

**Name:** James Whowill  
**Occupation:** Cotton weaver  
**Home:** Royton  
**Date:** 5 October 1819  
**Source:** Lees Inquest 277 – 296  
**Summary:** Identifies John Lees by name being attacked by two or three cavalry, including the trumpeter, and beaten by a special constable. Survives long and aggressive cross-examination.  
**Done by:** CW

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JAMES WHOWILL sworn, and examined by the CORONER.

Q. Where do you live?

A. I live at Royton.

Q. What are you by trade?

A. I am a cotton-weaver.

Q. Did you know this John Lees, to ascertain the cause of whose death we are making this inquiry?

A. Yes; I have known John Lees many years.

Q. State what you know relating to his death.

A. I saw John Lees in St. Peter's-field.

Q. When?

A. On the 16th of August.

Q. Where was he when you saw him?

A. He was on the hustings.

Q. What time of the day was that on the 16th of August?

A. That was a little after 12 o'clock when I saw him that time.

Q. What more did you see of him?

A. Then I did not see any more of him, not until the Cavalry were among the people.

Q. Where were you at that time? Were you on the hustings?

A. No; I was on the contrary side next the houses: I do not know the name of the place.

Q. Windmill-street; is that it?

A. It may be.

Q. Were you next the houses at the back, of the hustings?

A. Yes.

Q. How far were you from the houses?

A. I cannot say, because I did not measure the distance.

Q. You cannot tell the distance that you were from the houses, because you did not measure it?

A. No.

Q. What is your best opinion?

A. I cannot positively say, unless I was to measure it.

Q. Do you remember a public-house being there, the sign of the Windmill?

A. I was not at any public-house

Q. But did you notice any public-house, the sign of which is the Windmill, among the houses near to which you say you were at first?

A. No.

Q. Have you been on the ground since?

A. No; I never was on the ground either before or since.

Q. Can you tell us whether you were nearest to the houses or to the hustings?

A. I was nearer the hustings than what I was to the houses.

Q. Can you tell us how far you were from the hustings?

A. I cannot precisely say how far.

Mr. Ashworth (*in an angry tone to the Witness*)—Why don't you answer the question, Sir: how far *about?* you are asked.

A. I don't wish to be crossed in that kind of way.

Mr. Harmer (*to Mr. Ashworth*)—That, certainly, Sir, is not the way to illicit [sic] truth, nor is it very proper to interfere when the witness is in the hands of the Coroner.

The examination of the WITNESS resumed by the CORONER.

Q. To the best of your belief, how far were you from the hustings?

A. To the best of my knowledge, I was not above a dozen or fourteen yards from the hustings.

Q. Did you measure that?

A. No, I did not, but I say it was that, to the best of my knowledge.

Mr. Ashworth (*to the Witness*)—The Coroner, Sir, is not supposing that you are speaking positively to a yard or two, and it is excessively absurd to take him as so meaning.

Examination of the WITNESS resumed by the CORONER.

Q. Was the field very crowded then?

A. There was a very great crowd at that time. There was a great many people.

Q. Could they move at all?

A. They could not move at that time.

Q. What more did you see?

A. I did not see any thing more, until the Cavalry came in amongst us, and then I made my escape as quick as possible.

Q. But did you see any thing more of John Lees?

A. No; I did not see any thing more of him, until just at that time.

Q. You were making your escape then?

A. Yes.

Q. And what did you then see?

A. And I then saw John Lees, and two or three constables round the place, and two or three Cavalry, and a trumpeter blackguard of Cavalry (but I do not know of what Cavalry) struck him with his sword.

Q. Did you say you only, saw one Cavalry-man?

A. There were two or three Cavalry-men striking with their swords.

Q. Who did you see struck?

A. John Lees. He held up his stick to keep the blows off him, and the Cavalry-man struck him on the top of his shoulder with his sword, and a constable there, who had a dark green coat on, struck him with his truncheon, and I made my escape then, and I saw nothing more of him, until the night following.

Q. Did you say you saw the Cavalry-man who struck at John Lees, strike him with his sword?

A. Yes.

Q. Was it a Cavalry-man, or a trumpeter?

A. It was a trumpeter.

Q. Because you before said both.

A. It was a trumpeter of Cavalry, but what Cavalry it was I cannot say. Whether he was a trumpeter to the Manchester Yeomanry, or not, I do not pretend to say.

Q. Where was this; on what side of the hustings?

A. On the lower side.

Q. Where the Cavalry was striking him?

A. Yes.

Q. That was on the contrary side from you?

A. Yes; but I was making my escape. It was on the contrary side from where I had just before stood.

Q. What did you say to Lees, at that time?

A. I said nothing to him. I was not so nigh as to be able to speak to him—not on the ground.

Q. Did you see the Cavalry come up to the hustings?

A. I saw them come in among the people, and come straight up to the hustings.

Q. And did they, in their way to the hustings, strike and cut this man in any way?

A. Yes.

Q. What, as they went up to the hustings?

A. No, I misunderstood you; as they turned from the hustings. The man was not on the hustings at the time I saw him cut.

Q. At what distance from the hustings was it that they struck him?

A. As to the number of yards, do you mean?

Q. Yes.

A. I cannot say positively.

Mr. Ashworth—(to the Witness)—You can say about.

