

Name: James Walker
Occupation: Dyer
Home: Manchester
Date: 9 October 1819
Source: Lees Inquest 540 – 547
Summary: Testifies describing the Yeomanry cutting at people with their swords and identifies Harrison & Shelmerdine in particular. Coroner disputes evidence during the Inquest because witness did not see Lees being injured.
Done by: CW

JAMES WALKER called in, sworn, and examined by Mr. HARMER.

Q. Where do you live?

A. No. 7, Edge-street.

Q. What are you?

A. I am a dyer.

Q. Were you on St. Peter's-field on the 16th of August?

A. I was.

Q. Were you there at the time the Manchester Yeomanry Cavalry entered the field?

A. Yes.

Q. State what you saw then?

The Coroner—I object to that.

The Witness—I saw Harrison and others of them cutting the people right and left, and—

The Coroner—Stop! Stop! Sir, that is not evidence. Did you know John Lees?

A. I understand I have a right to tell all I saw.

The WITNESS examined by the CORONER.

Q. Did you know John Lees?

A. I understand I have a right to tell all I saw.

Q. No, you have not. I ask you, did you see any man wounded near the hustings, that you know, or have reason to believe was John Lees?

A. I do not know John Lees.

Q. Did you see any person wounded, that you believed to be him?

A. I can't say that.

Q. Did you see any person wounded near the hustings?

A. I saw several persons wounded near the hustings.

Q. What distance from the hustings?

A. About five yards, at the north end.

Q. Where were you standing at that time?

A. I was coming off the north end of the hustings. I was leaping from them.

Q. Do you call that the north end, which was towards Peter's-street?

A. Yes.

Q. After you had leaped off the hustings, what did you do?
A. I made the best of my way through, with a coloured flag.
Q. What time did you leap off the hustings?
A. Directly after Hunt and Johnson delivered themselves up.
Q. And where did you go?
A. I ran in a direction towards Peter's-street.
Q. Did you reach Peter's-street?
A. No; I reached a kind of a ridge, and then I got brought down. I had the flag trailing behind me; and the Cavalry trod upon the staff, and broke it, and brought me to the ground.
Q. Did you get to St. Peter's-street afterwards?
A. I will tell you, if you will let me.
Q. If you will answer my question, I dare say it will come to what you wish to come at. Did you get any distance without any further interruption?
A. Yes; I got about fifty yards without interruption.
Q. Did you get to Peter's-street?
A. Yes.
Q. How long were you detained when this interruption took place?
A. Not long. Nearly a minute.
Q. Did you lose your colour there?
A. I did.
Q. Did a Cavalry man take it from you?
A. I don't know who took it.
Q. Then you did not stop any where from the time of your quitting the hustings, to the time of your getting fifty yards from them?
A. No. I suppose it was fifty yards from the hustings.
Q. In what part of the field was it that you saw any persons wounded?
A. Immediately, on my leaping from the hustings, I saw two persons wounded.
Q. In what part?
A. I can't tell you; only I know that one was bleeding on the right side of the head, by the temple; but where the blood flowed from, I cannot tell.
Q. Where did you see any other person wounded?
A. When I was down upon the ground, three of the Yeomanry Cavalry came galloping up,—
Q. Stop! stop! Will you attend to my question? Who asked you any thing about Yeomanry Cavalry galloping up?
A. And there I saw a person that was down; and he tried to get up, but he could not stand.
Q. Might he not have had his leg broken, without being wounded?
A. I call that a wound.
Q. What do you call a wound?
A. Why, if a man has his leg broken.
Q. Do you say his leg was broke?
A. I can't tell.
Q. Did you stop to see him get up?
A. I did not see him get up; but he tried to get up, and fell down again.
Q. You saw no other wound upon any other man?
A. No, not near the hustings.
Q. These people were upon the ground when you jumped off?
A. Yes.
Q. Did you see any persons give these wounds to this one man?
A. I did not.
Q. Nor where he was wounded, you don't know?
A. No; I do not know where he was wounded, but the man lay there groaning.
Q. Perhaps you can tell how that man was dressed?

A. He had a velveteen coat on. That was all I noticed.

Q. Then these are all you know of, being wounded, within ten yards of the hustings?

A. I saw it within a few yards. I suppose ten might be the extent.

Q. After you got to Peter's-street, what became of you?

A. I did not get to Peter's-street then.

Q. You did get there, though, afterwards?

A. Yes; but I saw—

The Coroner—State nothing but what is evidence. A great deal that you have now stated, is not evidence.

A. I understand, that by the laws of this country, I have a right to tell all I saw transacted.

Mr. Harmer—Certainly you have a right to state what you saw on the field that day.

A. I understand so, by the laws of this country.

The examination of the WITNESS resumed by the CORONER.

Q. Who declared those laws to you?

A. I have seen them myself.

Q. If you choose to answer such questions as I put to you, very well; but if not, you must go out of the room. Now I ask you again, after you got into Peter's-street, what became of you?

A. I made the best of my escape home.

Q. What time did you get home?

A. I suppose, I got home in ten minutes after that. I was not long in reaching there.

The Coroner—This, in my opinion, is all that is material to ask this witness.

The WITNESS examined by Mr. HARMER.

Q. Were there any persons cut, to your belief, near the hustings?

The Coroner—I will not admit that.

The examination of the WITNESS resumed by Mr. HARMER.

Q. Did you see other persons cut near the hustings?

A. No; not near the hustings.

Q. Can you tell me the names of those two persons who were cut?

The Coroner—He said he saw none cut.

The Witness—I beg your pardon, Sir, I did not say so.

The Coroner—I asked him, and he said he never saw them cut or wounded.

The examination of the WITNESS resumed by Mr. HARMER.

