

torious. The Society for Constitutional Information is therefore required to determine whether or no they will be ready, when called upon, to act in conjunction with this and other societies to obtain a fair representation of the people; whether they concur with us in seeing the necessity of a speedy Convention, for the purpose of obtaining, in a constitutional and legal method, a redress of those grievances under which we at present labour, and which can only be effectually removed by a full and fair representation of the people of Great Britain. The London Corresponding Society cannot but remind their friends, that the present crisis demands all the prudence, unanimity, and vigour, that ever was, or can be exerted by men or Britons; nor do they doubt but that manly firmness and consistency will finally, and they believe shortly, terminate in the full accomplishment of all their wishes.

“ I am, fellow citizen, (in my humble measure)
a friend to the Rights of Man,
T. HARDY, Secretary.”

“ Resolved unanimously,

“ I. That dear as justice and liberty are to Britons, yet the value of them is comparatively small without a dependence on their permanency; and there can be no security for the continuance of any right but in equal laws.

“ II. That equal laws can never be expected but by a full and fair representation of the people. To obtain which, in the way pointed out by the Constitution, has been, and is the sole object of this society. For this we are ready to hazard every thing, and never, but with our lives, will we relinquish an object which involves the happiness, or even the political existence of ourselves and posterity.

“ III. That it is the decided opinion of this society, that to secure ourselves from future illegal and scandalous prosecutions, to prevent a repetition of wicked and unjust sentences, and to recall those wise and wholesome laws that have been wrested from us, and of which scarcely a vestige remains, there ought to be immediately a Convention of the people, by delegates deputed for that purpose from the different societies of the friends of freedom assembled in the various parts of this nation. And we pledge ourselves to the public, to pursue every legal method speedily to accomplish so desirable a purpose.”

P. S. (*This struck through.*) I have to inform you that a general meeting of the society will be held on Monday the 14th of April, the place to be announced by public advertisement.

“ It was resolved by the Society for Constitutional Information, That their secretary should assure the London Corresponding

ing Society, that they heartily approved of their intentions, and would co-operate with them in obtaining an object of so much importance to the peace and happiness of society. And that he also request the London Corresponding Society to send a delegation of it's members to confer upon the subject, with an equal number of the Society for Constitutional Information.

“ A meeting of the delegates from the two societies being held, they came to the following resolutions.

“ Resolved,

“ First, That it appears to this committee very desirable, that a Convention or general meeting of the Friends of Liberty should be called, for the purpose of taking into consideration the proper methods of obtaining a full and fair representation of the people.

“ Second, That it be recommended to the Society for Constitutional Information, and London Corresponding Society, to institute a regular and pressing correspondence with all those parts of the country where such measures may be likely to be promoted, not only to instigate the societies already formed, but to endeavour also to produce such other associations as may further the general object.

“ Third; That it appears to this committee, that the general object would be promoted if a standing Committee of Co-operation between the two societies were established, for the purpose of holding personal communication with such members of similar societies in other parts of the country, as may occasionally be in London, and who may be authorized by their respective societies to act with such Committee.”

“ The above resolutions being reported to the Society for Constitutional Information, it was by them resolved, that the same should be entered on their books as part of the proceedings of the society; and the Committee of Correspondence was appointed, to co-operate with the Committee of the London Corresponding Society, in conformity with the third resolution.

“ Resolved, That it is fit and proper, and the duty of this society, to send an answer to the London Corresponding Society:

“ Ordered, That the secretary acquaint the London Corresponding Society, that we have received their communication, and heartily concur with them in the objects they have in view; and that, for the purpose of a more speedy and effectual co-operation, we invite them to send to this society, next Friday evening, a delegation of some of their members.”

JOHN GURNELL sworn.

Q. What are you?

A. I am one of the King's messengers.

Q. Did you at any time go to the house of Mr. Hardy?

A. Yes. I, and Mr. Lauzun, had a warrant from the Secretary of State, and we went to his house and searched some papers.

Q. Did you mark the papers you seized?

A. I did.

Q. Be so good to look at that, and see if that is one that you seized.

A. Yes, it is.

Q. (To Mr. Grant.) Do you believe that to be the prisoner's hand writing?

A. I really cannot speak to belief, this is different to what I saw before.

Q. Do you believe it to be the hand writing of the prisoner?

A. Yes. I believe it is.

Mr. Erskine. Did you ever see him write?

A. Yes, several times.

(The letter read by the Clerk of the Court.)

"Friday, April 4, 1794. A conference with the Society for Constitutional Information; present, Adams secretary, Kyd, Holcroft, Joyce, Wardle, Sharp. From the London Corresponding Society, Moore in the chair, Baxter, Lovatt, Hodgson, Thelwall, Hardy secretary. Upon a motion being made for communicating to the committee, the letter of communication from societies in the country, to the London Corresponding Society; Resolved, That the delegates be requested to communicate all the information they can at the next meeting, relative to the state of the different societies associated for obtaining a fair representation of the people. Adjourned to Monday evening, No. 2, Beaufort's Buildings, Strand, (Struck out.) Robin's Coffee-house, half past seven o'clock. (No. 2, Beaufort's Buildings, is in a different hand writing.)"

Court. Let Mr. Shelton mark the papers with his name and number.

Q. (To Maclean.) Is this one of the papers that you took from Martin's house? (Another paper shewn him.)

A. It is.

Q. (To Grant.) Do you believe that to be Mr. Hardy's hand writing?

A. Yes. It is the same hand as the other.

(The paper read by the Clerk of the Court.)

"CITIZEN ADAMS,

April 10, 1794.

I am ordered by the committee of delegates of the London Constitutional Society, to inform the Society for Constitutional Information, that they approve of the resolutions of the committee of conference; therefore the London Corresponding Society have chosen Mr. John Baxter, Mr. Richard Lovatt, &c. to put in practice immediately the second and third resolutions of that committee.

(Signed)

T. HARDY, Secretary."

Q. *(To Mr. Gurnell.)* Is that one of the papers that you found at Mr. Hardy's house? *(A paper shewn him.)*

A. It is.

(The paper read by the Clerk of the Court.)

(Preamble.) "A parliamentary reform is that, which of all other things, in our opinion, mostly deserves the attention of the public. We are more and more convinced from every day's experience, that the restoring the right of voting universally to every man not incapacitated by nature for want of reason, or by law for the commission of crimes, together with annual elections, is the only reform that can be effectual, &c.

"This plan of the London Corresponding Society, for the purpose of promoting a reform in the representation of the people, and for shortening the duration of parliament, was, to form societies that should branch off into dozens, each branch not to exceed twenty; the members to pay one penny per week, or thirteen-pence per quarter, to defray the expences of printing and postages, as they could only hope to obtain their object by enlightening the people; and also resolved, that a committee be appointed to correspond with the various societies in the country."

Mr. Erskine, here, on behalf of himself, addressed the Court, that he might have some indulgence of the Court in regard to the arrangement of these papers that were produced, and that they might be permitted to take copies of them for the benefit of the prisoner's defence. He observed, that they had applied to the Privy Council, and they referred them to the Counsel, and that they referred him to your Lordships. But they were too long acquainted with their profession, to make such a ridiculous request, because they had no right to do it; they most undoubtedly should expect that the Court would sit later than eight o'clock to-morrow, by an hour or two. They declared upon their honour, they had no desire to trespass on the time and patience of the Court, and had no desire on earth but to do their best to do justice to the person for whom his Lordship hath assigned them for.

Lord President. We certainly shall be disposed to give counsel all reasonable opportunity to make the best defence they can do. I observe the most important papers are published, and are before you. With regard to them, there will be no difficulty; we shall see to-morrow what papers they will read. I shall certainly agree that you have a reasonable time allowed. With regard to the Privy Council, 'tis not the practice of the Privy Council to make such orders, I believe.

EDWARD LAUZUN sworn.

Q. What are you?

A. I am one of his Majesty's extraordinary messengers.

Q. Did you at any time go to the house of Thomas Hardy?

A. Yes, about the 12th of May.

Q. Did you seize any papers there?

A. Yes, a vast many.

Q. Is that one of them that you seized?

A. Yes, Sir.

Q. You have marked it?

A. Yes, I have written my name on them all.

Mr. Grant examines it.

Q. Do you believe that to be the hand-writing of Mr. Hardy?

A. Yes, I believe it to be the same writing as the other.

(The letter read by the Clerk of the Court.)

Indorsed, Copy of a Letter to Mr. Buchanan, at Edinburgh, August 20, 1792, and signed Thomas Hardy, Secretary.

“ SIR,

“ I am directed by the London Corresponding Society to send a few copies of their address and resolutions to the Society, for a Reform in Parliament, represented at Edinburgh; likewise I have to inform you of their wish to enter into correspondence, and have close connection with your society; as our cause is one, so our sentiments ought to be known to each other, that we may act with one heart in a matter of such vast importance. We began this society January 1791, and since we published our declarations and resolutions, we have increased so rapidly in number and respectability, that we are under the necessity of dividing into different companies, to meet at separate houses, and each division sends a delegate, as a committee to transact the business of the whole society. The inclosed paper will inform you more fully of the principles we set out upon; be so good as to deliver them to the President or Secretary of your society; as I know you are a friend to freedom, you will endeavour to promote the union of many societies; for by uniting societies, we shall be-
come

come strong, and a three-fold cord is not easily broken. I am,
Sir, your most humble servant,

Aug. 20, 1792.

THOMAS HARDY, Secretary."

Q. (*To Lauzun.*) Is that the other paper you found in his
possession? (*A paper produced.*)

A. Yes, it is.

(*Read by the Clerk.*)

Signed Thomas Hardy, Secretary, Sept. 4, 1792. Indorsed,
Mr. Samuel Jackson, Secretary to the Manchester Constitu-
tional Society.

" SIR,

" The London Corresponding Society have this day recom-
mended me to acknowledge the receipt of your favours on the 14th
of May, and to return their thanks to the Manchester Constitu-
tional Society, for the readiness they express to enter into a cor-
respondence with us, as also for the books of rules, &c. that ac-
companied your letter. We should not have so long delayed
profiting by their condescension, had any thing worthy commu-
nication occurred: the first opportunity that offered we eagerly
seized, and beg your acceptance of the inclosed, a thousand
copies of an address to the public, which we hope will meet with
your approbation. I have the pleasure of informing you, that
our Societies increase daily, and that the people in general begin
to divest themselves of their deep-rooted prejudice; the public
minds attend more calmly and attentively to proposals for a par-
liamentary reform; most men see the necessity of it, but not
fully; many are yet over cautious in engaging their assistance
towards it. However, I believe I may venture to assert, that
personal interest will soon give way to public good.

I am, Sir, your very humble servant,

T. HARDY, Secretary."

Q. (*To Mr. Lauzun.*) Is that one of the papers you received
from Mr. Hardy?

(*Read by the Clerk of the Court.*)

Indorsed, To Mr. Favell, Chairman of the Borough Society,
August 23, 1792, signed Thomas Hardy, Secretary.

A. Yes, it is.

(*A Letter read, in which was the following.*)

" SIR,

Monday, Aug. 23, 1792.

" The London Corresponding Society herewith transmit to the
Society of the Friends of the People fifty copies of an address to
the inhabitants of Great Britain, on the subject of a parliamentary
reform. We were in hopes that, as both our societies professed
to have the same object in view, the delegates would visit our
committee,

committee, as agreed upon in our last, as it may strengthen our common cause, by a closer union, and freer communication of our mutual endeavours. We are, however, inclined to hope their absence hath not proceeded from a diminution of friendship towards the Society, in whose name we have the pleasure of subscribing ourselves,

MAURICE MARGAROT, Chairman;
THOMAS HARDY, Secretary.

Q. (To Lauzun. A paper shewn him.) Where did you find this paper?

A. This is another paper that I found in the possession of Hardy.

Q. (To Grant.) Do you believe that to be Hardy's handwriting?

A. I believe it to be the same as the others; I cannot swear to it.

(A Letter read, in which was the following.)

Copy of a Letter to Major Cartwright, Chairman of the London Constitutional Society.

" SIR,

August 23, 1792.

" In hopes that our zeal for the advancement of the cause of freedom, &c. the London Corresponding Society takes the liberty of transmitting to the Society for Constitutional Information, a few copies of an address to the inhabitants of Great Britain, on the subject of a parliamentary reform; it is found to contain nothing repugnant to sound reason or justice; if it is so maintained as to meet the approbation of the London Constitutional Society, our honest, though feeble endeavours, we shall deem ourselves amply rewarded. With deep respect and esteem we have the honour to be for the London Corresponding Society,

MAURICE MARGAROT, Chairman;
THOMAS HARDY, Secretary.