The examination of the WITNESS resumed by the CORONER.

Q. Will you give any opinion?

A. I cannot say positively.

Q. Now you have said once, that you did not know how far you were from the houses, and that you could give no opinion, because you had not measured it. After that, you gave an opinion as to how far you were from the hustings, though you had not measured it. Now give us an opinion again, if you chose, as to what I now ask you?

A. I cannot say positively.

Q. Give an opinion?

Mr. Harmer (to the Witness)—You are not asked to speak positively as to the correct number of yards.

The Coroner—(to Mr. Harmer)— We do: not want any of your interruptions, Mr. Harmer.

Mr. Harmer—(to the Coroner) I certainly meant to give no interruption, Sir. Similar interferences have proceeded from Mr Ashworth without his being at all found fault with.

Mr. Ashworth—(to Mr. Harmer)—I beg your pardon, Sir.—The Coroner did interrupt me, and with atone of some asperity too. He said, "Stop, Sir." He did, indeed.

Mr. Harmer—(to Mr. Ashworth)—Then, if he did so Sir it is certainly the first asperity he has evinced towards you in the course of these proceedings.

Mr. Ashworth—(to Mr. Harmer)—That is, because I do nothing irregular. I am, therefore, not subject to the Coroner's animadversions.

The Coroner—Well, let us go on. The witness now says, that it was about twelve yards from the hustings—(to the Witness)— Is that what you say?

A. Yes, about.

Q. How was this constable dressed, beside the green coat you say he had on?

A. He had on a light waistcoat, but I cannot say what coloured breeches he had.

Q. You have not yet told us on what part of the body this trumpeter, as you say,

struck John Lees?

A. Yes, I did. I told you he struck him over the top of the shoulder.

Q. Did you see him strike him any more?

A. I cannot say whether he did or not.

Q. I did not ask you that; I ask you did you see him strike him any more?

A. No; because I was making my way as fast as ever I could, to escape, as well as the rest of the people.

Q. Was it with the edge, or the flat part of the sword, that he struck him?

A. As for that, I cannot positively say.

Q. What did John Lees do after that?

A. I did not see him afterwards on that day.

Q. After he was struck, what became of him?

A. I don't know. I left the crowd, and cannot say what became of him.

Q. As you do not know whether the edge or the flat side of the sword was used; you do not know whether he was wounded or not then?

A. No.

Q; Then I shall ask you no more questions. But stop, when you saw him the next time, where was that?

A. It was just about dark the day following.

Q. What day was that?

A. That was the Tuesday.

Q. Did you say it was about dark?

A. Yes.

Q. Where was it?

A. It was in the Brick-road, at the lower end of Oldham.

Q. Do you know any thing about him there?

A. No, no more than he said his arm was hurt.

Q. How long were you in his company then?

A. I was not in his company more than two minutes. I was going to my work.

Q. Did you say you were going to your work?

A. Yes.

Q. What, at dark on Tuesday night?

A. Yes.

Q. What did you say to him?

A. I said nothing at all to him at that time.

Q. You never spoke to him then?

A. No; not at that time.

Q. Then how came he to tell you, his arm was hurt?

A. He said to another man in my presence, that he had got his arm cut, and I made just a bit of a stop to hear it.

Q. Who was the other man, that he was standing talking to?

A. I do not know that man that he was talking to. He was a stranger to me, and there were two or three other men about, all strangers to me.

Q. Pray do you know any thing else respecting John Lees?

A. No, I do not.

Mr. Ashworth—Does Mr. Harmer ask this witness any questions?

Mr. Harmer—Yes, I do, by the Coroner's permission.

The WITNESS examined by Mr. HARMER.

Q. Did you see this trumpeter, to whatever Cavalry he might belong, come up to the hustings?

A. I saw them all come up together.

Q. Who do you mean by "them"?

A. I mean the Cavalry that came up to the hustings the first thing.

Q. Was this trumpeter then among the number of Cavalry, that first came up to the hustings?

A. Yes, he was.

Q. I think you say, you did not hear much of the conversation that passed between Lees and these men, whoever they were, the next night?

A. No: I only heard him say, that he had got his arm cut.

Q. Then, whether he complained of having received more injuries, you cannot tell?

A. No.

The WITNESS cross-examined by Mr. ASHWORTH.

