caused by any injuries received on the 16th of August.

[The Foreman of the Jury was here about to put a question direct to the Witness.]

The Coroner (*to the Foreman*)—The regular way, Sir, is to put your questions to the witness through me.

The Foreman of the Jury—Very well, Sir, I think the witness says that the deceased did not die in consequence of the injuries he received at Manchester, on the 16th of August.

The Coroner (*to the Witness*)—You have heard that question, Sir, will you be good enough to answer it?

A. No, certainly, he did not.

The Foreman of the Jury—The witness has also said, Sir, that if the deceased had received ten times as much injury on the 16th of August, as he did, that these effects would not have ensued. Does he know what injuries the deceased really did receive on the 16th of August?

The Coroner (*to the Foreman of the Jury*)—He has said, that he would have gone on day by day, either getting better, which he did, or getting worse; and, if this

inflammation had been produced on the 16th of August, he would have died in little more than a week afterwards.

The Foreman of the Jury—I ask, Sir, does the witness know what injuries the deceased received on the 16th of August at Manchester?

A. I take my reasoning from the document which the Coroner has read to me. He has read over to me the evidence of Mr. Basnett and Mr. Cox, and that is the ground of my reasoning.

The Foreman of the Jury (*to the Witness*)—But the deceased was beaten with bludgeons and with staves. You know you have not heard of that, though it has been proved here upon oath?

A. If he had been bruised ten times as much as he was, still I say, he had recovered from the effects of those bruises.

The Foreman of the Jury —But, might not those bruises have brought on something of which you suppose he died?

A. Certainly not.

Another Juror.—I should like to ask the learned doctor, if wounds and bruises may not be inflicted on a man, of such a nature, as to produce appearances such as this man exhibited three weeks afterwards?

A. The injuries and bruises this man received at the time, must have been external, and were not affecting any of the larger cavities.

The same Juror—Do you mean to say, that external bruises and injuries in a manner may not, and do not frequently lead to his death three weeks afterwards?

A. If none of the larger cavities—by the bye, though, that does not apply to the injuries in this case, according to the evidence now before me.

The same Juror —I should like to hear what answer you give to that question.

A. If none of the larger cavities were affected, so as to injure the *viscera*, I answer positively in the negative.

The same Juror —But, you will allow, that in some cases it may happen?

A. I answer positively in the negative.

The same Juror —If the larger cavities are not injured, you mean? ,

A. Yes.

The same Juror —You are certain that the larger cavities were not injured in this case?

A. Most clearly not.

The same Juror —From what you got from the *Courier* newspaper?

A. No. The first information I received, was from the *Courier*. But, I have stated my evidence here, from hearing the evidence of Mr. Basnett and Mr. Cox read. I first received information of what had been given in evidence, from the *Courier*.

The WITNESS examined by Mr. ASHWORTH.

Q. But, Sir, is your present opinion as to what was the cause of the death of the deceased, given upon the evidence of Mr. Basnett and Mr. Cox read here only?

A. Yes, exclusively.

Q. And does it appear from their evidence that the larger cavities were not injured?

A. Certainly.

The WITNESS re-examined by Mr. HARMER.

Q. I think, Sir, you say, that your opinion is formed entirely and solely from the evidence you have heard read here this day?

A. Certainly.

Q. And, I think, you also said, that you had not any communication with any one, or information upon the subject, except from the *Courier* Newspaper, until you came here?

A. I have mentioned it in conversation; but, I have had no official communication with these gentlemen on the subject.

Q. Will you do me the favour to say, Sir, how it happened that these gentlemen found you out to bring you as a witness?

A. Why, I happened to mention that it was physically impossible Lees could have died of the wounds and bruises which he received on the 16th of August.

Q. Will you favour us by stating to whom it was that you happened to mention this?

A. To Mr. Hindley and another gentleman, and Mr. Cooke.

Q. Mr. Cooke, the attorney?

A. Yes.

Q. That is, Mr. Cooke, who is the attorney here for the Magistrates?

Mr. Ashworth—No; that is not so. The Magistrates have no attorney here.

Mr. Harmer—Mr. Cooke has been taking notes for them, however.

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

Q. Is a medical man capable of forming so correct a judgment on a subject like this, from the description of appearances given him by others, as he can from ocular observation?