Q. (To Lauzun.) Look, is that the address that was found in the custody of Hardy?

A. I found it in his house; it is an address to the London Corresponding Society, reprinted, and distributed gratis.

(The Address read by the Clerk of the Court,) in which they state that man, individual man, may justly claim liberty as his birth-right, and that he for himself and posterity gave up certain of his rights, in order to secure the possession of his remainder, and voluntarily yielded up so much of the remainder for the general good, that he may not part with the whole, &c. and further asserted, that reform was their object, which they

they were desirous to obtain only by the arms of reasoning, and by persuading the people to concur in petitions to parliament.

Q. (To Lauzun.) Did you take that at Mr. Hardy's?

A. Yes.

Q. (To Grant.) Look at the hand, and see if that is Mr. Hardy's hand-writing, whether you believe it?

A. I cannot say it is his.

Q. Do you believe it to be his?

A. I assure you it is so different from the other hand.

Q. Do you believe it or no?

A. I do not believe it.

Mr. Bower. It was found in his custody.

(Read by the Clerk of the Court.)

Indorsed, A Copy of a Letter to Stockport, dated Sept. 11, 1792.

"To Mr. N. Hibbert, President of the Society of Friends of Universal Peace and the Rights of Man.

"I am directed by the London Corresponding Society, united with a view of obtaining a parliamentary reform, to inform you that they read with great satisfaction, papers of the last week, of a society being collected at Stockport, and seize with joy the first opportunity of commencing an acquaintance and correspondence with men who act on a similar plan with themselves; they therefore have ordered me to transmit to you, Sir, as President, a few copies of their address to the nation on that subject, and to invite you to similar communications on your part, always remembering that union, good order, and numbers, are absolutely necessary to our success, &c. We began to associate last January, and since the late proclamation we have increased rapidly.

I am, Sir, your very humble servant."

Mr. Bower. (To Lauzun.) Did you find that (a paper shewn him) at Mr. Hardy's?

A. Yes, I found it in Mr. Hardy's possession.

(Read by the Clerk of the Court.)

Indorsed, Stockport, Sept. 17, and directed to the Friends of Universal Peace and the Rights of Man. (See page 103 of this work.)

Q. (To Lauzun. A paper shewn him.) Where did you find that?

A. I do not know whether I found it in the bureau or in the shop.

Q. Did you find it at Hardy's, the prisoner's?

A. Yes, I did.

(Read by the Clerk an answer to the foregoing, dated Oct. 11, 1792.)

(See page 105 of this work.)

Mr.

Mr. SAMPSON WOODFALL sworn.

Q. Are you acquainted with Mr. Horne Tooke's hand-writing?

A. Yes.

Q. Will you be so good as to look and see if any part of that is his hand-writing?

A. The main part of it I do not think is in Mr. Horne Tooke's hand-writing: but there is an interlineation in it, and an addenda to it, which, as far as a similarity of the hand will go, I believe to be his hand-writing.

Q. You have seen him write?

A. Yes, Sir.

Q. Which are the words in his hand-writing?

A. The word *things* over the first line, the word *incapacitated*, and the word *for*.

Q. Do you believe it to be his?

A. I do believe it to be his. The addenda is purely his; but it is written perhaps at a tavern, in that loose hand which people are apt to write, when they are not at their desks; but I think it is his character.

Q. (*To Mr. Maclean*) Look at this—(*a paper shewn to him*) Where did you find that paper, Mr. Maclean?

A. This I found also in Mr. Adams's possession.

Q. (*To Mr. Grant*) Look at that signature, and see if it is Mr. Hardy's hand-writing? Do you believe it to be his hand-writing?

A. I am inclined to think so.

Q. Do you believe so?

A. Yes, I do.

(*The paper was read by the Clerk of the Court.*)

Thursday, Oct. 11, 1792, signed, Thomas Hardy, Secretary, addressed to ——— Adams, Esq. Tooke's Court, Chancery Lane.

“ SIR,

“ Your favour of the 3d instant, informing us that our proposal for addressing the French National Convention had met with the approbation of the Society for Constitutional Information; we have inclosed you a copy of the address we have drawn up and mean to send, the Society at large having approved of it.

“ Not in the least presuming to propose it for the adoption of your Society, ourselves will joyfully throw it aside, and as readily subscribe to any production of yours better calculated to answer the purpose, and less unworthy being presented to so august an Assembly.

“ Should no other be produced, we imagine this plain but honest

next address will be adopted by some other Societies, in concurrence with our own, and, respecting the manner of signing, of conveying, and of presenting it, your better experienced advice will greatly oblige, gentlemen,

Your very humble servant, for the Committee of
the London Corresponding Society,

MAURICE MARGAROT, Chairman."

Thursday, Oct, 11, 1792.

—————, Sec.

" FRENCHMEN,

" While foreign robbers are ravaging your territories under the specious pretext of justice, cruelty and desolation leading on their van, perfidy with treachery bringing up their rear, yet mercy and friendship impudently held forth to the world as the sole motives of their incursions, the oppressed part of mankind, forgetting for a while their own sufferings, feel only for yours, and with an anxious eye watch the event, fervently supplicating the Almighty Ruler of the Universe, to be favourable to your cause, so intimately blended with their own. Frowned upon by an oppressive system of controul, whose gradual but continued incroachments have deprived this nation of nearly all its boasted liberty, and brought us almost to that abject state of slavery from which you have so emerged, five thousand British citizens, indignant, manfully step forth to rescue their country from the opprobrium brought upon it by the supine conduct of those in power; they conceive it to be the duty of Britons to countenance and assist, to the utmost of their power, the champions of human happiness, and to swear to a nation proceeding on the plan you have adopted, an inviolable friendship; sacred from this day be that friendship between us, and may vengeance to the uttermost overtake the man who, hereafter, shall attempt to cause a rupture.

" Though we appear so few at present, be assured, Frenchmen, that our number increases daily. It is true, that the stern undivided arm of authority at present keeps back the timid; that busily circulated impostures hourly mislead the credulous; and that court intimacy with avowed French traitors has some effect on the unwary and on the ambitious; but with certainty we can inform you, friends and freemen, that information makes a rapid progress among us; curiosity has taken possession of the public mind; the conjoint reign of ignorance and despotism passes away; men now ask each other what is freedom, what are our rights? Frenchmen, you are already free, and Britons are preparing to become so. Casting far from us the criminal prejudices artfully inculcated by evil-minded men and wily courtiers, we, instead of natural enemies, at length discover in

Frenchmen our fellow-citizens of the world, and our brethren by the same heavenly Father, who created us for the purpose of loving and mutually assisting each other, but not to hate, and to be ever ready to cut each others throats at the command of weak and ambitious kings and corrupt ministers:—seeking our real enemies, we find them in our bosoms, we feel ourselves inwardly torn by, and ever the victims of a restless and all-consuming aristocracy, hitherto the bane of every nation under the sun. Whately have you acted in expelling it from France.

“Warned as our wishes are for your success, eager as we are to behold Freedom triumphant, and man every where restored to the enjoyment of his just rights, a sense of our duty as orderly citizens forbids our flying in arms to your assistance; our government has pledged the national faith to remain neutral—in a struggle of liberty against despotism, Britons remain neutral! O shame! but we have entrusted our king with discretionary powers, we therefore must obey,—our hands are bound, but our hearts are free, and they are with you.

“Let German despots act as they please, we shall rejoice at their fall, compassionating however their enslaved subjects. We hope this tyranny of their masters will prove the means of re-instating, in the full enjoyment of their rights and liberties, millions of our fellow-creatures.

“With unconcern, therefore, we view the elector of Hanover join his troops to traitors and robbers; but the king of Great-Britain will do well to remember that this country is not Hanover—should he forget this distinction, we will not.

“While you enjoy the envied glory of being the unaided defenders of freedom, we fondly anticipate in idea, the numerous blessings mankind will enjoy. If you succeed, as we ardently wish, the triple alliance (not of crowns, but) of the people of America, France, and Britain, will give freedom to Europe, and peace to the whole world. Dear friends, you combat for the advantage of the human race—how well purchased will be, though at the expence of much blood, the glorious unprecedented privilege of saying, mankind is free—tyrants and tyranny are no more—peace reigns on the earth, and this is the work of Frenchmen.

“Resolved, That the thanks of this society be given to the London Corresponding Society for the above address, transmitted by them; and that the Secretary acquaint them this society do highly approve of the spirit of the same.”

Q. (To Linnæus.) Where did you find that paper? (a paper dated 1792.)

A. I found it at Mr. Hardy's house; indorsed, London Constitutional Society, received the 16th of October 1792, answered

swered 18th ditto, addressed Maurice Margarot, Esq. Chairman to the London Corresponding Society, dated 15th of October 1792.

“ SIR,

“ Your favour of the 11th instant, an address of the London Corresponding Society was read at a meeting of the Society for Constitutional Information, held last Friday, and I am desired to express their thanks for the said address, and to assure them that they do highly approve of the spirit of the same.

“ I have the honour to be,

“ D. ADAMS,”

Secretary to the Society for Constitutional Information,
Took's Court, Chancery Lane, No. 36.

Q. (A letter shewn to Lauzun.) Look at that letter, where did you find that letter?

A. This I found in Mr. Hardy's house.

(The letter read by the Clerk of the Court.)

Indorsed 10th October 1792, to the Manchester Society, Mr. Tho. Walker, president of the Constitutional Society.

“ SIR,

“ Multiplicity of business has prevented our secretary from answering your kind favours of the 26th ultimo

“ Here you receive our intended address to the French National Convention; if your Society approve of it and will join us, the manner in which you will do, so remains with you, but we imagine that the sending us back a copy of the address, signed by the president and secretary, stating the number for which they sign, will be sufficient for us to join.

“ Your's,

“ MAURICE MARGAROT, Chairman, &c.

“ We mean to concert with the London Constitutional Society about the means of conveying it.”

Q. (To Lauzun) Did you find this at Hardy's? *(a paper shewn him.)*

A. I did.

(The paper read by the clerk of the Court.)

Indorsed 11th October 1792. To the Revolutionary Society at Norwich.

“ The L. C. S. have received your letter of the 6th instant, directed to their secretary, we are happy to learn your determination in favour of freedom, &c. we have determined on a friendly address to the French National Convention, we hope the concurrence of many societies, annexed, you have a copy of it, and it will be only necessary for you with speed to return us a copy of the address, signed by the president and secretary,

or by the delegates, stating the number of persons for which they sign for the committee of the London Corresponding Society.

“ Your very humble servant,

“ MAURICE MARGAROT, Chairman.”

Q. (*To Laurum—a paper shown him*) Did you find this paper at Hardy's.

A. Yes, that is another of them.

(*Read by the Clerk of the Court.*)

Dated *London*, 19 Oct. 1792. *Dirly*, The Society for Political Information, Mr. J. Air.

“ SIR,

“ With pleasure we receive your favours of the 16th instant, and return you thanks for the paper sent us, also for those for the new Society at Nottingham, &c.

“ We cordially invite your Society and that of Nottingham to concur with us also in the same, which if you do we desire you will send us back a copy signed by the president and secretary of each Society, and send back the number for which you sign for.

“ Reason and good order must make us invincible.

“ I am, Sir,

“ For the London Constitutional Society, your's,

“ MAURICE MARGAROT, Chairman.

“ Please to let us have your's as soon as possible.”

Q. (*To Laurum. The paper shown him.*) Was this letter in Hardy's custody?

A. Yes, it was.

(*Read by the Clerk of the Court*)

Dated *London*, Oct. 18, 1792; addressed to T. Adams, Secretary of the C—— S——.

“ The L—— C—— S—— learn with pleasure, that the Society for Constitutional Information approve of the spirit of our address. But to come back to the point; we imagine that, as you approve of the measures, we may with propriety ask you, whether you will concur with us in sending that address, or whether you will draw up another better suited to the present circumstances, and permit us to join you to transmit it to the National Convention?”

Q. (*To Laurum. The paper shown.*) Look at that, and see if that is one you found at Hardy's?

A. Yes, this is one that I found at Hardy's house.

(*Read by the Clerk of the Court.*)

Indoned, Norwich, Society for Political Information, received 15 Nov. 1792, answered (blank), dated 11 of Nov. 1792, addressed to Mr. Thomas Hardy, to be left at the Bell, Exeter-street, in the Strand, *London*.