Q. Had you been a long time acquainted with John Lees?

A. Yes.

Q. Did you go with him to the field that day?

A. No.

Q. There was a good deal of confusion at the time?

A. A great deal of confusion with the Cavalry coming in.

Mr. Ashworth - " A great deal of confusion."

Mr. Harmer—" A great deal of confusion *with the Cavalry coming in*," the witness said—*(to the Coroner)*—Mr. Ashworth only repeats part of the witness's answer.

The Coroner—That is constantly done by Mr. Harmer.

Mr. Harmer *(to the Coroner)*—I beg your pardon, Sir. The Jury will judge of that, and I will appeal to them, whether such has been my conduct.

Mr. Barrow *(to Mr. Harmer)*—I state that it is a fact. You do only repeat part of the witnesses answers.

Mr. Harmer *(to Mr. Barrow)*—I state, Mr. Barrow, that your assertion is untrue.

The Coroner *(to Mr. Harmer)*—I shall not attend to what you say, or what any other person says.

Mr. Harmer *(to the Coroner)*—It is only right, Sir, and I am sure you intend nothing else, that you should have the whole of what the witness says down upon your notes.

Mr. Ashworth *(to the Coroner)*—That, Sir, is your duty, and you will attend to it. But do let it be understood, once for all, that I will not be borne down by noise or clamour, you may depend upon it.

Mr. Harmer *(to Mr. Ashworth)*—Nor will I, either, Mr. Ashworth; nor shall any man living prevent me from faithfully executing the duty which I am here to discharge. And when I find, Sir, that, in repeating a witness's answer to the Coroner, you suppress and leave out a most material part of it, I shall feel it my duty to see that the Coroner has the whole answer. It is a course pursued in Courts of Justice every day, and one to which I never in my life heard the Judges of the land object.

Mr. Ashworth *(to Mr. Harmer)* - I was repeating the question again, Sir, and not giving the answer at all; and therefore it is perfectly useless to interrupt me, and I have told you, again and again, that these interruptions are very unprofessional.

Mr. Harmer *(to Mr. Ashworth)*—When you, as Counsel for the accused, repeat only part of a witness's answer, I shall take the liberty of repeating the whole of lot, whether it be unprofessional or not.

The Coroner *(to Mr. Harmer)*—Mr. Harmer, it is a thing done very frequently by you.

Mr. Harmer—I beg leave, with deference, to say, that it never has been done by me, Sir.

The Coroner—I say it has.

Mr. Harmer—The Jury will judge of that.

The Coroner—You are rather too free with the Jury also, and I shall give some evidence of it after a little while.

Mr. Ashworth—I wish you would, Sir.

Mr. Harmer—I dare any man to prove that I have been free with the Jury. I never have had any communication with them, and I defy any man, with truth, to make that accusation.

The Coroner—It is made.

Mr. Harmer—I say, Sir, the charge is false. It is an attack upon my character, which I will not suffer to be made without denying it in the most positive and unequivocal terms.

The Coroner (*to the gentlemen sitting at his own table*)—Take that down.

Mr. Harmer (*to the short-hand writer*)—I request you, Sir, will take it down also.

The Coroner (*to Mr. Harmer*)—I will not suffer this interruption.

Mr. Harmer (*with considerable warmth*)—I will not quietly have my character attacked and impugned in this way. You have stated, Sir, that I have made too free with the Jury, and that you will prove it; I defy you to prove any thing of the kind.

The Coroner—Conduct yourself with a little more decorum.

Mr. Harmer—I have conducted myself throughout with decorum, Sir, but I will not suffer my character, which I trust stands as high as that of any person here, to be attacked in this kind of way with impunity.

The Coroner—Your character will be judged by your conduct.

Mr. Harmer—I have no objection to that ordeal, and I trust every other man's character here, will be tried by the same criterion.

Mr. Ashworth—Well, we had better go on quietly.

Mr. Harmer (*to Mr. Ashworth*)—I hope we shall go on quietly, Sir: it is my most anxious wish; but if such an accusation was addressed to you, would you bear it With patient silence?

Mr. Ashworth—I mean as to the witness we had better go on quietly.

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

Q. You said that there was a great confusion on the Cavalry coming up?

A. Yes.

Q. And you said, I think, that you did not come to the field with John Lees?

A. No; I did not come to the field along with him.

Q. Had you, before the Cavalry came up, spoken to him at all?

A. No; not at all that day. I will tell the truth, and nothing but the truth, as far as my knowledge.

Q. Where was he when the Cavalry came up?

A. He was on the lower side of the hustings.

Q. Was he on the lower side of the hustings, or on the hustings themselves?

A. No; he was on the lower side of the hustings.

Q. Had he been on the hustings before that time?

A. Yes.

Q. How far were you from him?

A. Do you mean the distance I was from him, when I first saw him?

Q. No; how far were you from him when the Cavalry came up?

A. I was on the other side of the hustings when the Cavalry came up.

Q. That is not an answer to my question. I ask you how far you were from him when you say this blow was struck?

A. Not above eight yards, to the best of my knowledge, for I was on the right side.

Q. When the Cavalry came up, it was some time before the blow was struck?

A. Some little time.

Q. How much. Was it five minutes?

A. Yes; I think it might be better than five minutes; but I cannot pretend to speak positively, because the people were so frightened with the Cavalry coming up.