Q. Did you see any persons cutting, at the hustings, with their swords?

A. If I had been permitted to state what I could, I would have done so at first.

Q. Well, did you see any persons cutting at the hustings with their swords?

A. I did, Sir.

Q. I ask you the names of all those who were using their swords at the hustings.

A. Samuel Harrison and Thomas Shelmerdine were using their swords at the hustings.

Q. Were there other persons in the same dress, and in their company, also using their swords?

A. Yes, there were; and Harrison made a lunge at me, and then he said, "*there is that villain Saxton; run him through.*" Harrison first made a lunge at me, and then he said, "*there is that villain Saxton; run him through*"—and Harrison's horse would not stand still, and Shelmerdine made a blow at him.

Q. Was your attention, after that, directed to your own safety?
A. It was; and with that view, I made my escape with the colour.

The WITNESS cross-examined by Mr. BARROW.

Q. When were you first told to attend here?
A. This morning.
Q. You never heard you were to attend here before this morning?
A. Not at this house.
Q. When had you orders to attend at Oldham, then?
A. I attended at Oldham last Saturday week, for the first time.
Q. When did you first tell the story that you have, been telling here now?
A. I gave in a statement immediately after, to Mr. Johnson's office. But I have not been permitted to tell all I know. How is that?
Q. What did you give to Mr. Johnson, did you say?
A. I gave in my deposition at Mr. Johnson's shop.
Q. You said "Office," before?
A. But I meant shop.
Q. When was that, think you?
A. Directly after. It was on the Wednesday, the day next but one after the Meeting.
Q. What were you doing at this meeting?
A. I went there along with the rest.
Q. Are you a Manchester man?
A. I am.
Q. What colour was it you endeavoured to take away?
A. It was a light colour.
Q. Did it belong to the Manchester people?
A. I don't believe it did.
Q. Did it bear any inscription?
A. I don't know. I was just jumping down, and I seized hold of it as it hung over. I did not look whether it had an inscription, or not.
Q. Then it seems you were stealing a colour belonging to other people?
A. I beg your pardon; I was preventing it from being stolen: they had no business to take it.
Q. Was it not a colour, pray, which you had been carrying to the meeting?
A. I carried none. I met a body of people, and I considered that all the colours with them belonged to the same body.
Q. I thought you had a share in it?
A. I had no share in it; but I thought it was my duty to preserve the colours as far as I could, when they were attempted to be stolen by these armed ruffians.
Mr. Barrow.—That is pretty language.
Mr. Harmer.—It is very good language, and strong and applicable language.
Mr. Barrow.—It is strong language, certainly.

[Mr. Ashworth here entered the room.]

Mr. Ashworth.—I don't know, Mr. Coroner, whether you will suffer such language as this to be used in your Court.
Mr. Harmer.—The learned Counsel, perhaps, did not bear the, charge that was made by Mr. Barrow against the witness, which occasioned it. He was charged with stealing this flag.
Mr. Ashworth.—Suppose he is charged with stealing it, still I say, that this is not language which, in a Court of Justice, is to be endured. Mr. Ferrand is just as much a Judge of this Court, and entitled to decency and respect, as any Judge in the land. Such language is extremely improper, either on the one side or on the other.

The Cross-Examination of the WITNESS resumed by Mr. BARROW.

Q. You say, that in carrying away this colour, it was taken from you? You don't pretend to have been hurt, do you?

A. My attempt to take it off was good, and I thought to have escaped without a hurt, but I did not escape entirely.

Q. Why did you not state that before?

A. Because I was prevented, and I was told only to answer such questions as were put to me.

Q. Perhaps you were hurt?

A. I was.

Q. Very much?

A. Not very much. If I may state the case, I will tell you all about it. I have been told only to answer such questions as are put to me; but with due deference to the Court, I think I have a right to state all I know.

Mr. Ashworth.—You have no right to apply the term *ruffian* to any person.

A. Why, they were not gentlemen.

The WITNESS examined by the CORONER.

Q. You once told me, upon your oath, that you saw no man wounded near the hustings.

A. No,- I did not. I told you I did see a man wounded near the hustings.

Q. Well, you have said you did not see the wound inflicted. Is that true, or not?

A. I did not see the wound inflicted; but I did not say that I saw no person wounded. I did not see any person actually wounded; but I saw them after they were wounded, at a small distance off the hustings.

Q. But you did not see the wound inflicted?

A. No.

Q. When you have said, you saw them wounded,, what do you mean by saying, you only saw them after they were wounded?

A. I saw, them after they were wounded.

Q. Do you mean to say that you saw any wound given near the hustings?

A. No: but I saw three attempts made.

Q. Then the utmost you mean to swear is, that you saw some people after they were wounded?

A. But I have got more to state than that, as to what happened at the hustings. That is what I have to state.

Q. You saw one man down; but you don't know whether he had a wound upon him, or not?

A. I know he could not stand.

Q. Do you mean to state, that you saw these two people, *Harrison* and *Shelmerdine*, wound any body?

A. I don't know that I saw *Harrison* wound any body, but I saw him attempt to wound both me and Mr. Saxton; and if I had not jumped back, I am sure he would have cut me. I saw *Shelmerdine* inflict a Wound upon a person afterwards.

Q. Near, the hustings?

A. No.

Q. Then this is the conclusion of your evidence, that you neither saw *Shelmerdine* or *Harrison* wound any person at the hustings? Which was it that attempted to strike at you?

A. *Harrison*.

The Coroner.—That is all I ask you.

The Witness.—But I have not stated all I know. I saw different man wounded after that.

The Coroner. - You are told, it is not evidence. Go about your business.
[The Witness withdrew, muttering.]