“ Mr.

“ MR. SECRETARY,

“ SIR, *Norwich, November 11th, 1792.*

“ We, the Society for Political Information, are desirous of holding and strenuously supporting the noble sentiments which you so lately and friendly dispersed among us; and as we so much admire your well adopted plan for a reformation of the state, permit us, with the utmost deference to your worthy society, to participate with you in all your great national correspondence, which your very name promises to maintain; and in consequence thereof, it is humbly desired, by the society which I have the happiness to represent, to incorporate three members with your worthy fraternity: in doing which I shall here inform you of their names and residence, which are as follow, ——— ———

———. Our principal design in doing this, is, that we may have an opportunity of knowing more exactly what may be thought the most eligible steps to be taken in carrying on this great business of our associated brethren, and to have an opportunity to ask such sort of questions as may be thought very reasonable among the brethren; especially when we think that publications are covered with a sort of obscurity in it, as the Sheffield people's declaration, which seemed determined to support the Duke of Richmond's plan only; but since we find, in a printed letter received from them in a book, that they mean to abide by some moderate reform, as may hereafter be brought forward by the Friends of the People, which method is uncertain to us. Again we find that the Friends of the People, and the Society for Constitutional Information do not exactly agree: —we could be glad to know the reason. It seems to me as though the difference was this;—The Friends of the People mean only a partial reform, because they leave out the words expressing the Duke of Richmond's plan, and talk only of a reform; while the Manchester people seem to *intimate, by addressing Mr. Paine, as though they were intent upon republican principles only*; now, to come closer to the main question, it is only desired to know whether the generality of the societies mean to rest satisfied with the Duke of Richmond's plan only; “ *Or whether it is their private design to rip up Monarchy by the roots, and place democracy in its stead.*” I shall now, Sir, give you an exact account of what plan I could wish to obtain, which I have already moved for at our general meeting, viz. a full and equal representation of the whole body of the people; a general suffrage of votes, and annual Parliaments. I remember the Society for Constitutional Information intimated to us that Mr. ——— used to write to them in the name of the Revolution Society: if you approve of that appellation, pray be so kind as to
give

give us a full and satisfactory answer. I shall say no more at present, but remain a friend to peace, not to anarchy; a well-wisher to the Rights of Man, when obtained by consent; and your most obedient, &c.

“ G. KNAPP, Chairman.

“ P. S. I should be exceedingly glad to know the residence of Lord Kenyon and Lord Loughborough for a matter of private concern.”

Q. (*To Lanzum, the paper shown him.*) Where did you find that paper? Did you take it at Hardy's?

A. Yes, this is one I found at Hardy's house.

(*Read by the Clerk of the Court.*)

Dated 26 November, 1792, signed, Maurice Margarot.

“ FELLOW CITIZENS,

“ Your letter of the 1th instant, was by the Secretary laid before the Committee of Delegates of the London Corresponding Society; the London Corresponding Society having never heard of your Society, they wish to have some account of its origin, principal, and number of its members; they do not thoroughly comprehend how it would be possible to incorporate with our Society, three of your members residing at Norwich, inasmuch as it would be impossible to communicate to them all, or correspondence.

“ If it is communication you want, they will very readily answer any question that you put to them, and as to their object which they have in view, they refer you to their address, you will therein see that they mean to disseminate political knowledge, and thereby engage the judicious part of the nation, to demand a reformation of their rights and annual Parliaments, &c. the members of this Parliament owing their election to the unbought and equal unbiassed suffrage of every citizen; they consider the obtaining such a Parliament to be the ground-work of every necessary reform; to this therefore they steadily adhere, and turn themselves neither to right or to the left, to follow no other plan whatever, the rules and orders of their Society being so plain and easy, that if they can get a majority of the nation to act as they do, the proposed reform will affect itself; they look upon the trifling difference that may have risen between the several Societies as of no great importance, and think they will subside without any ways injuring the cause; they think it a matter of small importance of whatever name you chuse to adopt; they advise you, &c. to be careful, to preserve peace. Leave monarchy, democracy, and even religion, entirely aside; never dispute on those topics: let your endeavours go to encrease the number of those who wish for the full
and

and equal representation of the people, and leave to a parliament so chosen to form plans for remedying the existing abuses.

“Should they then not answer your expectations, at the year’s end you may chuse others in their stead. The Committee offers you every assistance in their power, but request that your question may relate mostly to the methods of obtaining a parliamentary reform. Like yourselves, they are friends to peace, and not anarchy, and well-wishers to the rights of man.

“Yes, not so sanguine in their expectations as to imagine those rights will be surrendered by the spontaneous consent of those who have so long deprived mankind of them. Understanding that you have many Societies in Norwich, the committee recommend to you the plan before-mentioned of correspondence then carrying on. One by one, the committee will serve you all. They likewise recommend the appointment of one of the least conspicuous of your society to receive letters sent to your society, lest if he be too well known, they may not come to hand, &c.

(Signed) “MAURICE MARGAROT, Chairman.”

Q. (*Mr. Garrow to Laurzon—a paper shewn him.*) Look at this; did you find that at Mr. Hardy’s?

A. Yes, it is a letter, Feb. 1st, 1793, indorsed to “The Friends of the People.”

(*The letter read by the Clerk of the Court.*)

“To the Committee of the Friends of the People,

“We are instructed by the Committee of the London Corresponding Society: We thank your society for your kind advice concerning peace, order, and obedience to the laws; we make them the foundation of our union, as our address sufficiently evince. We have never departed from legal obedience, which hath thereby frustrated the evil designs of all those which militate against a reform, &c.

“You acknowledge, that to wish success to the cause of freedom is congenial to the heart of a Briton; instead, therefore, of admitting your argument against our having published such sentiments, by a friendly address to the National Assembly of France, we must observe that at the time, when the enemies of mankind are using every effort to crush the infant French Liberty, it becomes our duty as friends to human happiness, to express the just abhorrence we entertain of a manifesto which we conceive is aimed not so much at the liberty of France, as at the liberties of the whole world; but to make any particular comments on that manifesto is now unnecessary, as it might be
unsafe;

unsafe; we only wish every Briton to peruse it. We almost wish you, and all other societies, and the whole nation, do not catch the flame, &c."

Q. *To Lauran—a paper shown him*) Did you find that letter at Hardy's house?

A. Yes.

(The letter read by the Clerk of the Court.)

Indorsed February 15th, Signed Edward Curtis.

"SIR, *Prith-Street, Feb. 15th, 1793.*

"I am directed by the Society of the Friends of the People, to acknowledge the receipt of your letter dated 1st February, 1793. Having pledged ourselves by our public acts and documents to use every effort in our power for the purpose of obtaining a complete, substantial, and radical reform of the representation of the people in Parliament, we never can be supposed to have surrendered to any other body of men the exercise of our own discretion with respect both to the plan which we deem most effectual for the purpose, and the time which we think most favourable for offering it to the public; at present we think, that to make public our views on these subjects, would be to furnish arms to our enemies, and to injure the cause in which we are engaged. The period, however, is probably not very far distant, when these particulars will be made known to the public; it is sufficient now to express our confidence that that moment will prove, by evidence more substantial than professions, that we will propose no plan of reform which is short of an effectual destruction of *abuses* in the representation of the people, and that we have honestly exerted every faculty we possess in choosing the time most favourable to the success of our plan.

"We have learned, with affliction and indignation, the arbitrary and unconstitutional interruption of meetings of citizens, peaceably and lawfully assembled, for the discussion and maintenance of their rights. We have ever viewed with utter disapprobation, both of their principles and proceedings, the associations who have been the authors or instruments of this persecution. Their principles, we think, are repugnant to the free spirit of the English law, and their conduct, we think, has been as injurious and oppressive as the principle of their institution is unconstitutional and absurd. But deeply penetrated as we are with these sentiments, we neither possessed power nor legal competence to interpose for the protection of an individual, suffering even under the most unjust persecution. We cannot, therefore, feel ourselves blameable for inaction in cases of which the particulars were never laid before us; and in which it might have been perhaps impossible, and perhaps improper, for us to have intererred.

"We

“ We do not think it necessary to make any particular remarks on those publications which you have put forth. We are not called upon to pronounce any judgment on the publications of individuals or societies; and however we may lament the grievances of which some of your publications complain, our efforts must necessarily be limited to the object of our institution, the creation of an organ to speak the public voice in legislation.

“ We cannot help expressing some surprize at the information that societies in different parts of the kingdom, who were solicitous about the nature and extent of our plans of Reform, instead of expressing such solicitude to ourselves, should have chosen the indirect and circuitous channel of any other Society. Had they applied to the Friends of the People directly, they would assuredly have received every information compatible with the prudence, and with a due regard to the success of our common cause.

“ On the subject of your correspondence with the National Convention of France, we freely communicated to you an opinion in our last letter. We see no reason to change the sentiments which we then expressed on the prudence and tendency of that measure; for though we not only “ acknowledge,” but avow with pride, “ that to wish success to the cause of *Freedom* is congenial to the heart of a Briton,” yet we cannot think that men engaged in so momentous a cause as that of Parliamentary Reform are entitled to make public declarations, even of their most virtuous sentiments in any manner which may injure that cause, serve the purposes, and strengthen the pretexts of its enemies. Far be it from us to treat with severity and rigour even those errors and indiscretions into which men may be betrayed by a generous zeal for the cause of freedom; but surely it cannot be denied, that the correspondence of societies in this country with public bodies in France has furnished the most specious pretences to interested men for confounding a virtuous sensibility to the interests of liberty, in other countries, with a criminal intention to introduce disorder and civil commotion into our own; it is chiefly by the help of this pretext that designing men have so successfully practised on the alarms of the public, and that timid honesty has been rendered the dupe and the instrument of corruption. But on this subject all further remark is now become unnecessary, as every good citizen must now feel himself precluded from all political intercourse with France (for a period which we earnestly pray may be very short) by a war, the principle of which we utterly disapprove; the inevitable evils of which we deeply deplore; and at the possible consequences of which we tremble.

“ Among the most wise and honest friends of liberty there must

arise frequent differences of opinion and of conduct; and these differences, the natural effect of an independent judgment and an independent spirit, are perfectly compatible with mutual confidence and co-operation. When indeed, designing persons avail themselves of such differences to sow distrust, and to insinuate suspicions against the characters and intentions of men, it is then only that they become pernicious and injurious. Against practices which might produce such a spirit of disunion and distrust it is truly almost unnecessary to warn the friends of liberty at a moment when our enemies are so formidable and so united.

“ They have sacrificed all inferior interests and all former differences to their common interest in perpetuating abuses and corruptions. Let it not be said, that more generous motives have a less powerful influence on the human mind, and that the love of liberty is not able to produce that union among her friends, which in her enemies has arisen from the most abject and sordid passions.

“ It seems scarce necessary to represent to the London Corresponding Society the peculiar necessity of circumspection and moderation, at a moment when the most venal indiscretion of the friends of reform is remarked with such malignant watchfulness, and converted into an argument against the cause of Reform itself.

“ He must surely either be a secret enemy, or an unsafe and pernicious friend of that cause, who could prompt you to any thing that could be construed into indiscretion, or who would labour to sow distrust among the small number of those who now appear in behalf of freedom in England, at a period when a persecution is carried on against the friends of Reform at home, and a war is commenced, which in its progress may combine the arms of England with those powers engaged in a crusade against the general liberties of Europe.

“ In name and by order of the Committee,

“ EDWARD CURTIS, Chairman.”

Directed to Mr. Hardy.

Q. (*To Laurer—a paper shown him.*) You found that at Mr. Hardy's?

A. Yes; I did.

Court. What is that letter?

Mr. GARTHOE. It appears to be an answer to the last.

(*The letter read by the Clerk of the Court.*)

“ SIR,

“ The Committee of the London Corresponding Society have, at present, to acknowledge the receipt of your letter of the 15th of February.