A. Certainly not; because I might see the same appearances in a different point of view.

Q. Do you happen to know Mr. Cox?

A. I have known him.

Q. Is he a man of reputation in his profession?

A. He was a pupil at the Manchester Infirmary.

Q. How long ago?

A. I saw him as he was coming into the house to-day, and I did not know him; and he states, it was twenty-five years ago. He conducted himself extremely well at that time.

Q. Is he a gentleman of skill and knowledge in his profession?

A. Yes; he is much esteemed as such.

Q. From your own experience, you know how he conducted himself twenty-five years ago?

A. Yes.

Q. Has he still maintained the same reputation which he then possessed?

A. Yes; for any thing that I know to the contrary.

Q. Would you, not having seen the body, which he had seen, venture to contradict him as to the cause of the death?

A. Certainly.

Q. Where he has seen the body, and of course has had ocular demonstration of the appearance of it, and you have not seen it, would you differ in opinion from him as to the cause of the death, that opinion being formed upon his description of the appearances of the body?

A. I would.

Q. And that you say, though you confess a person who saw the body had much better opportunities of judging, than you who had not seen it?

A. If I had seen the body myself, I might form a better opinion; and generally speaking, the same mind that formed an opinion, without seeing the body, might form a better opinion if he saw the body. But I may be supposed to have seen a great deal more of that sort of practice than Mr. Cox.

Q. Is Mr; Cox a man of skill, in your opinion?

A. There are different degrees of skill in the medical profession, as well as in the law.

Q. I don't know whether you have heard it or not; but it has been stated here, that this man never did recover from the injuries he received on the 16th of August, and

that he was totally unable to work?

A. I have explained particularly, that all danger from injuries that he might have received on the 16th of August, had ceased.

Q. That he had recovered, I understood you to say?

A. From all dangerous consequences.

Q. From your knowledge of the skill and reputation of Mr. Cox, he having seen the body and opened it, and described as the cause of the death of John Lees external injuries, would you, not having seen the body, venture to contradict him?

A. He has given a narrative of the appearances which the body exhibited. I give the opinion I have stated upon his narrative, and I am convinced it is the correct opinion, whether it agrees with the opinion of Mr. Cox, or the opinion of any other man.

Q. That you know, Sir, is a mere difference of opinion.

A. Yes; and from what I have frequently seen of this sort of practice, I think I am more capable of forming a correct opinion on the subject than Mr. Cox.

Q. The Jury, Sir, will no doubt duly appreciate the value of that self-opinion.

Mr. Ashworth - Really, Mr. Coroner, I must interpose to protect the witness from this sort of attack.

The Witness—Oh! Mr. Ashworth, let me go on. I will teach him surgery. I am anxious for a little more discussion. He is not the first lawyer I have taught surgery.

Mr. Harmer—Perhaps not, but notwithstanding the opinion you entertain of your own skill, I should be very sorry to be under your hands.

The Witness—Oh! I'll teach you surgery, Sir. As you have challenged me with a castigation from different medical opinions, I hope you will bring down Dr. Cline, Sir Everard Home, and the other leading members of the faculty. I shall be very happy to see them.

Mr. Ashworth—I will ask you, Mr. Coroner, whether the witness is to be attacked in this kind of way?

The Witness—I am sorry you should interrupt the gentleman, Mr. Ashworth. I am anxious for a little more discussion with him. I should like very much to have a little more discussion. with him.

Mr. Ashworth (*to the Coroner*)—Did you, Mr. Coroner, understand Mr. Cox to say that the deceased died of the bruises he had received?

The Coroner—No; I did not.

Mr. Ashworth—Because that has been the insinuation.

[Here much clamour ensued, and different gentlemen addressed the Coroner together.]

The Witness—I want a little more discussion. Don't interrupt the gentleman. I should like a little more discussion with him.

Mr. Harmer—I beg you will hear Mr. Simmons; he says he wants a little more discussion with me.

The Coroner—I have exhausted all my patience.

Mr. Ashworth—Nothing shall drive me from my question, Sir, and no clamour shall put me from my object. I ask you, Mr. Simmons, did you understand from the evidence of Mr. Cox, as you have heard it read, that he ever gave it as his opinion that the death of the deceased was the consequence of the wound or bruises that he had received?

Mr. Harmer—I said "external injuries;" and that was what Mr. Cox said.

Mr. Ashworth- No such thing—(*to the Witness*)—Did you understand Mr. Cox to have said, Sir, in his evidence, as you have heard it read¹, that the deceased died of external injuries?