Q. Stop! stop! Sir. Not quite so fast, only answer my questions. From the time of the Cavalry coming up until the blow was struck, were you watching John Lees all the

time?

A. No; I cannot say that I was watching him all the time. I was too busy in minding myself.

Q. Then what made you tell me just now, that when the Cavalry came up, you attempted to escape, when it appears by your own statement, that five minutes elapsed before you saw the blow struck?

A. We were all doing our best endeavours to get away. The Cavalry were upon us, and trampling us all down before we could get a way.

*[Mr. Ashworth was here about to put another question immediately, without waiting for the answer to be written on the Coroner's notes.]*

Mr. Harmer (*to Mr. Ashworth*)—Now, I would ask you, Sir, has time been allowed to take down that answer?

The Coroner (*to Mr. Ashworth*)—Put it to him again.

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

Q. Did you not say just now, that when the Cavalry came up, you made the best of your way from the field?

A. Yes, as well as I could, you know.

\* The ground rises in St. Peter's-field, from the entrance at Deansgate to the houses where the Magistrates were assembled.

Q. Did you get away?

A. Yes; as soon as I possibly could. I was brought away in fact by force of arms by the Cavalry, who were driving the people; and I was obliged to run into a house to save myself, for this trumpeter swore "By Jasus I will cut you down," and I was obliged to run into a house for safety, or I don't know but my life might have been sacrificed, as well as any one else of the wounded.

*[Mr. Barrow here laughed.]*

Q. Do you mean to state that in the time of the Cavalry coming up, and the time you saw John Lees struck, and the time of your getting away, five minutes elapsed?

A. Yes, and more than that, before I could get away.

Q. What do you mean, pray, by getting away?

A. I mean getting off the ground.

Q. Before the Cavalry came up, you state you were within eight feet of the hustings. Do you mean to state that you were confined to that place all the time?

A. No, not precisely to that place all the time; but I was confined from the confusion among the people, and I could not get away.

Q. How far were you from the hustings, after the Cavalry came up?

A. I cannot tell you to say how many yards, because there were so many people, but as I was passing, I saw this man struck.

The Coroner (*to the Witness*)—That is not the question.

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

Q. That is not the question, Sir. As you attempted to do every thing to get away, how far were you from the hustings when you saw John Lees struck?

A. Not many yards. We could not get away. We could not, indeed.

Q. Then do you mean to state that, after the Cavalry came up, you made your best endeavours, as soon as they did get up, to get away, but you could not get many

yards in five minutes?

A. I could not.

Q. Now let me understand you clearly. You endeavoured to make the best of your way as soon as the Cavalry came up, and yet in five minutes you could not get many yards from the hustings?

A. No.

The Coroner - That will do.

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

Q. Come, that is right. In attempting to get away you turned your back towards the Cavalry?

A. The Cavalry were round us.

Q. But did you not flee from the Cavalry?

A. Yes, as well as we could; but they surrounded us.

Q. Did the Cavalry surround you in coming up to the hustings?

A. There were three or four round me. I had to cross them.

Q. I ask you, did they surround you in coming up to the hustings?

A. No; not in coming up to the hustings. I had to cross them on the inside.

The Coroner—I do not understand this (*to Mr. Ashworth*)— Make him explain this.

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

Q. Why did you cross them?

A. Because I could not get away in any other way.

Q. In what direction did they come up?

A. They came up of this side and that side.

The Coroner (*to the Witness*)—Did they come up on both sides?

A. Yes, on both sides of the hustings.

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

Q. Do you mean they came up in different directions. Some coming from Deansgate, and some from a contrary direction?

A. No. When they came up to the hustings they turned this way and that way.

Q. What, opened out?

A. Yes, opened out, and came round the hustings.

Q. Do you mean when they came round the hustings, that you were enclosed between them and the hustings?

A. No, not between them and the hustings.

Q. Then you were on the outside of them?

A. I was not outside the field, but outside the Cavalry. They were galloping, however, all round the field afterwards, but at first I was outside of them that were round the hustings.

Q. Do you mean to say that before the hustings were surrounded any part of the Cavalry came to the right or left?

A. Yes; they came on the other side and surrounded it, and the rest of the Cavalry were galloping round the field.

Q. Then others, while those who surrounded the hustings, were doing so, were galloping round the field?

A. Yes; dispersing the people.

Q. Where were you, at the right or at the left of the hustings, at the time the Cavalry opened to the right and left?

A. I was on the left side from the houses there. That is, the left side of the hustings as we went in.

Q. That is, as you faced Deansgate?



A. No.

Q. Were you on the side of the hustings next the houses?

A. No. I was on the other side facing the houses.

Q. Then you were on the right side of the hustings facing Deansgate?

A. Yes.

The Coroner—That is the lower side of the hustings?