“ With

“ With pleasure we perceive your society not unwilling to keep up a correspondence with us, yet, at the same time, we are sorry that you should appear to be hurt by the plain questions we put to you in our last—to ask of you what measures you mean to pursue in a matter which concerns us all, is certainly no ways calling upon you to surrender up to our society, or even to the public at large, your discretion—nor can we conceive that a body of men having pledged themselves to the public can be a sufficient security to that public to repose implicit confidence in them without being made further acquainted with the nature and extent of the plan you mean to pursue, in order that we the people may, if we approve it, co-operate with you—the extent of your proposed reform, we apprehend, is already determined upon, and we can discover no advantage likely to result from its secrecy—on the contrary, if *we* are to ask for ourselves the same thing which our friends mean to ask for us, the latter must receive their instructions from us, or we must be directed by them—in either case there must be no secrets. We further conceive, that the permanency of a reform must be founded on the acquiescence of the public, who, after maturely deliberating on every thing proposed, shall have found your plan the most useful and the best that could possibly be laid down.—The business we are engaged in is of too important a nature to admit of a reserve or disguise.—We will, therefore, by the frankness of our behaviour, shew ourselves worthy the friendship of a society of honest men endeavouring to serve their country, and plainly tell you, our country correspondents did not desire us to inquire of you what you meant to do, but fairly and bluntly asked us, whether we thought you honest? whether we thought you meant to serve a party or the nation? whether we imagined you intended a partial or a complete reform? Addressed in this manner to us, and blunt as those questions may appear, they have nothing in them which can possibly offend you, the people having always an undoubted right to scrutinize the character and principles of them who call themselves their friends, and as such avow an intention of bringing forward measures in which we are all so deeply interested. As to the furnishing our enemies with arms by disclosure of our intention, we cannot conceive that demands founded on constitutional rights can lose any of their force by being made public. Reason (*vires acquirit eundo*) to triumph requires only to be known; and as none of the people’s demands are founded on fallacy, to take the enemy by surprize would be unworthy of the public champions, and, moreover, perfectly needless, when truth and reason must unavoidably bear down all before them without the assistance of guile.

“Under the idea, that were your say, “You neither possessed power nor legal competence to interfere for the protection of an individual suffering under the most unjust prosecution,” you allude to the case of our bird sticker: We must beg to set you right, and to inform you we never, as a society, sought the interference of any body of men; on the contrary, we are firmly persuaded, however hard such cases may bear upon individuals, they will eventually prove of service to the public, nothing having a greater tendency towards rousing the country from its too prevalent apathy with regard to stretch of prerogative and abuse of power.

“As to our address to the F. N. C. we imagine it best to say no more about it at present, only that if it has furnished pretences to designing men, it has only saved them the trouble of seeking excuses elsewhere; but such men, even without our aid, would have been at no loss; at the same time we are apt to believe the plan for war, if conceived before then, was by no means accelerated thereby.—intended as preventatives, addresses might have been essential if they had been more generally adopted; the only fault therein, that by a mistaken idea, the addresses gave credit to the nation for a greater degree of energy than it really possessed. We agree with you that unity of sentiment is no way incompatible with diversity of opinion, and that the latter is natural to independent minds; with the same object in view, their mode of pursuing it will undoubtedly differ;—with caution, therefore, we will watch over those who wish to sow the seeds of unnecessary distrust among us, and will at the same time take good care that the doctrine of implicit confidence may not gain ground among us. Full as much as yourselves we plead the necessity of union among the Friends of Liberty, but lament that it is prevented, or at least retarded, in many instances, by the same thing that promotes it among the enemies of Reform, namely, interest; with them all their interest is for the continuation of abuses, while to some of us a Reform must be attended with pecuniary loss, and many others would lose their employ, their daily bread, were it known they took an active part:—thus the same motive, affording on one side the appearance of a virtue gives emulation to bad men, and on the other, in its vilest but most natural form, stays the progress of those who, with the best intentions, labour to save their country.

“We thank you for your kind and prudent advice, enjoining us moderation and discretion at this critical moment, when every imprudence in the advocate is liable to be rendered prejudicial to the cause itself.”

4th March, 1793.

Q. (*To Lauzun—a paper shewn him*) Did you find this paper at Mr. Hardy's?

A. I did.

Q. (*To Grant*) I believe you, by business, are a printer.

A. Yes; I am.

Q. Did you, Sir, at any time—or when did you become a member of the London Corresponding Society?

A. About the beginning of the year 1792.

Q. In which of the divisions of that Society did you belong?

A. I think it was in No 2.

Q. Where was the meeting of that division held?

A. At the house of Mr. Bell, in Exeter-street.

Q. Will you be so good as to name to us some persons who frequented those divisions?

A. There was Maurice Margarot, he was one; Mr. Hardy, Mr. Richter, Mr. Murry, and several others that I do not recollect, and a number of others.

Q. In what character was Maurice Margarot?

A. He appeared to me to be President of the division.

Q. Was you applied to at any of those meetings to print any paper for those divisions, or for the society at large?

A. No, I was not at that time.

Q. When was you applied to?

A. About the middle of the year 1792, and at the end of the year 1792.

Q. First, we will take the application in the middle of the year 1792.—By whom was that made to you?

A. By a Mr Gow.

Q. He was also a member.

A. He was.

Q. Was that made by him in private, or at one of the division meetings?

A. Upon my word I do know positively; but I know I refused to print something that he shewed me.

Q. Did you afterwards print any thing for the society?

A. Yes; I printed a posting-bill: there was a Mr. Richter, during my absence, left a manuscript, I read it over with him, and agreed to print it—and I did print it.

Q. Did you ever see Richter at any of those meetings of the divisions to which the prisoner Hardy attended?

A. Yes.

Q. You say you undertook to print that which Richter applied for.

A. Yes; 500 copies.

Q. Who paid you for them?

A. Mr.

A. Mr. Hardy, the prisoner.

Q. Was there any directions given to you as to the time when they would be required to be done?

A. They were ordered to be done as fast as possible; and when they were done, I ordered them to be sent to Mr. Hardy; and I imagine my order was complied with.

Q. How soon after did you see him?

A. Two or three days after they were sent back again to my house.

Q. Did he pay you for those you sent unto him?

A. Yes.

Court. Were you paid before you ordered them to be sent to Hardy's, or after?

A. After.—They were returned the very same day they were sent.

Q. Do you, of your own knowledge, know what became of the papers after they came home to your house?

A. They were given by my warehouse-man to one Carter, to be put up in the street.

Mr. ERSKINE, Did you see it?

A. No.

Mr. BOWERS. Did you in point of fact know that any that you printed were posted up in the streets of this town.

A. I do not know; because I never see any, to the best of my recollection.

Q. Did you ever converse with Hardy respecting those papers?

A. Yes.

Q. Will you be so good as to tell us what past?

A. Mr. Hardy informed me that Carter had been taken up.

Q. You had given order to deliver things to Carter: was they in fact delivered out of your possession, after they were returned from Hardy's?

A. They were.

Q. After that, Mr. Hardy told you that Carter had been taken up.

A. He informed me so; and I told him I had heard that before.

Q. For what?

A. Putting up the bills in the streets.

Q. Where?

A. In this town.

Q. Do you know whether Carter was in prison, in fact, for posting these bills?

A. I heard so; I never see him in prison.

Q. Will you be so good as to look at this, and tell us, now whether that is one of the bills that you printed?

A. Yes

A. Yes; I believe this is the very identical bill: I have no doubt about it.

Q. Had you any conversation with Mr. Hardy, respecting any other paper?

A. I do not recollect.

Q. Did Mr. Hardy say any thing to you about any other paper?

A. There was an order came to my house; I do not know from whom, for one thousand large bills, and five thousand small ones.

Q. What conversation passed between you and him on that?

A. Nothing; but I refused to print them.

Q. How long did you continue a member of the society after you refused to print them?

A. In fact I had not frequented the society some time before that; I believe that was in the latter end of November, or beginning of December.

Q. You named Margarot at one of these meetings; in what character did he act?

A. As president of the delegates.

Q. In what character did the prisoner Hardy act?

A. A secretary of the society itself.

Q. Was there any secretary to the division?

A. I do not know expressly; for I only went twice or three times at farthest among the delegates.

Q. Where was it that he acted at?

A. At Mr. Bell's, at the division society.

Court. Was you ever at a meeting of delegates?

A. Yes; once or twice.

(The bill read by the Clerk of the Court.)

Address of the London Corresponding Society to the other societies in Great-Britain, united for the obtaining a Reform in Parliament.

“ FRIENDS AND FELLOW COUNTRYMEN,

“ Unless we are greatly deceived, the time is approaching when the object for which we struggle is likely to come within our reach. That a nation like Britain should be free, it is requisite only that Britons should will it to become so—that such should be their will, the abuses of our original constitution, and the alarms of our aristocratic enemies, sufficiently witness. Confident in the purity of our motives, and in the justice of our cause, let us meet falsehood with proofs, and hypocrisy with plainness; let us persevere in declaring our principles, and misrepresentation will meet its due reward—contempt.

“ In this view the artifices of a late aristocratic association, formed on the 20th instant, call for a few remarks, on account
of

of the declaration they have published relative to other clubs and societies formed in this nation. It is true that this meeting of gentlemen (for so they style themselves) have mentioned no names, instanced no facts, quoted no authorities; but they take upon themselves to assert that bodies of their countrymen have been associated, professing opinions favourable to the *Rights of Man*, to *Liberty* and *Equality*; and moreover, that those opinions are conveyed in the terms, *No King, No Parliament*.—So much for their assertions.

“ If this be intended to include the societies to which we respectively belong, we here in the most solemn manner deny the latter part of the charge, while, in admitting the former, we claim the privilege, and glory in the character of Britons. Whoever shall attribute to us the expressions of *No King, No Parliament*, or any design of invading the property of other men, is guilty of a wilful, an impudent, and a malicious falsehood.

“ We know and are sensible that the wages of every man are his right; that difference of strength, of talents, and of industry, do and ought to afford proportional distinctions of property, which, when acquired, and confirmed by the laws, is sacred and inviolable. We defy the most slavish and malevolent man in the meeting of the 20th instant to bring the remotest proof to the contrary. If there be no proof, we call upon them to justify an insidious calumny, which seems invented only to terrify independent Britons from reclaiming the rightful Constitution of their country. We admit and we declare, that we are friends to *civil liberty*, and therefore to *natural equality*, both of which we consider as the *rights of mankind*. Could we believe them to be “ in direct opposition to the laws of this land,” we should blush to find ourselves among the number of its inhabitants. But we are persuaded that the abuses of the constitution will never pass current for its true principles; since we are told in its first charter that *all are equal in the sight of the law*, which “ shall neither be sold, nor refused, nor delayed to any free man whatsoever.” Should it ever happen that “ right and justice” are opposed by expence, by refusal, or by delay, then is this principle of equality violated, and we are no longer free men.

“ Such are our notions of those rights which it is boldly maintained, “ are inconsistent with the well-being of society:” But let us not suffer men who avow no principles of liberty, whose favourite cry is inequality of property, to estrange others of our countrymen from aiding us in serving the community, and from recovering to the nation that share of its sovereignty which has unhappily been sacrificed to corrupt courtiers and intriguing borough-mongers.

“ If

“ If our laws and constitution be just and wise in their origin and their principle, every deviation from them, as first established, must be injurious to the people whose persons and property were then secured; if at the revolution this country was adequately represented, it is now so no longer, and therefore calls aloud for Reform.

“ If it be true that the people of Britain are superior to other nations, is it that our taxes are less burthensome? or that our provisions are less expensive? Is it from the various productions of our soil that we are rich? Is it owing to the majority of our numbers that we are strong?—Certainly not. France has the advantage in all these respects, and up to this period she has never been our superior in wealth, in power, in talents, or in virtue. But let us not deceive ourselves, the difference between us and that nation was formerly that our monarchy was limited, while their’s was absolute—that the number of our aristocracy did not equal the thousandth part of their’s—that we had trial by jury, while they had none—that our persons were protected by the laws, while their lives were at the mercy of every titled individual. We, therefore, had that to fight for, which to them was unknown—since we were men, while they were slaves.

“ The scene has indeed changed—like our brave ancestors of the last century, they have driven out the family that would have destroyed them; they have scattered the mercenaries who invaded their freedom, and have “ broken their chains on the heads of their oppressors.” If, during this conflict with military assassins and domestic traitors, cruelty and revenge have arisen among a few inhabitants of the capital, let us lament these effects of a bloody and tyrannous manifesto, but let us leave to the hypocrite pretenders to humanity the task of blackening the misfortune, and attributing to a whole nation the act of an enraged populace.

“ As we have never yet been cast so low at the foot of despotism, so it is not requisite that we should appeal to the same awful tribunal with our brethren on the continent. May our enemies be written in sand, but may our rights be engraven on marble! We desire to overthrow no property but that which has been raised on the ruins of our liberty. We look with reverence on the landed and commercial interests of our country; but we view with abhorrence that monopoly of burgage tenures unwarranted by law or reason in this or any other nation in Europe.