A. I did not.

Mr. Ashworth—This is an attempt to foist upon us evidence, as if it had been given by the witnesses.

Mr. Harmer—I beg leave to contradict that. Mr. Cox certainly so stated, though, perhaps, it may not be upon the Coroner's notes.

The Coroner—I took down all Mr. Cox said, which I conceived to be material to the present inquiry.

The Witness – I hope the gentleman may not be interrupted, the more questions he puts to me the better, so long as it only leads to discussion.

The WITNESS examined by the CORONER.

Q. Mr. Harmer has said that it was not proved the deceased had got better, because he was never able to go to his work afterwards. Do you mean, when you say the deceased had got better, that he had recovered from his wounds, or that he had only recovered from the effects of his wounds, such as inflammation, and what would have followed the wounds and bruises?

A. I have repeatedly answered that, Mr. Chairman, and I have stated, that he had recovered the consequences of any injuries he might have received on the 16th of August. I do not mean to state, on the other side, that he was restored to vigorous health, but from their nature, whatever the injuries were that he had received on the 16th of August, he must have been restored to a state of safety, though not, perhaps, to a state of vigorous health. He might be poorly, though I know nothing about that, not having seen him.

Q. He had recovered from all danger, you mean?

A. Yes. He could not use his arm for some time, no doubt; but, by the appearances, he had an inflammation of his bowels, and he had also been afflicted with apoplexy; and certainly these could not have proceeded from any injury that he might have received on the 16th of August.

Mr. Ashworth - That is all, Sir, that I wish to ask you.

[The Witness here addressed Mr. Harmer personally in the manner following.]

The Witness—I hope you will bring down some of my London friends, as I passed some very pleasant days with them in the spring, and I should like to see them again.

Mr. Harmer (*to the Witness*)—Did you say that you expected to meet them here, Sir, in the spring? If you did, I think your expectations will be realised. The assizes are held in March.

The Witness (*to Mr. Harmer*)—No; I said I spent some very pleasant days with them in the spring, and I said I should like to see them down here.

Mr. Ashworth—What the witness means, Sir, is, that these are the most celebrated members of the faculty, and I hope we shall have the pleasure of their company down here, as I understand you will bring them with a view of contradicting this witness.

The Witness—Perhaps they may be brought down here with that view, but unless the old system is very much changed since last March, I think they will confirm all I have said.

Mr. HARMER—Is this to be borne, Mr. Coroner? Will you lend your sanction to this species of self-sufficiency?

The Coroner made no answer.

The Witness—I certainly shall be glad to see those gentlemen down here.

Mr. Ashworth—I trust, Mr. Coroner, you will allow me to say a few words. I see that a great deal of asperity is, exerted towards this witness.

Mr. Harmer (*warmly*)—I take leave to say, that no asperity has been evinced by me towards Mr. Simmons; but that gentleman has thought fit to conduct himself in a manner that would have long ago called down the Coroner's censure, if I had produced him as a witness.

Mr. Ashworth—Depend upon it, depend upon it, Mr. Coroner, a loud tone of voice shall not stop me. Depend Upon it, Sir, by clamour I shall not be made to recede from my duty; but I may be allowed to say this, that Mr. Simmons' time (if his own description of his situation is to be believed, and I trust that will not be attacked) is of the greatest importance to himself, and to the infirmary, where it is of the greatest possible benefit to the public. I trust, therefore, Sir, that as his time is so very valuable, in order that he may not have the necessity of coming here a second time, he may be allowed now to sign his examination, or in the course of this day; and if he be wanted again to give any further evidence, I pledge myself that he will most cheerfully come over.

The Witness—I have only to say, Mr. Coroner, that I wish very much to get back to my duty, but I would not, on any account, return as long as a single mind present is dissatisfied with tiny thing I might have said. I wish to give the fullest and clearest explanation of what I may have said, divested of all technical language; and if the gentlemen wish, I will wait here any time to explain to them.

Mr. Ashworth—I merely submit, Mr. Coroner, that it might be advantageous to the witness, considering the public situation he holds, that his deposition may be read over to him, and signed by him in the course of this day.

The Coroner—Yes, certainly. It shall be so.

Mr. Battye (*to the Witness*)—I will make out your deposition, Sir, and I will let you know as soon as it is ready.