Mr. Ashworth—Yes, Sir.

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

Q. You were in great agitation and alarm?

A. Yes. For I was afraid of myself.

Q. Without a doubt!

A. Yes; and so I suppose all that were there, were.

Q. Why, one of the Cavalry-men came up to you and threatened you?

A. Yes. That was after they came into the streets and drove us before them.

Q. Why did you not just now tell us, that you were driven away from the hustings, and threatened in this manner by one Cavalry-man?

A. Yes.

Q. Was that by one of the Cavalry who were galloping over the field, as you say, or one of those that opened to the right and left and surrounded the hustings?

A. I cannot say whether it was one of those that surrounded the hustings, or one of those that were galloping over the field.

Q. Then you cannot say whether it was the part that came in one way or another?

A. No, I cannot.

Q. Did you see any one man near you, that was in fact actually cut with the sharp edge of a sword?

A. I stepped over one man that was down, but I did not see him struck.

Q. Answer my question. Did you see any man cut with the sharp side of a sword?

A. No. I saw no man cut with the sharp side of a sword.

The Coroner—Let me take the first answer first—Now go on.

A. I saw no man cut by the Cavalry with the sharp side of their swords, but John Lees was struck; but I cannot say whether it was with the sharp side of a sword or not.

Q. Where were you at that time. How far were you from John Lees then?

A. I do not suppose I was more than three or four yards from him.

Q. How came you to see that; were you not too busy in taking care of yourself?

A. Yes, I had enough to do, to take care of myself, but I saw this as I was passing.

Q. Do you mean that they allowed you time to look about you?

A. They allowed no one much time to look about, but a man can turn his head, and keep on running, can't he? At least I can, I know, whether you can or not.

Q. What then you were running as you turned your head, were you?

A. Yes, as fast as the crowd would let me. But the people were so frightened, and there was so many of them, that they tumbled over each other, so that I could not run very quick; but, however, I ran away, as fast as ever I could run for the crowd.

Q. What do you mean by *running*, when you told me a short time ago, that you could not move, for more than five minutes?

A. I could run after the people were frightened a little, could not I, when the ground was a little clear?

Q. Do not ask me questions, Sir, but answer. Such kind of conduct is very indecorous and improper.

A. I will answer your questions, Sir, to the best of my recollection.

Q. What then do you mean, by talking about running, when you have just told me, that at the time you saw Lees struck, you were not more than eight yards from the hustings, and three or four yards from Lees, and you were running away and looking

back?

A. Why, we were all running as fast as we could.

Q. Still you say you were five minutes before you could move?

A. Why there was so much crowd, and the confusion was so great, occasioned by the Cavalry, that, we could not run very quick, and it was, I dare say, five minutes before we could well get away.

Q. Then how came you to tell me you were running, if in fact you could not get away?

A. I do not wish to have any contention with you, nor I do not intend you shall cross me so.

Q. I cross you, Sir, because I suspect you. Now, were you running or not?

A. I was running as fast as the crowd would let me.

Mr. Harmer (*to the Coroner*)—Really, Sir, I must object to this course. Here is a barrister, who openly tells a witness in a court of justice, that he suspects him; such an observation I never before heard made by a barrister, to a witness in a court of justice.

Mr. Ashworth (*to the Coroner*)—The observation is general, and I have a right to make it.

Mr. Harmer (*to the Coroner*)—I submit, Sir, that the learned Counsel has no right whatever to make such an observation. A witness is not to be castigated in that kind of way.

Mr. Ashworth (*to the Coroner*)—I submit, Sir, when a witness answers questions in an improper manner, it is perfectly admissible for Counsel to correct that impropriety of conduct. It is continually permitted by the Judges.

Mr. Harmer (*to the Coroner*)—I say, Sir, there is no Judge who would not protect a witness when such language as this was offered to him by any barrister. It would not be endured in any other Court of Justice, for a Counsel to tell a witness that he suspected him, and I am sure, so far as I have observed the conduct of this witness, he has given no ground for the learned gentleman's suspicions.

Mr. Ashworth (*to the Coroner*)—Really, Sir, these interruptions to our proceedings are intolerable, and I hope you will exert your authority to put a stop to them. It is an insult to the Court, and I never saw such pertinacity manifested in any case in my life. What end or object it can have in view, I really cannot conjecture, but it must have some object.

Mr. Barrow—Mr. Harmer is continually putting in his observations when our witnesses are being examined.

Mr. Harrow (*to Mr. Barrow*)—I deny it, I do no such thing.