“ Let us then continue, with patience and firmness, in the path which is begun. Let us wait and watch the ensuing sessions of Parliament, from whom we have much to hope, and little to fear. The House of Commons may have been the source of our calamity, it may prove that of our deliverance. Should it not, we

trust we shall not prove unworthy of our forefathers, whose exertions in the cause of mankind so well deserve our imitation.

(Signed) MAURICE MARGAROT, Chairman.

London, _____, Secretary."

29th Nov. 1792.

Q. (*To Laurun. A paper shewn him.*) Did you find that at Mr. Hardy's?

A. Yes.

(*Read by the Clerk of the Court.*)

It is a draft of a letter from Margarot, directed to William Canning, Shuttle, dated March 4, 1793.

"The London Corresponding Society have at present to acknowledge your last, and to answer more fully your preceding letter.

"With regard to petitioning Parliament, we are unanimous in the opinion, that such a petition will not produce a reform; yet from many considerations we are now persuaded, that if every society in the island will send forward a petition, we shall ultimately gain ground, forasmuch as it will force the present members of the Senate to repeatedly discuss the subject, and their deliberations, printed in the different newspapers, will most naturally awaken the public mind towards the object of our pursuit; the nation once informed that a Reform in Parliament is sought for from different quarters, gives rise to debates in the House of Commons, and is acknowledged by every rank to be wanting, will begin to exercise their own reason on the subject; arrived at that period, we presume our business will be nearly accomplished.

"Let us closely follow up our Nottingham brethren; let every society petition separately; let every week furnish a fresh petition, and afford a fresh debate;—we seek to open the eyes of the public: petitions on our part, and rejections on the part of the ministry, will effectually do it. We therefore highly approve of your idea, and will ourselves follow it up, and recommend it to all the other societies we correspond with; and withal we recommend to you that no time be lost in so doing.

"With you we lament the evils of an imprudent and inconsiderate war, a war rather eagerly sought for the advancement of private ends, than carefully deprecated from considerations of public good—a contest unfavourable to this country, whether either France or Despotism gain the upper hand. We join with you in gratitude to those worthy members of either house, who have endeavoured to avert this national calamity, to whom we have likewise returned our public thanks—and we remain with sincerity and affection,

Your friends and fellow labourers."

Q. (*To*

Q. (*To Lauzun. A paper shown him.*) Do you know this letter?

A. Yes, this is one of them I found at Hardy's.

Q. (*To Grant.*) Do you believe that to be the hand writing of Mr. Hardy?

A. I believe it is.

(*Read by the Clerk of the Court.*)

Dated 17th of May, 1793, Thomas Hardy, Secretary, addressed to Mr. William Skirving. (*See page 118 of this work.*)

Q. (*To Lauzun. A paper shewn him.*) Do you know this?

A. Yes, I had it at Hardy's.

(*Read by the Clerk of the Court.*)

Dated 25th of May, 1793, signed William Skirving; to Mr. Hardy. (*See page 119 of this work.*)

Q. (*To Lauzun. A paper shewn him.*) Look at that letter.

A. I know it, I found it at Hardy's house.

(*Read by the Clerk of the Court.*)

“ SIR,

10th June, 1793.

“ It is with singular satisfaction the Committee of the London Corresponding Society received your letter; they are very glad to see the spirit of freedom springing up in Birmingham, and they make no doubt but that the zeal of your Society, and the increase of your numbers, will soon do away the stigma thrown on your town by the unjustifiable behaviour of a Church and King mob. We are entirely of your opinion with regard to the necessity of a general union; and we believe, as you do, that *when once the country shall have so united, the Neroes of the day will be forced to yield to the just demand of a long and sore oppressed people.*

“ With pleasure we accept your proffered correspondence, and earnestly beg of you to let us hear from your Society by every opportunity. We wish likewise you would point out to us *some safe mode of conveyance* for such information and publications as we may think necessary to be transmitted to you. The post we no ways rely on, as many of our letters have already been intercepted.

“ If any of the members of your Society should have occasion to visit this metropolis, we hope you will not let him come without a letter from you, and that while they stay here they will frequently *assist at the meetings* of our several divisions, and by thus associating, commence an union which we hope soon to see spread itself all over Britain.

“ We will not enter into a detail of our grievances; we are equally well informed thereon, and all alike thoroughly convinced that nothing short of Annual Parliaments and Universal Suffrage can restore to us that degree of civil liberty we are justly entitled to, &c. &c.”

Q. (*To Lauzun. A paper shewn him.*) Look at this letter, you found it at Hardy's house?

A. Yes, I did.

(*Read by the Clerk of the Court.*)

Dated 25th June, 1793, signed H. Buckell, and directed to T. Hardy.

From the Political Societies of Norwich.

" SIR,

" I lately received your letter from Mr. ———, dated April 22d, which, through multiplicity of business, we have omitted to answer—I hope you will excuse the delay. *We also received your friendly letter, prior to that, wherein you stated three propositions; first, a petition to his Majesty, or to Parliament, or a National Convention, and ordered one of our committees to answer it;—should be glad if you will inform me whether it was attended to;—I gave my opinion on the subject to the Constitutional Society of London, and found their ideas congenial to my own, viz. an address to the King—futile; a petition to Parliament (as a conquered people)—tolerable; a National Convention (if circumstances admitted)—best of all.* To what an alarming crisis are we arrived—the Junto is formed and established,—the people become a prey, and (to adopt the phrase of an Hibernian apostate) are treated as the swinish multitude, except the privilege of fattening. Wars must commence at the caprice of individuals; people, torn from their houses to be butchered; windmills must be attacked at the risk of being carried over and dashed to atoms; the nation drained of its sustenance to support a league, &c. &c. &c. many epithets may, with great propriety be applied, excepting such as Fox, Sheridan, Grey, Erskine, Lansdowne, Lauderdale, Stanhope, Paine, Priestley, Tooke, Wharton, Mackleod, Barlow, Mackintosh, Cooper, besides many who have suffered under the iron hand of, &c. and when the people have complained, and humbly requested a removal of abuses, they have been treated with insult. Alas! where is the majesty of the people? an indifferent observer would suppose it to center in stars and garters, ribbons and costly apparel, palaces, coaches, and horses, with all the trumpery of puerile amusement; and were it not for their accursed consequences, we could bear with it: but when we consider how many sweat and toil and starve to support it, how can we be persuaded but that there is a contrivance between the land owners and the merchant to hold the people in vassalage, for they eat up the people as they do bread? the influence of the aristocracy and hierarchy is become very alarming, for they have absorbed and swallowed up the people; but a rumour is spread from the south, and it is terrible to tyrants—it stings their mind—it galls their flesh, and like Pathur,

are

are a terror to themselves lest the people should assert their rights.
Your's, &c.

H. BUCKELL."

Q. (To Lauzun. A paper shewn him.) Do you know that letter?

A. I found it at Mr. Hardy's.

Mr. Garrow read it; it is an answer to this last letter, dated 25th July, 1793; it is directed to Mr. Buckell. (See page 129 of this work.)

About half past eleven, Mr. Erskine said, that it was in his mind become necessary to pause, and to demand of the Counsel for the Crown if they had much more evidence to adduce, because if they had, it must be obviously incumbent on the Court to take into their consideration what course they were ready to pursue; he was ready to say for himself, that consistent with that justice that is due both to the Crown and to the prisoner, he was willing to go on, and confessed that he did not feel himself at all fatigued; but if they remained there any length of time, and if the evidence on the part of the Crown should go on to such an extent, as it would be almost impossible for their Lordships and the Gentlemen of the Jury to give any further attention; or if they were able to sustain that fatigue, their physical powers could not endure also the time necessary to hear and attend to the prisoner's defence.

The Lord President observed, that what was now hinted was of very great importance to the justice of the country, and certainly demanded consideration. What is your own judgment as to the course we ought to pursue?—Mr. Attorney General, have you nearly concluded?

Mr. Attorney General. Not half.

The Lord President The present is a matter of most serious importance; the law and the invariable practice is, that after a Jury have begun to hear evidence on a criminal trial, they are not to be divided; and a single instance does not occur in a trial of this kind of any such separation. Nothing, indeed, could justify such a measure, but the most clear and manifest necessity; but that necessity must be so clear and so manifest, that the end of public justice could not be obtained without departing from the rule. I think a necessity to exist in every case, in which it shall appear that the case goes into such a length, that the attention of a Jury cannot be kept alive throughout, without some assistance, or some refreshment; and where, from that length of the cause, they cannot have that assistance from the Court, which, by the law, they are entitled to; and provided that necessity is apparent in this case, I shall certainly readily incline to enter into a consideration of the question, whether we ought to adjourn, and in what way it could be done.

I know

I know, in point of fact, there was an adjournment in one criminal case, a case of misdemeanour; and there has been a doubt started in that case, whether, though the Court adjourned, the Jury were not kept together; but I think there is one circumstance that makes it apparent to me, that in truth they could not be kept together during the whole of that time, because in that circumstance the Court went over an entire day, at two different times of hearing that cause; and I have no imagination that in a complete adjournment the Jury could have been kept together all that time. I do not know, and I am not satisfied myself, that in strict law there is a clear distinction between cases of allowing a Jury to separate in cases of misdemeanour, and in cases of a capital offence, and that the rule of law is not general; I believe really the law extends to all cases where a Jury is once charged. There are but few traces on the books of this sort. In the 14th of Henry VII. there was a question of this sort debated in the Exchequer Chambers, the Jury having separated in consequence of a violent storm, and they afterwards returned again, and delivered their verdict; and the principal doubt then was, whether the whole was not vitiated, as one of the Jurymen had received some refreshment from a friend of one of the parties: however, that case was never decided. I do not know there are any other cases in which the question has been much agitated. If the Counsel for the prisoner make the application to the Court on the grounds of necessity, interesting to the prisoner, and if the prosecutor consent to that application, on such grounds as are proper to influence the judgment of the Court, it seems to me that some way or other an adjournment should take place. I find no difficulty with regard to the Court; the difficulty is with regard to the Jury; regularly and properly, undoubtedly the Jury ought to be kept together.

In civil cases there have been a great number of instances wherein they could not agree; and it was not uncommon in cases of variance amongst the Jurors, to remove them from one place to another; as for example, to bring them to town. But in these cases, there was always an hospital provided for them, and they were kept separate from others, under an officer. I have made some inquiry what might be done, and the Sheriffs, who had foreseen the possibility of the case, did propose that they would endeavour to accommodate the Jury in this house. Whether that can be done, or whether we can depart even from that strictness, which has ever been held as proper in these cases, and suffer the Jury to depart to their own houses, on the application of the prisoner, and the consent of the prosecutor, taking their word of honour, that they would have no communication with any body
on

on the subject of this trial, is a question which I would very much wish to hear.

Mr. Sheriff Eamer said that his colleague and he had made the best provision that the place would admit; they had prepared a room and beds.

Mr. Erskine said it would be difficult to figure a case of more delicacy than that in which he stood at that moment. The charge and the evidence against the prisoner had been given to the Jury when they were fresh, their minds attentive, and their powers in vigour; surely, in common justice, he ought to have the Jury as fresh and as capable of giving their attention to his defence; he could have no difficulty in saying, that the prisoner at the bar was perfectly safe in taking the sole word of honour of each gentleman of the Jury, that they would not be approached by any man living on the subject of this case; he was sure, if he could not have that confidence in their honours, he should have very little hope of addressing them with success in his defence, and he was persuaded that the prisoner at the bar had no objection to their being permitted to go home.

Lord President. The prisoner must ask it, it must come from him as an application.

Mr. Erskine. With all my heart; I certainly advise him to ask it, desiring only that the Jury should pledge solemnly their honour not to converse with any persons on the merits of the cause.

Lord Chief Baron Macdonald. The practice that the Jury should never separate was, that the Jury should give in their verdict without any bias on their mind; but after having superinduced such a case, in which justice cannot be done, that is, when the powers of the Jury, or the Bench, or the Witnesses, possibly are so exhausted, that justice cannot be done, the Court must certainly look to the prisoner in this case. The only thing I have a doubt about, is, whether, if we are under the absolute necessity of departing in some degree from the strict rule of law, we should depart from it as little as possibly could be.

Mr. Baron Hotham. The situation, as *Mr. Erskine* observes, is truly delicate for us all. No Jury ever did separate; and as consequences of the most important kind may follow from the measure, we ought to be careful. If I must speak my mind, the Jury should not separate, particularly as they may be accommodated in the house.

Mr. Alderman Newnham said, he recollected a Jury that were permitted to go home, pending a trial; he was sure of it, for he conversed with one of them.

Mr. Sheriff Eamer said that beds and mattresses were provided for all the Jury.

Lord

Lord Chief Justice Eyre. Undoubtedly we ought not to strain the measure farther than the rigid necessity of public justice would bear them out; if the Jury can be accommodated, they ought not to be separated; and, Gentlemen, though it is an hard duty, you must submit to the inconvenience. Mr. Erskine, in making up the record, it must be all as if one day.

Mr. Erskine. Be it so, my Lord; I agree to whatever may best suit the ends of public justice.

It was settled, therefore, to adjourn the Court to eight o'clock next morning, and two officers were sworn to take the Jury to the apartments provided for them. Before rising,

Mr. Erskine stated, that the immense mass of papers which had taken Mr. Attorney General nine hours to go through, had been entirely kept from the prisoners, and from their counsel. They had been refused a sight of them by the Privy Council; they had been referred to the Crown, and by the Crown referred to the Judges. He thought it seasonable to say now, that when the Counsel for the Crown had gone through the whole, and had laid the body of their evidence on the table, he should request permission for an hour or two to cast his eye over the enormous mass before he opened his defence for the prisoner.

He trusted that as the prisoner had been deprived of all his papers, and as all access had been denied to them since, that they would not consider this as a great indulgence.—He had no desire to retard the proceeding. He had not shewn any such desire this day, for he had never once interrupted them in reading their volumes of papers; all he should require, was to look into the books of which his client had been deprived for an hour or two.

After some conversation, it was understood that such indulgence would be given.

At ten minutes past twelve o'clock the Court adjourned to seven in the morning.

[*End of the First Day.*]

WEDNESDAY

WEDNESDAY MORNING, OCTOBER 28, 1794.

THE Court opened exactly at eight o'clock.

Present, the Lord Chief Justice, Lord President, the Lord Chief Baron, Mr. Baron Hotham, Mr. Justice Buller, and Mr. Justice Grose.

Q. (*To Edward Lauzun. A paper shewn him.*) Did you find that among Mr. Hardy's papers?

A. No, it was found by Mr. Gurnell.

Q. (*To Mr. Gurnell.*) Did you find that among this prisoner's papers?

A. I found this among the papers in Mr. Hardy's possession.

(*The letter read by the Clerk of the Court.*)

Dated 5th of October, 1793. Signed Thomas Hardy; to Mr. Skirving, Edinburgh. (*See page 126 of this work.*)

THOMAS MACLEAN sworn.

Q. (*A paper shewn him.*) Did you find that at Mr. Adams's?

A. I found it at Mr. Adams's.

Q. (*To Grant.*) Look at the indorsement, and see whether you believe this to be the prisoner's hand writing.

A. I seem inclined to think it is.

Court. What is the indorsement?

A. The indorsement is, *To be returned to the Committee on Thursday next.*

(*Read by the Clerk of the Court.*)

Edinburgh, Oct. 5, 1793, signed W. SKIRVING, Secretary.

" BROTHER HARDY,

" The letter and these papers will explain themselves. I went to a meeting the day this mentions, and the determination of the association is universal suffrages and annual parliaments; and it was the unanimous desire and wish of that meeting, that two persons, if possible, should be sent from your societies in England, as delegates to meet our dear Northern friends in the ensuing Convention. I must desire that the wish of our friends may be complied with, &c.

" If any person could be elected, of sound principles, and a clear understanding, speaker, with a large head and a warm heart in the cause of freedom, having in view not his own aggrandisement, such a delegate would be of great service; he must be here the 29th of this month, as the Convention meets on that day, and if my poor services can be of service, as the other delegate, the London Corresponding Society may command me to support their interests as far as I am capable.

" Those who know me, know I am no speaker, much less an orator; but this I say, my heart lies in the right place, and I hate and abhor all despots.

" I am often with our friend Muir, he bears his confinement with a fortitude of soul, inspired with the genius of liberty.

I have much to say, but I must leave off ; this letter will be delivered by my servant, who must have a speedy answer, because of the approaching meeting here ; every thing I will communicate to you from time to time. Wishing success to all human butchers, I remember you, brother Hardy.

“ The friends of the people and of a parliamentary reform, in their general committee of the last meeting in May, unanimously resolved to support the cause which they have espoused, &c.

“ The several societies are now therefore called upon to meet, in their turns, with all convenient speed, for the purpose of electing and instructing their delegates in the next general meeting, associated for a general reform, &c.

“ The delegates will therefore come up to this meeting, unlimited as to the length of it's sitting ; &c. For the friends of the people seek not their own reputation, but the universal good of all, &c.

“ The associated meetings in Edinburgh will advertise their place of meeting in due time. (Signed)

W. SKIRVING.

“ Copy for the use of the different divisions of the London Corresponding Society.

JOHN PHILIP FRANKLOW, assistant Sec.”

Q. (To William Scott.) Will you tell us where you found that paper ? (A paper shewn him.)

A. It was found among the papers of William Skirving, secretary to the Convention at Edinburgh.

Q. (To Alexander Grant.) Will you tell us whether you believe that to be the prisoner's hand-writing ?

A. It is in the same predicament with the other paper ; I never saw it before.

(Read by the Clerk of the Court.)

London, Oct. 25, 1793, signed Thomas Hardy. Addressed to Mr. William Skirving, Head of the Horse Wynd, Edinburgh.

“ DEAR SIR,

“ According to promise, I have this day to acquaint you, that we had yesterday a general meeting of the London Corresponding Society, for the purpose of taking into consideration your kind intention of our sending two delegates to the Convention at Edinburgh. The society have made choice of Maurice Margarot and Joseph Gerald, who will be with you shortly. For the recital of curious incidents attendant on our meetings, I will refer you to the delegates themselves. Sir, I am your most respectful friend and well-wisher,

THOMAS HARDY, No. 9, Piccadilly.”

Q. (To Scott. A paper shewn him.) Tell us where that paper was found.

A. It

A. It was also found among Mr. Skirving's papers.

Mr. Gibbs. You found it yourself?

A. I did not; I shall explain the way they came into my possession: On the 4th of December, the proceedings of the Convention had attracted the notice of those in Edinburgh that had the charge of public affairs—

Mr. Gibbs. We only want to know whether you saw it found.

A. I did not see it found. There was a warrant issued, and the papers were brought from Mr. Skirving's lodgings to the office where Mr. Skirving was, in a bag.

Court. Then the first time you saw any thing of these papers was, when it was produced to the office, brought by a person in a bag?

A. Yes.

Mr. Erskine. That is no evidence.

Mr. Bower. And Mr. Skirving was present when it was opened?

A. Yes.

Court. He hath proved that a warrant having been issued to apprehend Skirving, there was a sealed bag brought to the office, and Skirving was present when the sealed bag was opened.

Q. (To Mr. Grant. A paper shown him. Do you believe that to be the prisoner's hand-writing?

A. Yes, I believe it is.

Q. Do you know any of the others there mentioned?

A. I do not, I never saw any of the parties.

(Read by the Clerk of the Court.)

Dated "General Meeting, October the 24th, 1793. Articles of Instruction given to Citizen Joseph Gerald, delegate of the London Corresponding Society, to the ensuing Convention at Edinburgh, for the purpose of obtaining a thorough parliamentary reform.

"First. He shall not on any account depart from the original object and principles of this society, namely, the obtaining annual parliaments and universal suffrage, by rational and lawful means.

"Secondly. He is directed to support the opinion that representatives in parliament ought to be paid by their constituents.

"Thirdly. That the election of sheriffs ought to be with the people.

"Fourthly. That Juries ought to be chosen by lot.

"Fifthly. That active means ought to be used to make every man acquainted with the rights and duties of a juryman.

"Sixthly. That the liberty of the press on all occasions must be supported.

"Seventhly. That it is the duty of the people to resist any act of parliament, repugnant to the original principles of the constitution.

“ Eighthly. That this society, considering all party names and distinctions as hostile to the general welfare of the people, do forbid their delegates to assume any thing of that nature.

“ Ninthly. That the delegates shall be punctual and frequent in their correspondence with this society.

RICHARD HODGSON, Chairman,
THOMAS HARDY, Secretary.”

Q. (*To Scott. Two other papers shewn him.*) Where did you find these?

A. These are two other papers which were found in the same manner; both these were found at the same time.

Q. (*To Mr. Grant. The papers shewn him.*) Look at them, and see if it is the signature of the prisoner?

A. It is the same as the other, I never saw them before.

(*The first paper read by the Clerk of the Court.*)

Dated October 24, 1793. “ At a General Meeting of the London Corresponding society, held at Citizen Breillat’s, Hackney Road. This is to certify, that Maurice Margarot was this day duly elected a delegate to the ensuing Convention to be held at Edinburgh, for the purpose of obtaining a thorough reform in parliament, and equal representation of Great Britain.

RICHARD HODGSON, Chairman,
THOMAS HARDY, Secretary.”

(*The second paper read by the Clerk of the Court.*)

Dated Oct. 24, 1793. “ At a General Meeting of the London Corresponding Society, held at Citizen Breillat’s, Hackney Road. This is to certify, that Joseph Gerald was this day duly elected a delegate to represent this society in the ensuing Convention to be held at Edinburgh, for the purpose of obtaining a thorough reform in Parliament, and equal Representation of the People.

RICHARD HODGSON, Chairman,
THOMAS HARDY, Secretary.”

Q. (*To Mr. Scott.*) Was this found in the same way?

A. Yes, at the same time and in the same manner.

Q. (*To Mr. Grant.*) Do you believe that to be the prisoner’s hand writing?

A. Yes, I believe it is.

(*Read by the Clerk of the Court.*)

London, Nov. 8, 1793, signed Thomas Hardy, and addressed to Mr. Margarot and Mr. Gerald, delegates of London.

“ FELLOW CITIZENS, London, Nov. 8, 1793.

“ I duly received your favour of the 4th instant, and laid it before the Committee of Delegates last night, who were anxiously waiting for intelligence from Edinburgh, and were well satisfied with the agreeable account of the great number and zeal of the friends of freedom in Scotland.— That part of your letter which
mentioned

mentioned your visiting different towns in Scotland, for promoting the cause—they were pleased with the idea, but they thought that it could not be put in practice on account of the necessary supplies, which come in but very slowly—it is to be mentioned in the different divisions.—We have elected ——— (by ballot) chairman of the committee for the remainder of the quarter—we have also appointed a Committee of Constitution, separate from the Committee of Delegates—one member is chosen from each division to meet on this night for the first time, and to be totally unconnected with the Committee of Delegates.—We still increase in number—and the address to the King, to put an end to the war, is ordered to be advertised to receive signatures—in the Courier, Chronicle, Ayre's Sunday Gazetteer, afterwards by hand-bills, &c. We have opened a correspondence with a new society at ———. I have to inform you of the wish of the society, that you would favour them with the number of delegates in the convention, and the number from England also, and how the civil and military power relishes your meeting. And that you would send such a report from the convention as might appear in the newspapers in London. Send me an Edinburgh Gazetteer, when there is any thing in it of importance. I would have sent you a Courier, but they informed me that they sent several to the coffee-houses and taverns in Edinburgh; for that reason I thought it unnecessary. I hope to have more time to write to you more fully next time. As Murray says the post is just going off, no more at present from

————— Secretary.

Addressed,

MR. MARGAROT, and } Delegates from
MR. GERALD, } London."

Q. (*To Mr. Grant. A paper shewn him.*) Do you believe that paper to be the prisoner's hand writing?

A. Yes, I believe it is.

(*Read by the Clerk of the Court.*)

Dated London, Nov. 15, 1793. Signed Thomas Hardy secretary, and addressed to Citizen Margarot, and Citizen Gerald, delegates.

"FELLOW CITIZENS,

"I received your official letter of the 7th and 12th, and Maurice Margarot's private letter all in due course. At the Committee of Delegates last night, after hearing the report of different delegates, the rapid course of new influx, there were several places mentioned for new divisions of the London Corresponding Society to meet at.

"Some have already taken place, others will next week. Your official letter was read and much approved of, and copies of

of it taken for the use of different divisions. It seems to be the general wish of the different divisions of the society for you to continue as long as you can be of use to the cause; but it all depends on the thing necessary, money. We have hit on an expedient which we mean to put in practice in two or three days, that promises fair to bring in a considerable resource.