The Coroner (*to Mr. Harmer*)—But I say you do.

Mr. Ashworth – I shall proceed.

Mr. Harmer (*to the Coroner*)—But I doubt, Sir, whether a gentleman attending here professedly in the behalf of the accused, can be suffered to cross-examine witnesses at all. In fact, Sir, I conceive that he cannot for a single moment be allowed to pursue the course he is now pursuing in such a capacity.

Mr. Barrow (*to Mr. Harmer*)—Mr. Ashworth is not attending here for the accused.

Mr. Harmer (*to the Coroner*)—Mr. Ashworth himself has said, that he was attending here for the accused, and therefore I submit that he is not authorised in cross-examining the witnesses, in that capacity.

Mr. Barrow (*to Mr. Harmer*)—He never did say any thing of the kind, Mr. Harmer.

Mr. Harmer—I am obliged once more, Mr. Barrow, to contradict you. I tell you flatly he did.

Mr. Barrow—He did not, *not to my knowledge*.

Mr. Harmer—It is most extraordinary, Sir, that you will presume thus to make an assertion, your own consciousness of the impropriety of which suggests this sort of qualification.

Mr. Barrow made no reply.

Mr. Ashworth (*to the Coroner*)—I am attending here, Sir, and I have given in to you the authority by which I do attend here— (*to Mr Harmer*)—If the Coroner is satisfied with that authority, it is not for you to arraign me; but I do now ask, by what authority *you* appear here? You say you appear here in behalf of the step-mother of the deceased?

Mr. Harmer - Yes, I do.

Mr. Ashworth (*to the Coroner*)- I desire that the step-mother may be brought forward. Let us see people in their proper shape. Mr. Harmer has thought fit to ask me what is my authority for appearing here, and therefore, as I have given in my authority, Sir, and as I think you are satisfied with it, I should like to know what his authority is for appearing here. The Coroner—Very well.

Mr. Ashworth (*to the Coroner*) - Do you wish the stepmother to be brought forward, Sir?

The Coroner—Yes; if you wish it, now.

Mr. Ashworth— I do wish it, Sir, as soon as the examination of this witness is finished.

Mr. Mellor (*the Constable of the Township*)—I should think, perhaps, it might be proper to send for the father.

The Coroner (*to the Constable of the Township*)—Send for both.

Mr. Mellor —The father is at Manchester, I believe, at present.

The Coroner —Let us drop it then for the present.

Mr. Ashworth (*to the Coroner*)—But I should like, Sir, to see in what capacity people attend here, and what objects they have in view, when we are to be attacked in this kind of way.

Cross-examination of the WITNESS continued by Mr. ASHWORTH.

Q. Were you then running, when the blow was struck at John Lees, or not?

A. At the time the blow was struck, do you mean?

Q. Attend to my questions, and answer them.

A. I could not run at the time the blow was struck, because of the crowd; but I did run afterwards.

Q. You have told me already, that at the time the blow was struck you were running?

A. I do not think I said I was running at the time the blow was struck; and if I did, it was a mistake. I was going away as fast as I could, and I saw John Lees struck in passing.

Q. Had you your face towards him?

A. Yes.

Q. All the time?

A. No; not all the time; before the time that the blow was struck I was passing in front of him, and at the time the blow was struck, my face was turned towards him.

Q. How long had you had your face towards him, when the blow was struck?

A. How long?

Q. Yes, how long?

A. Not many minutes when I passed him.

Q. How long had you your face towards him, when the blow was struck?

A. A few minutes.

Q. Will you swear, that you, taking the best course you could for your own preservation, and having the Cavalry upon you at the time, had your face turned towards John Lees, and your attention fixed upon him for a few minutes, before the blow was struck?

A. I had my face turned towards him when the blow was struck, and I will take my oath of that.

Q. Stop! Stop! Stop! Sir, recollect you are upon your oath; will you take upon yourself to swear, that you, making all the haste you could to escape, and being in all the

confusion which you have described, had your eyes upon John Lees, for two or three minutes before he was struck?

A. Yes; I will, for two minutes.

Q. You were observing him all that time?

A. Yes; observing him in passing.

Q. For two minutes, then, you were observing him in passing with the Cavalry at your heels, and you at the same time taking the best care you could of yourself?

A. Yes; I was taking the best care I could of myself; but he was in front of me.

Q. Then you swear, that the Cavalry being upon you, and you making the best you could of your escape, your eyes were steadfastly fixed upon John Lees, closely observing him, for two minutes before the blow was struck?

A. I was observing him, but I was not observing him in particular for all the time.

Q. What other persons then, Sir, were you observing besides John Lees?

A. There were a great many persons there that I could not help taking notice of, but there was not any other person that I knew so well as John Lees. He was a neighbour to my father, otherwise I should not have known him.