“ I shall inform you of it in my next. Those whom you gave direction to call upon have fallen also far short of that liberality which you expected. The committee gave me orders to transmit to you twelve guineas. I have enclosed you a draft on Sir William Forbes and Company for that sum. There was another report of Mr. Frost being to be pillored on Tuesday or Wednesday; but it happened on Wednesday, that Charles Leslie stood in the pillory for a crime too shocking to mention, &c.

“ I have only given you a summary account of our proceedings, but you know how I am situated both in the day and in the evenings, that I cannot command a quarter of an hour to myself, therefore I hope you will excuse me for being laconic.

“ I have made the situation of Mr. Muir as public as I can.

I remain your fellow labourer in the good cause,

THOMAS HARDY, Secretary.”

“ P. S. Friend Margarot, I have not been able to do your business which you left for me to execute before you left London. I have not been able to see that Gentleman whom you mentioned in your last, neither do I expect that I shall this three weeks.”

Q. (*To Scott. A paper shown him.*) Were these two found in the same manner?

A. Yes, in the same manner and at the same time.

Q. (*To Grant.*) Do you believe that to be the prisoner's hand writing?

A. I believe it is.

(*Read by the Clerk of the Court.*)

London, Nov. 22, 1793. Signed Thomas Hardy, Secretary, addressed to Maurice Margarot and Joseph Gerald, Delegates.

“ I duly received your letters of the 12th and 28th instant, which I laid before the Committee last night. After reading and deliberating on them maturely, they resolved that you should continue at your post till you hear from me officially, after the next meeting of the General Committee of the Delegates; by that time we may form some idea what success we are likely to meet with; from advertisements and circular letters, we entertain high hopes of being liberally assisted by the friends of freedom. A circular letter was ordered to be sent to the different Societies in England with which we correspond, inviting them to send delegates to Scotland. Your objection to forming a new Constitution, and your absence, was not by them reckoned well. It is
very

very possible it will not be put in execution before your return, for it will be maturely investigated by all the divisions before it is agreed to. You will herewith receive a draft for 12l. 12s. on Sir William Forbes and Co. I will send you a few of the Englishman's Rights, with a few other tracts. We have not near enough for the orders we have from the country, and our own are nearly out of print. I shall direct them to the person to whom I directed your letter. I am for the Society,

“ THOMAS HARDY, Secretary.

“ P. S. Mr. Frost is very ill.”

Q. (*To Scott. A paper shewn him.*) This was found in the same way?

A. It was.

Q. (*To Grant.*) Look at the signature, and see if that is his hand writing?

A. I believe it is.

(*Read by the Clerk of the Court.*)

Dated London, November 29, 1793, signed Thomas Hardy, Secretary, addressed to Maurice Margarot and Joseph Gerald, Delegates.

“ CITIZENS,

“ I am desired by the general committee to make you acquainted with our determination relative to your stay in Scotland, which is, that you are both to remain at your present posts till the Convention adjourn. The 12l. 12s. I am afraid is miscarried, otherwise doubt not you would have acknowledged the receipt, &c.

“ We are highly pleased with the proposals of union with our northern brethren, and beg you will use every exertion on your part to establish so desirable an union on a firm and permanent basis; it gives us great pleasure and encouragement to hear that the spirit of liberty is in so flourishing a state in the north, and I am happy to inform you that the same noble spirit is making a rapid progress in the south. We are sorry to hear of your sad state of health.

THOMAS HARDY, Secretary.

“ We have not had any account of the arrival of Mr. Muir, though we have used every means in our power.”

Q. (*To Gurnell. A paper shewn him.*) Tell us where you found that?

A. I found it in Mr. Hardy's possession.

(*The letter read by the Clerk of the Court.*)

Dated Edinburgh, Tuesday, December 2, 1793. Signed Joseph Gerald and Maurice Margarot, Delegates, addressed to Mr. Hardy.

“ CITIZEN—

“ We received last night a letter signed by you, but written by another person, acquainting us with the determination of the committee,

committee,

committee, "that at the adjournment of the Convention we should return immediately to London;" this determination we will undoubtedly conform unto, unless it be (as we hope and trust it will) contradicted in your next; for if the Committee abides by it, we, who by being on the spot, and thoroughly acquainted with the state of the country, can judge with certainty thereon, do assure you that *our immediate return to London* will be attended with very bad consequences, for at present all the country societies look up to us to come among them *to enliven, to encourage them, to convince them by our presence*, that we exist, that we have been sent from England for the purpose of *union and Reform, and that the time is near at hand when such Reform must take place*. Nothing, dear friends, must force us from Scotland at present, but the absolute impossibility of bearing the expences attending our mission, and those expences may be somewhat lessened by recalling one of us, and leaving the other; our Norwich friends may likewise bear a part of them, so that unless the funds of the society are very low indeed, no excuse for recal can be valid, unless founded on *fear*; and that we must remind you is our concern, not your's. While, therefore, the idea of *uniting our society with the whole kingdom of Scotland* affords you a pleasing prospect, let us do every thing in our power to *cement that union*; and this can only be done by a longer residence in the country, and by visiting the several societies that have sent delegates to Edinburgh, and would think themselves ill used if we did not take their town in our way. Consider of it therefore, we beseech you, and let us have your answer immediately.

"The convention proceed with great spirit. We sit daily; and last week we came to a resolution, which we fancy will *give pleasure to every friend to Reform*; as the minutes are to be printed, we will, at present, only give you the heads of it; viz.

"That should any attempt be made by government for the suspension of the Habeas Corpus Bill, the introduction of a Convention Bill, or the landing of foreign troops in Great Britain or Ireland, the delegates are immediately to assemble in Convention at a certain place, the appointment of which is left with a Secret Committee. That when seven delegates shall be thus assembled, they shall declare themselves *permanent*; and when their number amounts to twenty-one, they shall proceed to business. Thus you see we are providing against what may happen.

"Citizen Gerald's health is so far recovered as not to prevent him from fully attending his duty. We cannot say as much of Citizen Sinclair, from the Society for Constitutional Information; he has been confined to his bed ever since Saturday with a violent fever and sore throat; he is somewhat better this morning. He is a valuable young man; and, should he die, his loss would be severely

severely felt; not indeed by his constituents, who have basely abandoned him, but by all the friends of freedom. He is a member of our Society, and we recommend him to your notice.

“ You will before this have received our last of the 26th instant, acknowledging the receipt of your letter of the 23d, together with a remittance of 12l. 12s. Our time is so constantly employed that we find it absolutely impossible as yet to write to you more than once a week, and even that on no fixed day; eighteen hours out of the four-and-twenty are devoted to public business, and you may rest assured they are not mis-spent. We are happy to hear that you go on as well in the South as we do in the North—Letters convey *but very imperfectly, and with no great degree of safety, what we might wish to inform each other of.* You have done us a material injury by neglecting to send us a parcel of our publications, and a number of copies of the *Jury-men’s Right*; pray do not delay them any longer, and among them some of the letters to Dundas. We sent you an *Edinburgh Gazetteer* last week, we will send you another to-morrow; you will therein see part of what has passed in the Convention.

“ We remain most sincerely,

“ Your fellow labourers in the cause of Reform,

“ JOSEPH GERALD, Delegate.

“ MAURICE MARGAROT, Delegate.

“ M. M. would be glad to receive a line from T. H. about private business of his own.”

Mr. *Bower*. My Lord, we now propose to proceed to read the proceedings of the Scotch Convention.

Q. (*To Mr. Scott.*) Was this paper found in the same way and manner as you have already stated?

A. Yes, it was.

Mr. *Erskine*. I confess I am not very anxious to shut out any evidence which the learned Gentlemen for the Crown have yet offered for the consideration of the Jury. But as the case stands at present, the evidence is thus; this society was formed, the object of it’s formation has been read to you in evidence, subject to such construction as the Gentlemen of the Jury shall be disposed to put on it, in connection with all the rest of the evidence. They appoint two Delegates to attend this Edinburgh Convention, and your Lordships will have the goodness also to recollect, that the holding of that Convention is not the act charged in this record; it only imputes guilt to the defendant now at the bar, for being one of those who assembled to concert measures for calling afterwards another convention of the people. We have it in evidence recently, because we have all heard it within these five minutes, that these two Gentlemen, who were appointed to

represent the Corresponding Society, had instructions given them; these instructions directed these delegates, as the court has heard, to pursue closely these rules and instructions of the society, which have been made public to the court in evidence; therefore if it should turn out in the proceedings now proposed to be read, (which I do not know that they have, nor do I care whether they have or no) that the delegates ordered to act under the rules and instructions of this society, did what many honest men may do, and what many honest men have done in the moment of heat and irritation, written any thing, said any thing, done any thing, that in their cooler moments they could not approve; nay, I will go farther and say, if Mr. Margarot had said or done any thing not within the scope of the instructions given him, which instructions have been read in evidence, and which refer to the institutions of the society which have been read in evidence, I humbly maintain that it cannot affect the prisoner at the bar, it can affect him in no way, and your Lordship will permit me to recall this to the serious attention of the court. The defendant is charged with no act here of the Edinburgh Convention, he is charged with an act here, which if I could permit myself to think him to be guilty of, although I must stand here to do my duty unquestionably in defending him, yet I should do it in a manner very different from that which I shall adopt for his defence; he is charged with having compassed and imagined the death of our Sovereign Lord the King, whose life is dear to all of us, and to prove that the prisoner from the beginning had that wicked intention, for that is the point, the intention must be considered through the whole of the proceedings, the evidence should be clear, and refer to the act itself; but no act can be given in evidence that does go to shew that the prisoner at the bar had that wicked compassing in his own breast at the time that the act was committed.

I admit, that if they can shew that any instructions were given to these two men who attended this convention, which instructions carry on the face of them, or whether they carry on the face of them or no, carry any evidence of that wicked intention in the way which this indictment imputes to him, or any thing that approaches towards it, then the Counsel for the Crown will be right. I do not make this objection from any apprehension of the importance of the present question. I have no desire to make captious objections, I think we have already given proofs that we have no wish for such a practice. My friend Mr. Gibbs and myself have sat in silence while many of these papers have been read in evidence. Your Lordship must agree, that we have given no trouble to the court, nor do I intend to give unnecessary

cessary trouble to the court ; all that I wish is, that nothing of this sort should pass, so that the just rules of evidence should not be done away. I do not know what it is, very probably I am wasting my own breath and your Lordship's time in the objection, it may be of no consequence when I come to hear it, for that the thing itself may convey no intelligence. But when I stand here not only defending the prisoner's life, but my own life, nay, the life of all the people of England, I must take care that the strict rules of evidence be preserved inviolate.

All that I mean to say is this ; if finally, from the nature and quality of the paper, it can be proved that it was something that Mr. Hardy was consonant to ; if they can shew that the proceedings of this Convention in Edinburgh are known to him, then my objection falls to the ground in this respect.

Lord President. I take it for granted, that the Counsel for the prosecution mean to do that, otherwise the convention of Edinburgh can be nothing to the prisoner. This is the act of a body to which this prisoner sent persons to act in his name ; he may object afterwards that they exceeded their commission ; I conceive it was a fact personal to himself, and known to him ; therefore I think that would be an observation on the act ; there has been enough said, in my opinion, to prove that the evidence should be heard, the application when heard was another thing, I think the evidence ought to be heard.

(The evidence was then accordingly read.)

Extracts from the Minutes of the General Convention of the Friends of the People, held at Edinburgh, and of their General Committee, convened in consequence of the arrival of the English Delegates, and of Citizens Hamilton Rowan and Simon Butler from Ireland, as mentioned in the foregoing narrative.

“ October 29, 1793. In the first day's sitting of the convention, Mr. Calender moved, “ That this convention resolve to claim for themselves and their constituents the right of universal suffrage and annual parliaments.”

“ At the same sitting a letter was read from the four united Societies of Ireland.

“ Mr. Skirving read the thanks of the general meeting of the Friends of the People, at the Free Mason's Tavern, dated London, 18th May 1793, as returned by them to the Convention of Delegates at Edinburgh, for their zeal and activity in the cause of Parliamentary Reform. He also read a similar letter from Mr. D. Stuart, dated London, 5th October 1793; another dated London, 25th October, 1793, respecting the appointment of Messrs. Margarot and Gerald.

“ Mr. Skirving next read a letter from Mr. Binney, secretary to the Association at London, dated Frith-street, No. 7, October 16th, 1793.

“ Mr. Camage read a letter from the Constitutional Society at Sheffield, dated the 27th of May 1793, and signed ——— secretary, upon the whole objects of reform in general, containing some humorous remarks on the arguments advanced by the enemies of reform, which were received with great approbation. — Mr. Skirving next read the printed paper contained in the said letter, addressed to the unemployed artificers, &c. of Manchester, and containing a number of excellent remarks upon the calamities of war; signed—Sidney.

“ Edinburgh, Nov. 6th, 1793. In the General Committee, Citizen Urquhart in the chair, it appears, that a citizen, one of the Edinburgh delegates, having moved that the London delegates should state the situation of their societies, Citizen Margarot answered, “ That the societies in London were very numerous, though sometimes fluctuating. In some parts of England whole towns are reformers; Sheffield, and environs there, 50,000.—In Norwich there are thirty societies in one.—If we could get a Convention of England and Scotland called, we might represent six or seven hundred thousand males, which is a majority of all the adults in the kingdom; and ministry would not dare to refuse us our rights.—Citizen Margarot hoped, that recalling their delegates would strike terror into their enemies, and while we behaved according to the laws of the country, we need not be afraid.”

“ Citizen Butler then said, he did not know how far he was at liberty to say any thing, as he was not a delegate; but he would give an account of Ireland: the executive part of the government were almost omnipotent; the landed interest almost aristocratic; the manufacturer idle.—Last parliament was expected to have given Ireland emancipation; however that prospect was flattering, a few weeks changed the scene.—An infamous coalition took place between the opposition and ministry; the Catholics retired with what they had got.—No longer opposed by them, the government turned their oppressive measures against the friends of reform.—The united Irishmen were prosecuted; he himself had experienced six months imprisonment.—Belfast was declared to be in a state of rebellion—though freedom was not cried up in the streets, yet it dwelt in almost every heart.—Universal emancipation was the measure for which he was an advocate.—All that he knew of the country was, that the first day his friend was in Edinburgh he was arrested, for nothing that he knew, except it was for being so wicked as to come here.—In Scotland they yet met in convention; in Ireland the parliament had enacted laws

laws against it. When a law like that should take place here, he was afraid freedom would vanish.

“Mr. Calender said, that he hoped those that would pass such an act of parliament should be forced to eat it; and hoped that Scotland and England would not submit to it.

“Citizen Gerald said, that he came here armed with the power of Delegation—if our neighbour’s house is on fire, the greater should be our vigilance to prevent the flames seizing our own—a parchment piece of justice had been presented in Ireland; he hoped that if ever it was passed here, we should throw it in the face of our oppressors. Every thing the people had gained had been through Conventions—the Revolution was the consequence of a Convention—the Revolution established, that trust abused was revocable—the Revolution excluded all placemen and pensioners—do we enjoy any benefit from that act? It made ministers responsible—how many bad ministers have we seen go down to the grave in peace, and honoured with all the dignities a king can confer! Union would carry our principles into execution; a Citizen from Ireland told you, that as soon as the alarm bell was rung, the opposition joined the minister; party is ever a bird of prey, and the people their banquet.” The Secretary stated to the meeting, that an order had come down for removing the convicts, but to what place, or when, it was not known: he thought it was to raise a tumult by which our Convention might be stopped.

‘ November 19, 1793. On the first day’s sitting of the Convention after it was resumed, Mr. Margarot moved, “That previous to publishing an address to the public, a Committee be forthwith appointed to consider the means, and draw up the outlines of a plan of general union and co-operation between the two nations in their constitutional pursuit of a thorough parliamentary reform,” which was unanimously agreed to.

“The minutes of the second day’s sitting bear, “That Citizen Gerald vindicated the plan of divisions, as tending to enable the Convention to make up their minds upon the business to come before them.” Mr. Margarot vindicated the plan, as tending to shorten the business of the Convention, and insisted that the familiar intercourse that would take place in these divisions, would be the chief use of them.

“Another Delegate shewed the necessity and importance of the plan of organization, and insisted that the divisions were necessary, and that the loss of a day or two was of no consideration, compared with the magnitude of the object.

“Mr. Margarot promised, in the name of himself and his colleagues from England, that they would grudge no time to execute

estate with propriety the important business they were come upon.

“The Delegate from Sheffield rose to remove any remaining objections that might be made against the plan. He urged, that the grand point in raising a good superstructure was to lay a good foundation; to do which no time should be grudged; and shewed the great utility of the plan in the nomination of Committees.

“And the Convention were accordingly divided into divisions, and places appointed for their meetings.

“Mr. Margarot now moved, “That a Committee be appointed to consider of and draw up a proper plan of union between the two nations, according to the resolution of yesterday.”

“In the sitting of the 21st of November, in consequence of reports from the different sections, a Committee of thirteen was chosen to form an union upon Mr. Margarot’s plan. Mr. Wright, and Mr. Atcheson, were against the motion. Mr. Wright said, that Mr. Muir suffered with a magnanimity which required our admiration.

“In the same meeting Gerald stated, that to honest men nothing was so valuable as truth, and that nothing can possibly tend so much to the disclosure of truth as discussion and deliberation. That it was also very important that the Committee should know as much as possible of the public mind, in order that they might act in union with it. The Convention then resolved itself into a Committee upon the motion of Mr. Brown, and many valuable hints were thrown out by Citizens Brown, &c. Gerald observed, that whatever difference of opinion might exist in these walls, we can never forget that our friends and our enemies are in common, and that our object is equally the same. He took a review of the means we are to use in order to secure our object. He entered fully into the subject of universal suffrage and annual parliaments. He fully proved the rights of the people to these benefits by their ancient constitution. He minutely investigated the principles of government. He asserted, that the end of all government is the good of the governed; that if money be taken out of his pocket against his consent, it is of little consequence whether it be taken by the robber on the heath, or the monarch on the throne. He made many remarks upon the Revolution settlement, and the benefits gained by the last Revolution, and demonstrated clearly, that *they are now totally taken away*. He warned the Convention against the choice of any other than known and plain men like themselves, men uncontaminated by the pestilential air of courts.

“A Delegate from London, during this day’s sitting, in absence of ———, a Scots Delegate, gave in the continuation of the Committee’s report respecting the election of Presidents; of

of three assistants, one to go out daily; and respecting the council of the table. He likewise proposed, "That the whole reports of the Committee should be delayed till the report was completed, and urged as a reason for delay, that Lord Daer was employed in completing the report of the Committee."

"There was a collection, which amounted to 4l. 5s. 8d. amongst which there were two bad shillings, which left the balance 4l. 3s. 8d. The collection at the door amounted to 19s. 3d. Moore gave 1s, making in the whole 1l. 0s. 3d.

"The Fifth Day's Sitting, Convention-Hall, Nov. 23, 1793.

"Citizen Gerald appointed Chairman.

"Citizen *** having read the minutes of last sitting, the President stated, That this morning he had received a letter from our friends in Norwich, who desired him to inform the Convention, that they remained steady in the cause, and had nominated Citizen Margarot their Delegate, and that they would contribute their share of the expences attending the Convention. Mr. Margarot accordingly accepted of the office, who congratulated the Convention upon the accession of such a great number of friends.

"During this sitting, there is the following motion. It was moved, "That from thenceforth the Convention should be styled, *The British Convention of the Delegates of the People*, associated to obtain universal suffrage and annual parliaments;" agreed to unanimously. Also this other motion, "A motion was also made for the Convention allowing the members of the United Society of Irishmen to speak and vote here."—

"Referred to the Sections."

"Citizens *** ***, who were Country Delegates, requested leave of absence, which was granted, upon condition that they would do their utmost to send Delegates in their place.

"In the same sitting there are the following motions, viz.

"Motion by Mr. ***, respecting dividing the country into departments, and appointing provincial Conventions, whereby they may become more acquainted with each other's sentiments.

"Referred to the Committee of Union.

"Motion by ***, containing thanks to the movers of the division into classes, mentioning the advantages already obtained from it, and requesting a fresh shuffle. Referred to the Committee of Regulations, and agreed that the members of Societies in Edinburgh join the sections"—and this day's sederunt closes as follows: "The President warned the sections to meet as full as possible on Monday."

"Citizen ***'s motion, relative to admitting the members of the United Society of Irishmen to speak and vote in this Convention,

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tion, came forward for discussion, when Citizens —, —, —, —, spoke upon it, and agreed to and guaranteed by a solemn joining of hands—it being followed by a motion for transmitting the above resolution to Citizen Archibald Hamilton Rowan, which was passed accordingly.

“ Secretary Skirving stated, that he had just now received five shillings from an unknown hand, for the use of the Convention. Honourable mention in the minutes was ordered to be made of this patriotic donation.

“ A motion was made by Mr. Sinclair, respecting the appointment of an interim Committee at the end of every Convention, to call together the *Delegates on extraordinary emergencies*. 2*l.* 3*s.* 10½*d.* was collected on this day.

“ At the close of this meeting, the Convention being divided into sections, Mr. Gartley moved, “ That the motions should be laid before the sections, and desired the *council of the table* to condescend on these that were to be first discussed.”

“ Seventh Day's Sitting, November 26, 1793. Citizen Matthew Campbell Brown in the Chair.

“ Having constituted the meeting by prayer, Citizen Sinclair was elected Chairman.

“ After debate, an original motion was referred to the Committee of Finance.

“ Ordered, That the Convention shall cause a regular set of books to be kept for the insertion of minutes, motions, and other proceedings; a book of Finance, &c. to be at all times subject to the inspection of an intermediate Committee. That it be recommended to the different societies to copy the bill of rights into their minute books, as a basis for their proceedings, and as a memento to every good citizen, that they were doing what the constitution avows and admits, in order to prevent impossible constructions from being put upon their conduct as friends to reform.

“ All these motions were ordered to lie over to be considered by the sections.

“ The collection amounted to 1*l.* 1*s.* 9*d.*

“ Eighth Day's Sitting. Edinburgh, Nov. 27.

“ Citizen Mealmaker in the Chair.

“ Mr. ———'s motion being taken under consideration, amendments were proposed by Citizens * * * * *

“ Mr. Margarot pled for adopting Mr. ———'s motion; but thought it would be more advantageous to postpone adopting it till the conclusion of the Convention's business.

“ Moved by Mr. Margarot, that a Committee, consisting of the mover, seconder, and those who had moved for amendments of Mr. ———'s motion, be appointed to draw up a motion from the whole, that may probably meet the ideas of the whole

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Convention. After some conversation, it was agreed upon, on the motion of Mr. ———, that the vote of the house be put; 1st, on the spirit of Mr. ———'s motion; 2dly, on the words of the motion; and 3dly, on Mr. Margarot's motion." Agreed.—
 "The sense of the house being taken on the first, it was carried unanimously, to adopt the motion as to the spirit of it. On the 2nd, it was carried by a great majority, not to adopt the motion as so worded. And 3dly, it was resolved, that the said motion, and all amendments, be referred as above. The collection amounted to 11. 8s. 6½."

"Convention-Hall, Nov. 28, 1793. Ninth Day's Sitting.
 Citizen * * * in the Chair."

"Citizen * * * read the amendment upon Citizen ———'s motion, as agreed upon by the Committee; and it was agreed, that the house should resolve itself into a committee for its mature consideration."—In the course of the conversation Citizen * * * gave a history of the Habeas Corpus Act. After an excellent discussion of the question, pertinent remarks, and amendments, the Convention was resumed, and the whole, as amended, being read over, the members stood up on their feet, and passed the resolution unanimously, as follows.

(Here a blank is left in the minutes, as mentioned in the report.)

"After the said resolution was agreed to, and solemnly approved of as above, the minutes import, "That Citizen Gerald, in an energetic and animated speech, addressed the meeting, and expressed his happiness at the motion passed; and exposed the act of the Irish Parliament, called a Convention Bill—and Citizen * * * followed him in a manly speech, and proved the influence of the executive government over the parliament."

"Citizen Margarot read and proposed the following motion:
 "That a Secret Committee of three, with the secretary, be appointed to determine the place where such Convention of emergency shall meet; that such place shall remain a secret with them, and with the Secretary of this Convention; and that each delegate shall, at the breaking up of the present session, be intrusted with a sealed letter, containing the name of the place of meeting; that this letter shall be delivered unopened to his constituents, the receipt of which shall be acknowledged by a letter to the Secretary, preserved in the same state until the period shall arrive at which it shall be deemed necessary for the Delegates to set off. This motion was seconded by * * *, and the same passed unanimously. Accordingly the following Citizens were appointed a Secret Committee upon this business, viz. Margarot, ———, with the Secretary; and they were requested to devise the best possible means of conveying this intimation to those Societies