Q. How, pray, do you know that this person who struck John Lees, as you say, was a trumpeter?

A. How do I know he was a trumpeter!

Q: Yes, Sir; how do you know he was a trumpeter? Take as much time as you like to answer my question.- Hear my question and then answer it. If you do not understand it, tell me so, and I will repeat it?

A. Then I wish you would ask me all your questions as plain as possible.

Q. Then, Sir, how do you know the man whom you say struck John Lees, was a trumpeter?

A. Because I know a trumpeter when I see a trumpeter. I have been a soldier myself, and I should think I ought to know a trumpeter.

Q. Oh! you have been a soldier; have you ever trained any body?

A. No; I never did any thing of the kind in all my life, and I never attended any such like kind of things.

Q. Had this trumpeter blue clothes with white facings?

A. He had blue clothes.

Q. Had he blue clothes and white facings?

A. He had blue clothes, but I did not look at his facings particularly.

Q. Had he or not, to the best of your knowledge, white facings?

A. That is a question I cannot answer; I cannot speak to his facings positively.

Q. Had he any facings?

A. I do not know, I tell you; I did not take notice of his facings.

Q. Does the trumpeter of any regiment wear facings? You say you have been a military man, and surely you can answer that question.

A. Yes; he ought to have facings, I should think.

Q. Will you swear that it is common for a trumpeter to wear the facings of the regiment he belongs to?

A. I will not swear any thing about it.

Q. What sort of a horse did he ride?

A. I do not know what colour his horse was of; there was too much confusion to take notice of the colours of the horses in particular.

*[Here a species of telegraphic correspondence appeared to be carried on through the medium of various gentlemen round the table at which the Coroner sat, suggesting interrogatories to be put to the witness.]*

Q. You saw the Cavalry come up to the hustings?

A. Yes; as near as I could see them come.

Q. Did you see them coming up to the hustings?

A. Yes.

Q. Whereabouts did this trumpeter come? Where was he? Was he first or last?

A. He was with them.

Q. Was he at the head of them?

A. When I saw, him, he was at the right of them on the lower side; I did not see them come into the field at first, but I saw them coming up to the hustings.

Q. And as they did come up, did he head them?

A. He was on the right of them.

Q. Did he come in front of them?

A. No; not when I saw him.

Q. How many yards was he from the first man?

really ask me questions that you know I cannot answer. How can I possibly tell, in all that confusion, how many yards he was from the first man?

Q. Come, I will try you. Was he within ten men of the first man?

A. I cannot tell; I have told you so; I did not count the gentlemen.

Q. Was he amongst the first twenty, men?

A. There were men at the hustings before he, came up.

Q. Answer my question, Sir?

A. I cannot answer it more positively than I have.

Q. Was he, I say, amongst the first twenty men?

A. I really cannot tell you positively these kind of things.

Q. Was he amongst the first thirty men, I say?

A. I tell you I cannot tell.

Q. Was he amongst the first fifty?

A. Haven't I told you that I cannot tell positively as to any number?

Q. Well, was he amongst the first hundred?

A. I think I can say there was not a hundred there. Not with him when I saw him. I did not count, to speak exactly. To speak among them where he was, I don't think there was a hundred.

Q. However, he was amongst the first hundred?

A. To the best of my belief, there was not a hundred among them where he was.

Q. Where was it you saw him?

A. I saw him at the lower side of the hustings.

Q. Did you see them coming up to the hustings?

A. When I saw them they were within a few yards of the hustings before I saw them at all.

Q. Was, he. at the first of them, at the last of them, or at the middle of them then?

A. He was at the lower end, of them then.

The Coroner (*to Mr. Ashworth*)—I beg your pardon, Sir; you go a little too quick for me. (*Here the Coroner wrote for about a minute.*) Now you may go on.

Q. Then he was not the first of them, leading them into the field?

A. No.

Q. When was it pray, that you were first examined upon this subject?

A. This melancholy business, do you mean?

Q. Yes; this melancholy business, as you call it?

A. Only yesterday.

Q. Only yesterday?

A. That was all. I did not know any thing of it until I was sent for.

Q. Who was it that told you you were sent for?

A. A young man told me that I was to come.

Q. Who was it told you that you were to come?

A. It was another witness, who has been examined about' this business.

Q. And, pray, what is that witness's name?

A. James Chisnell.

Q. And he told you you were to come here and give this sort of account, eh?

A. No; he told me I was to come here, because I was wanted, and to speak the truth. He told me I was wanted for that purpose.

Q. He told you that you were wanted. Who did he say wanted you?

A. He said the gentlemen at the meeting wanted me to come and tell the truth.

Q. What gentlemen?

A. He did not mention any particular names as to the gentlemen; but it was the gentlemen that came from Manchester, I suppose.

Q. What time of the day was it that you were spoken to upon this subject?

A. It was yesterday.

Q. Yes; but what time of the day was it?

A. It was in the evening.

Q. Oh yes! It was in the evening, Yes! Yes! Where did you live before this day? Or where did you mention what you have to-day said, previous to the present time?

A. What I said to-day?

Q. Yes, what you said to-day. When did you mention to any body living, what you have stated to-day?

A. Yesterday.

The Coroner—*Yesterday!*

Q. And you have heard from Chisnell, no doubt, that you were to be examined?

A. No; I heard nothing about it. I heard people talking about this business.

Q. But you did not hear from Chisnell that you were to be examined?

A. No, I did not.

Q. Did you not hear Chisnell examined?

A. No; I was outside.

Q. Pray what might you be happening to do outside?

A. I was standing talking to some more company below.

Q. Was it there you first mentioned all you knew upon the subject?

A. Was it there I first mentioned it? I mentioned it to Mr. Denison. He was the first man I mentioned it to?

Q. When?

A. Last night.

Q. Where was Mr. Denison at that time?

A. Below stairs.

Q. Were you in this house?

A. No; I was on the outside of the door.

Q. He came to the outside of the door?

A. He was coming out of the door at the time I spoke to him.

Q. Well, Sir, I will ask you no more questions.

*[Mr. Denison here rose and addressed the Coroner:]—Will you be good enough to ask the witness at what time he spoke to me, and how long our conversation lasted?*

The WITNESS examined by the CORONER.

Q. What time was it last night when you first spoke to Mr. Denison?

A. The first time was at the time they were getting the coaches ready to go off, and we were not five minutes in company together.

*[The Coroner here evinced more than an ordinary portion of deliberation in taking down the answers to his questions.]*

Q. Was it all in the street?

A. Yes; at the door here.

Q. Did you not go into any house with him?

A. No.

Q. That is the first time you saw him. When did you see him again?

A. Not until to-day, when I saw him in the carriage.

Mr. Ashworth (*to the Coroner*)—Will you be good enough to ask the witness whether Mr. Denison spoke to him first, or the witness spoke to Mr. Denison first?

The Coroner (*to the Witness*)—Did you speak to Mr. Denison first, or did Mr. Denison speak to you first?

A. It was another man, you see, who knew I was at the meeting, and who knew that I knew all about it, who told Mr. Denison I knew all about it, and then Mr. Denison sent for me.

Q. Was that Chisnell?

A. Yes, I believe he told Mr. Denison, I came and waited outside the house, and Mr. Denison coming out, I went up and spoke to him.

Mr. Ashworth (*to the Coroner*)—There is nothing more, Sir, that [ wish the witness to be asked.

The Coroner (*to Mr. Ashworth*)—Very well.

The WITNESS re-examined by the CORONER.

Q. Did you say that you passed John Lees, after you saw him thus struck, as you have described, and left, him in that situation, without helping him?

A. Yes; I was afraid to stop, for fear of my own life.

Q. Then before you left, you did not know whether he was hurt or not?

A. No, I did not.

Q. When the soldiers came up to the hustings at first, when you first saw them, what part of the field, or of the line, did they come from? Did they come from the houses?

A. No. It was the far side of the field that they came in at. It was at this end next the hustings.

The Coroner (*to Mr. Harmer*)—Is that clear to you? I understand that he was next Windmill-street at first. Do you understand so?

Mr. Harmer (*to the Coroner*)—Yes, Sir, that is what I have understood all along.

The re-examination of the WITNESS resumed by the CORONER.

Q. Then you were then on the higher side of the field?

A. Yes.

Q. Do you know that the land slopes from Windmill-street?

A. Yes.

Q. On which side did the Cavalry come?

A. They came first up to the hustings. They came afterwards on both sides.

Q. Did you see any body of constables there?

A. Yes, I did see them. They were abreast of the hustings.

Q. Now, I call that the higher part of the field. Did the Cavalry come in there?

A. They came in the same road in which the constables were; but after coming into the field, they divided themselves.

Q. Did you see them divide?

A. Yes, and coming that way.

Q. How do you know that they came in where the constables were?

A. They came in from that part where the constables were.

Q. Where were the Cavalry the first time you saw them coming to the hustings?

A. The first time I saw them, was a few yards from the hustings and divided; and that, as far as I could perceive, was the road the constables made for them; but I did not see it.

Q. Now, you say that when the Cavalry did come to the hustings you were about eight yards from John Lees?

A. Yes.

Q. And you were on the opposite side?

A. Yes.

Q. At that time did you see John Lees?

A. Not exactly at that time when the Cavalry came up; but I saw him at the time when he was struck, as I was passing.

Q. Then when you were on the high side of the hustings, you did not know where John Lees was?

A. No, not at that present time.

The CORONER (to Mr. Ashworth)—Have you any witnesses to call?

Mr. ASHWORTH (to the Coroner)—Yes, Sir; there is a witness of the name of Glover, if you will be good enough to call him.